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ASSEMBLY, DISSENT, AND POLITICAL COHESION:
BOHEMIAN INSTITUTIONAL DEVELOPMENT IN THE FIFTEENTH CENTURY

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LAURA LISA ELIZABETH STITH SCOTT

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ABBREVIATIONS

- AČ Palacký, František, et al. *Archiv Český*, volumes I-XLI. Prague, 1840-2015.
- AMKH Státní Okresní Archiv Kutná Hora. Archiv Města Kutna Hora.
- CDM Boczek, Antonius, et al. *Codex Diplomaticus et Epistolarus Moraviae*, volumes I-XV. Olomouc and Brno, 1836-1903.
- CIM Čelakovský, Jaromír. *Codex Juris Municipalis Regni Bohemiae*, volumes I-IV/3. Prague, 1886-1961.
- CJB Jireček, Hermenegildus. *Codex Juris Bohemici*, volumes I-IV/5. Prague, 1867-1898.
- FRB Nadání Palackého. *Fontes Rerum Bohemicarum*, volumes I-VIII. Prague, 1873-1932.
- KAČ Jireček, Hermenegild. *Korunní Archiv Český: Sbírka Státních Listin Koruny České z Doby od r. 1306 do r. 1378*. Prague: Moravské Aciové Knihtiskárny v Brně, 1896.
- RBM Emler, Josef, et al. *Regesta Bohemiae et Moraviae: Diplomatica nec non epistolaria*, volumes I-VIII. Prague, 1855-2014.

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PREFACE

This dissertation was conceived of in the spring of 2013, in a world that was surprisingly different from the one in which it was completed in the spring of 2018. In 2013, we could still close our eyes to how world events were turning: Russia did not annex the Crimea from the Ukraine until early 2014, the rebels in Syria seemed to be making advances (and Syria seemed to be a world away, even from those of us studying former eastern bloc countries), and we could rest on our laurels with the seeming successes of the Arab Spring. Obama had just been reelected, and liberals and centrists did not give credence to the continuing rhetoric of Michelle Bachman, Paul Ryan, and Donald Trump, nor did we want to recognize the nationalism and xenophobia growing throughout Europe and the United States, even if it had been personified in the election of the Fidesz party in Hungary as early as 2010.

Yet, during the course of researching and writing this dissertation, these trends continued to progress, and slowly but surely – with Brexit, the election of Donald Trump, the rise (if not election) of far-right parties in France, Germany, Hungary, the Czech Republic, Italy, and many others – we were forced to accept that the world was not what we had thought it to be. The end of the cold war and the booms of the 1990s had provided liberals and those with socio-economic advantages with the security to pretend that the world was getting better. We could ignore the failure to “institute democracy” in Iraq or Afghanistan, and instead point to the slow but clear development of democracy in China – ignoring all of the ways in the world’s largest economy (in terms of purchasing power parity in 2015) was still far from a democracy. Yet, this was our naiveté, and our failure to look beyond our own milieu to see the imbalances in our own countries, as well as the injustices and rising dissatisfaction around the world.

This dissertation was composed in the context of a far less rosy worldview than that in which it was conceived. The seemingly static and dependable institutions of our societies now do not seem so unchanging. The world that was created after the devastation caused by WWII is morphing into something different, into a world that does not hide the continuing tensions that exploded in the mid-twentieth century, but rather calls them to the surface and invites them to explode yet again.

It is in this context that this dissertation reexamines the nature of nationalism, faction, territoriality, and sovereignty in the fifteenth century. Although I make every attempt to do so in terms that would be comprehensible to people living in the times about which I write, it would be the height of hubris to pretend that the political changes of my own time do not affect the questions that I ask and the approaches that I take. Indeed, my questions, and the structure of my dissertation, is radically affected by the world in which I live.

I ask about the role of all institutions, and not just assemblies, because it has been made increasingly clear to me that the institutions upon which we rely are themselves malleable, and change in accordance with our interpretation of them. I thus look to my fifteenth century documents to explain how the actors living in those times understood the institutions with which they interacted – to what extent did they take them for granted, and to what extent did they knowingly shape them? How did this change over time?

I also ask about the role of nationalism, and how it was reflected in my fifteenth century documents. Too often, we take for granted our own biases, perspectives, and identities, and subconsciously read these into the past, particularly when examining peoples and places that we consider to be our ancestral heritage. As a non-Czech writing about the Bohemian lands, I have

some distance *a priori*, but I also have to simultaneously ward against that distance, as it may cause me to overlook some evidence of affinities in which I do not partake, while I also avoid adopting the nationalism of the culture in which I have lived and worked. I have made all efforts to maintain this distance, but readers will have to judge for themselves how well I have done so.

No matter when and where we live, or how we try to deny it, we all live in a political moment, and our actions always have political consequences. This dissertation examines some of those actions and consequences in fifteenth century Bohemia.

INTRODUCTION

In fifteenth century Bohemia, frequent political turmoil and religious disagreement led to a situation that, while fraught, also created the space, and indeed the necessity, for innovation. In this context, the purpose, composition, and relative power of the institutions in the kingdom shifted. While the key institutions in 1400 were more or less the same as the key institutions in 1500, their purpose, internal configurations, and the balance of power shifted. This dissertation addresses how these transformations took place, and how they impacted the structure and stability of the kingdom.

The institution that I examine in greatest detail is the political assembly, but my examination thoroughly embeds the assembly in the context of the other key institutions in the kingdom: the monarchy, the Church, the estates, the land court, and legal apparati such as the land rolls and law codes. This examination addresses how concerns such as sovereignty, nationalism, regional identity, religion, and social status shaped the development of these institutions and our understanding of them. I argue that the assembly created a forum for people of a variety of statuses to exert some control over the administration of the kingdom. Yet, this control was possible because the Church and the monarchy had been weakened, and because the estates meeting in the assembly made use of other institutional structures, both internal (such as the land court and law codes) and external (such as appeals to the Pope and the Emperor) to the kingdom. By reevaluating assumptions about the social, political, and religious structures represented in these assemblies, my dissertation advances our understanding of sovereignty and the role institutions play in the development of governing structures.

The motivation for this dissertation can be summed up by a single question: what kept institutions from falling apart completely in fifteenth century Bohemia, and kept and the kingdom from disintegrating? No one person, group, or institution was responsible, but rather the shared interests of all of the above required them to work together towards the stability of the kingdom – although they often disagreed about the way to get there. These shared interests are not easy to define. They cannot be bounded solely by territory – they crossed the boundaries of the various lands of the Bohemian crown – nor by language or religion; yet they all make frequent appeals to ancient rights and the common good. This dissertation shows how and why they were able to keep the kingdom relatively whole.

There are no synthetic works on the fifteenth century Bohemian assembly that are considered authoritative by specialists in related subjects – at least none written in the last century.¹ More literature exists for the assembly in the sixteenth century, but that literature largely ignores the fifteenth century. Although these and other publications frequently refer to the estates, I have been unable to locate a deep investigation that actually traces their emergence.² There is slightly more literature on the land court and the land rolls, but this

¹ One of the few works that comes close to fitting this description is a survey of regional administration in Bohemia the first volume treats the period to 1740 and the second volume treats the period 1740-1792. Bohuslav Rieger, *Zřízení krajské v Čechach* (Prague: Nákladatelství F. Temského, 1892-1893). To some degree, the introductory material and glosses in the various editions and sections of František Palacký, et al, *Archiv Český*, volumes 1-41 (Prague, 1840-2015) and František Palacký, *Urkundliche Beiträge zur Geschichte des Hussitenkrieges in den Jahren 1419-1436*, volumes I-II (Prague: Friedrich Tempsky, 1873), unfortunately, are still the state of the field.

² Treatment of the estates and the assembly can be grouped together, largely because there are no works that really look at the assembly apart from the estates, except for the introductory material in František Kameníček, *Zemské sněmy a sjezdy moravské; jejich složení obor působnosti a význam, od nastoupená na trůn krále Ferdinanda I. až po vydání Obnoveného zřízení zemského, 1526-1628* (Brno: Nakladatelství zemského výboru Markrabství moravského, 1900-1905). Works such as Winfried Eberhard, *Konfessionsbildung und Stände in Böhmen, 1478-1530* (Munich, Vienna: Oldenbourg Verlag, 1981), treat the estates in the later fifteenth and early sixteenth centuries, but from a particular perspective. In their contributions to Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands* (Prague: Charles University in Prague Karolinum Press, 2014), Bourbon and Pánek also have sections that treat the estates, and both discuss the assembly, but they do not do so systemically and do not

scholarship too is very limited.³ In some ways, the monarchy and the Church have received the most attention – certainly, they feature as background players in nearly every piece of scholarship. Yet, as scholars have largely focused on the period before 1437 and period after 1526, the portrayal of the fifteenth century, when it is addressed at all, is largely dependent on outdated work and modes of thinking. This affects scholars’ understanding of the significance of sixteenth century events as well.⁴

seek to understand the assembly or the estates on their own terms, but rather to use existing understandings to explain other phenomena. The same can be said for surveys such as Jaroslav Čechura, *České země v letech* (Prague: Libri, 1999-2012) and *Velké dějiny zemí koruny české* (Prague: Paseka, 1998-2013). The sixteenth century estates are addressed in a handful of works by a variety of authors, such as Kenneth Dillon, *King and Estates in the Bohemian Lands, 1526-1564* (Brussels: Editions de la Librairie encyclopédique, 1976); Jaroslav Pánek, *Stavovská opozice a jeje zápas s Habsburky, 1547-1577: k politické krizi feudální třídy v předbělohorském českém státě* (Prague: Akademia, 1982); Winfried Eberhard, *Monarchie und Widerstand: Zur ständischen Oppositionsbildung im Herrschaftssystem Ferdinands I. in Böhmen* (Munich: Oldenburg Verlag, 1985) in addition to the works mentioned above; R. J. W. Evans, *Crown, Church, and Estates: central European politics in the sixteenth and seventeenth centuries* (New York: St. Martin’s Press, 1991); Petr Vorel, *Stavovský odboj roku 1547: první krize habsburské monarchie: sborník příspěvků z vědecké konference konané v Pardubicích 29.-30.9.1997* (Pardubice: Východočeské muzeum, 1999); Thomas Winkelbauer, *Ständefreiheit und Fürstenmacht: Länder und Untertanen des Hauses Habsburg im konfessionellen Zeitalter* (Vienna: Ueberreuter, 2003) (which looks at Habsburg Austria). Of course, in examining a formerly socialist country, one must always be wary of the ways in which the “estates” might substitute for “class,” and thus how very different arguments might be made using similar terms. The journal *Parliaments, Estates, and Representation* (London: Pageant Press, 1981-) publishes a wide range of articles on topics related to estates and parliaments, and a few are referenced in this dissertation, but few are truly relevant to the topics addressed here.

³ The literature on the land court includes Josef Kalousek, *České státní právo: historicky výkládá* (Prague: Bursík and Kohout, 1892); Jiří Kejř, *Počátky dvorského soudu* (Prague: Nakladatelství Československého akademické věd, 1956); Jiří Klabouch, *Staré české soudnictví (jak se dříve soudívalo)* (Prague: Orbis, 1967); and Jan Janák and Zdeňka Hledíková, *Dějiny správy v českých zemích do roku 1945* (Prague: Státní pedagogické nakladatelství, 1989). One of the few works on the land rolls as a distinct entity is Pavla Burdová, *Desky zemské Království českého* (Prague: Státní ústřední archiv v Praze, 1990).

⁴ Although they have received the most attention, that attention still has gaps. For very selected of scholarship treating the period from the 1360s through 1437 (more of which will be mentioned throughout the dissertation), see František Bartoš, *Husitská revoluce I. Doba Žižkova, 1415-1426* (Československá akademie věd, 1965); František Bartoš, *Husitská revoluce II. Vláda bratrstev a její pád, 1426-1437* (Československá akademie věd, 1966); Matthew Spinka, *John Hus and the Czech Reform* (Hamden, CT: Archon Books, 1966); Howard Kaminsky, *History of the Hussite Revolution* (Berkeley: University of California Press, 1967); František Šmahel, *Husitská Revoluce*, 4 vols. (Prague: historický ústav, 1993); David Mengel, “Bones, Stones, and Brothels: Religion and Topography in Prague Under Emperor Charles IV (1436-78)” (PhD dissertation, University of Notre Dame, 2003); Thomas Fudge, *Jan Hus: Religious Reform and Social Revolution in Bohemia* (New York: I.B. Tauris, 2010); and Pavel Soukup, *Reformní kazatelství a Jakoubek ze Stříbra* (Prague: Filosofia, 2011). For very selected examples of scholarship treating the period from 1526 through 1648, see Eberhard, *Monarchie*; Jaroslav Pánek, “The question of tolerance in Bohemia and Moravia in the age of the Reformation,” in *Tolerance and intolerance in the European Reformation*, ed. Ole Peter Grell and Bob Scribner (New York: Cambridge University Press, 1996); Zdeněk David, *Finding the Middle Way: The Utraquists Liberal Challenge to Rome and Luther* (Washington, DC:

Because this topic has been so under-studied, countless questions remain, and far exceed the bounds of what could be addressed in this dissertation. These include questions about how the various individuals, groups, and institutions interacted, as well as more focused, in-depth analyses of these political participants. Questions of particular importance for future research include the relationships between Bohemia, its crown lands, and all of the political participants therein with their neighbors and peers across Europe. This dissertation answers a small part of that question in its examination of the relationship between the Empire, Bohemia, and Moravia in chapter 1, but that barely scratches the surface of needed research.

More extensive context is provided in the chapters of this dissertation, but as even the basic history of Bohemia is not widely known except by specialists, some of the highlights of this history are addressed here to provide context for the following historiographical discussion.

Bohemia was an autonomous kingdom within the (Holy Roman) Empire.⁵ The medieval Kingdom of Bohemia lay roughly in the geographic center of Europe and was bordered by Austria, Bavaria, Saxony, and Brandenburg in the Empire, as well as the Kingdom of Poland and

Woodrow Wilson Center Press, 2003); Václav Bůžek, et al. *Společnost českých zemí v rané novověku: Structure, identity, konflikty* (České Budějovice: Nakladatelství lidové noviny, 2010); James Palmitessa, ed., *Between Lipaný and White Mountain: Essays in Late Medieval and Early Modern Bohemian History in Modern Czech Scholarship* (Boston: Brill, 2014); and Howard Louthan and Graeme Murdock, eds., *A Companion to the Reformation in Central Europe* (Boston: Brill, 2015). A few people treat the period in between, but aside from some of the recent proceedings of the Bohemian Reformation and Religious Practice symposium, biographies of George of Poděbrad (which will be mentioned later in this dissertation), and treatment of the Jagiellon period in the later fifteenth and early sixteenth century in Eberhard, *Konfessionsbildung*, and Josef Macek, *Víra a zbožnost jagellonského věku*, epilogue by Marin Nodl (Prague: Argo, 2001), these works are few and far between. Palmitessa, *Between Lipaný and White Mountain* includes translations of essays by prominent Czech scholars. Although the essays ostensibly treat the period 1434-1620 (according to the title), the book only contains three essays that even touch upon the fifteenth century, and only one essay (written by František Šmahel) that does so not in service to the goal of analyzing some other period. Louthan and Murdock, eds., *A Companion to the Reformation* includes three chapters written by scholars of Bohemia, but aside from Phillip Haberkern's brief discussion of the fifteenth century, the book focuses on the sixteenth century.

⁵ This name for the Empire was not commonly in use in this period, and is not employed in the dissertation more generally, but is provided here for clarity.

the Kingdom of Hungary.⁶ From the mid-fourteenth century, the principalities belonging to the Kingdom of Bohemia were collectively known as the Bohemian Crown Lands.⁷

The dominant province in the kingdom was Bohemia, roughly the western two-thirds of the present-day Czech Republic. Moravia, the other one-third of the present-day Czech Republic, was joined to Bohemia from 1034.⁸ Although the inhabitants of Silesia and the Lusatias participated in many of the events and negotiations discussed in this dissertation, I focus primarily on Bohemia and Moravia.⁹ In doing so, I make all efforts not to blindly support a traditionally believed affiliation between these provinces, but to determine the relationships between and within them on the bases put forward by the documents themselves.

From 1346 to 1378, both the Empire and Bohemia were ruled by Emperor Charles IV, who was succeeded by his son Wenceslas IV. Wenceslas IV ruled in the Empire until 1399, when he was deposed by the imperial electors, and ruled in Bohemia until his death in 1419. Two weeks before King Wenceslas IV's death, a religiously motivated rebellion began in Prague that quickly grew into a series of civil wars collectively known as the Hussite Wars. These wars were to a great extent fought on account of disagreements concerning correct religious practice, although many economic, political, and other concerns contributed as well. During this period of civil war, King Wenceslas's brother, Emperor Sigismund, nominally ruled as king, but he was

⁶ Brandenburg had been purchased by Charles IV in 1373 and was attached to the Lusatias from 1373 through 1415, but for the majority of that time it was not ruled closely by the Luxembourg rulers of Bohemia, and it was eventually granted to the Hohenzollern by Emperor Sigismund – the last Luxembourg ruler. Eva Semotanová, "Territorial Development and the Transformation of Landscape," in *A History of the Czech Lands*, Jaroslav Pánek and Oldřich Tůma, eds. (Chicago: University of Chicago Press, 2009), 29.

⁷ Semotanová, "Territorial Development," 30.

⁸ Semotanová, "Territorial Development," 27-28; Nora Berend, Przemysław Urbánczyk, and Przemysław Wiszewski, *Central Europe in the High Middle Ages* (New York: Cambridge University Press, 2013), 138-143.

⁹ From the 1330s until 1740, Silesia was also tied to the Bohemian Crown Lands, and Upper and Lower Lusatia remained attached to Bohemia from the first quarter of the fourteenth century until the Thirty Years' War.

not accepted by the majority of the members of the estates, nor had he been elected formally – and Bohemia was an elective monarchy.¹⁰

When Emperor Sigismund finally ascended to the throne as the elected king, he ruled for only eighteen months before his death, and his son-in-law King Albrecht of Habsburg similarly ruled for only twenty months before his death in battle against the Ottomans. King Albrecht's heir was his posthumously born son, Ladislaus, who – for a variety of reasons discussed in great detail in chapters 3 and 4 – only entered Bohemia and was crowned when he was thirteen years old in 1453, while Bohemia continued to be administered by his regent George of Poděbrad until Ladislaus Posthumous's death in 1457. George of Poděbrad then ascended to the Bohemian throne in his own right, but less than a decade into his rule, the Pope excommunicated him and declared his form of Christian religious practice – Utraquism – heretical (it had previously been made licit by the Basel Compacts negotiated 1433-1436). Using the *causus belli* that the king of Bohemia was a heretic, the king of Hungary, Matthias Corvinus, accepted the invitation of one of the parties in Bohemia to become king of Bohemia as well and invaded the kingdom.

This second series of civil wars lasted from the mid-1460s until 1478, when they were formally ended by the Treaty of Olomouc. In the meantime, King George of Poděbrad had died, and Ladislaus Posthumous's nephew, Vladislav Jagiellon, ascended to the Bohemian throne. King Vladislav remained on the Bohemian throne for forty-five years, during which a variety of changes took place. In addition to King Vladislav ascending the Hungarian throne in 1490, his reign also saw the introduction of a lasting religious peace with the Peace of Kutná Hora in 1485,

¹⁰ Emperor Sigismund had been King of Hungary since 1387, and was elected King of the Romans in 1411 and crowned emperor in 1433. The king of the Romans was the title employed by the imperial ruler after he had been elected by the imperial electors, often followed relatively quickly by coronation in Aachen or another northern imperial city, but before he had been crowned by the Pope.

and an enduring law code in 1500 – both contracted largely by members of the estates, and promulgated from assemblies.

It is important to comment here on the portrayal of this period in the Czech scholarship. Although the fifteenth century is remarkably understudied, even in Czech-language scholarship, certain aspects of this period have received significant attention. Since the early nineteenth century, the Hussite Wars and related religious developments, as well as the figures of Jan Hus and Emperor Sigismund, have received attention.¹¹ Similarly, King George of Poděbrad, the only “Hussite” king has also received some attention, at least in biographical works.¹² Yet, most the rest of the century has received very little scholarly attention from anyone, and even the attention that it has received has been extremely colored by nationalism.¹³

It is impossible to read assessments of fifteenth century Bohemia that are not tinged by nationalism, particularly because a large number of the individual documents produced in the fifteenth century were edited in the nineteenth century.¹⁴ Alongside their excellent academic and historical credentials, the historians who edited these documents were generally important

¹¹ The early nationalists and nineteenth-century historians also took a particular interest in the fifteenth century as a "proto-national" period of Czech self-assertion. For a few examples, see František Palacký, *Geschichte von Böhmen. Grösstentheils nach urkunden und handschriften* (Prague: Kronberger und Řiwnáč, 1844-1867); V. V. Tomek, *Dějepis města Prahy [History of the City of Prague]* (Prague: W kommissí u Františka Řiwnáče, 1855-1901); Rieger, *Zřízení krajské v Čechách*.

¹² See for two examples the English-language biographies by Frederick Heymann, *George of Bohemia: King of Heretics* (Binghamton, NY: Vail-Baillou Press, 1965) and Otakar Odložilík, *The Hussite King: Bohemia in European Affairs, 1440-1471* (New Brunswick, NJ: Rutgers University Press, 1965).

¹³ Although Palacký and Tomek are two of the most important early nationalists and historians, the influence of national movements can be seen in studies undertaken even by the older generation of current scholars, such as František Šmahel (discussed later in this introduction). As recent scholarship reveals, this focus was due in large part to the emergence of national divisions in the mid-19th century, which were then projected onto the middle ages, and in Bohemia particularly onto the fifteenth century. Some of the first professional historians of the Bohemian lands were also some of the most ardent nationalists. František Palacký is the quintessential example, although far from the only one.

¹⁴ These editions are discussed in detail in the next section.

figures in the nationalist movement in the Bohemian lands.¹⁵ This nationalism is apparent even in the documents they chose to include in their editions of primary sources, and therefore has impacted all successive generations for whom these editions are the first primary sources. In contrast to the nationalist arguments of these historians, I take the approach that while there certainly seem to have been local affinities and local allegiances, these allegiances must be viewed entirely separately from modern conceptions of peoples and nations. Indeed, as recent scholarship has shown that our modern understanding of nationalism emerged in the nineteenth century, I do my best to strip these concepts from my presentation of the documents and narratives in this dissertation.

My dissertation also shows the continuities that exist beyond the traditionally imposed temporal boundaries, as well as discontinuities within timeframes that are normally treated as a single period.¹⁶ Generally speaking, Bohemian historiography draws sharp divisions at the accession of different ruling houses and the beginning or end of various wars – of course, this is true for the historiography of most areas. For later medieval and early modern Bohemia, these divisions are generally in 1415/1419 (Jan Hus's death or the start of the Hussite Wars), 1526 (the accession of the Habsburgs), and 1621 (the aftermath of the loss of the Battle of White Mountain). Yet, these divisions discourage scholars from asking questions that do not fit into

¹⁵ The most prominent example is František Palacký, who was the foremost historian of Bohemian history in the nineteenth century, and the originator of multiple journals and series of editions. František Palacký is famous as the first editor of the journal *Časopis Českého Musea* (now continued in two separate series) from 1825, as well as the author of *Geschichte von Böhmen* (published in Czech as *Dějiny národu českého v čechách a v Moravě*) (Prague, 1836-1867) beginning in 1836 in German, and appearing soon after in Czech, with the later volumes written first in Czech and then translated into German. He also oversaw the Slavonic Conference in Prague in 1848 and, most importantly, led one of the Czech nationalist parties (*staročeši*) in the 1860s and 1870s.

¹⁶ I draw specifically on works such as Constantin Fasolt, "Hegel's Ghost: Europe, the Reformation, and the Middle Ages," *Viator* 39 (2008): 345-386 and John van Engen, "Multiple Options: the World of the Fifteenth Century Church," *Church History* 77:2 (2008), 257-284; see also Kathleen Davis, *Periodization and Sovereignty: How Ideas of Feudalism and Secularization Govern the Politics of Time* (Philadelphia: University of Pennsylvania Press, 2008).

their schema for understanding the significance of major events. In contrast, few of the chapters of this dissertation have start and end dates that correspond to those traditionally in use in Bohemia.

The institutions that evolved in fifteenth century Bohemia had significant impact on the development of the Bohemian kingdom, its interactions with its neighbors, and the region as a whole. Yet, for a myriad of reasons that have nothing to do with the period and have a great deal to do with the interests and assumptions of historians researching related topics, most of the fifteenth century has been ignored by scholars. In ignoring the fifteenth century, they have perpetuated older misrepresentations, and relied on these representations when interpreting other times and events. It is therefore critical to reexamine the fifteenth century, and use the results of that research critically in examining central European history more generally.

Historiography

As historians, we examine evidence left by people in the past and interpret it to be able to say something – to make an argument – about the way these people lived, or thought, or constructed their world. Yet, we can never do so in a completely unbiased manner. As interpreters of the past, we filter the evidence we have through our own frameworks, whether theoretical or based on our form of life, and inevitably some of our own perspective slips into our analysis, no matter how careful we are.

For this reason, identifying and explaining biases is central to what we do as good historians, teachers, and scholars. In order to make any responsible argument about our subject matter, we must understand the context from which the evidence comes – and how that context might shape what our evidence can and cannot tell us. Yet, we cannot simply examine the

context of our evidence, but must also examine our own context and our own biases. This examination is central to making our work relevant and to showing non-specialists why our research matters, and indeed it makes the output of our research better. We cannot accomplish our goals by pretending to knowledge that we do not have, nor by pretending that we work in a vacuum, but rather, we must be clear not only about the status of our research, but also our assumptions, critiques, and questions. In this way, we can reduce the impact of our own unconscious biases on our work.

This dissertation reexamines the nature of institutions, nationalism, faction, territoriality, and sovereignty in the fifteenth century. Although it makes every attempt to do so in terms that would be comprehensible to people living in the times it discusses, it would be the height of hubris to believe that contemporary politics do not affect the questions that it addresses and the approaches it takes. No matter when and where we live, or how we try to deny it, we all live in a political moment, and our actions always have political consequences. It is important when examining historical evidence to keep this in mind. Just as those who were writing these documents, and those whose lives are reflected in them, were necessarily affected by the institutions around them and by their understanding of the place and role of those institutions, just as we are affected by and reflect the institutions that surround us.

Although this dissertation focuses on the fifteenth century, half of its chapters look to developments before or after this century in order to provide the context necessary to understand what happened within it. It cannot be denied that the seventeen years of civil war in the first half of the fifteenth century provided the space for a greater assertion of privileges by multiple segments of the population. Yet, the various dividing lines in Czech history (as drawn according

to nationalist political lines) of 1198, 1306, 1419, 1526, and 1621/1627, do violence to the many continuities that reached across these lines.¹⁷ Indeed, the first chapters show that although 1306 marked the end of a dynasty, it was not the end of a political (and much less of a cultural) unit of time. The years 1419 and 1526 function similarly, and while changes may have occurred after these years that can in some ways be traced back to these moments, using these years as dividing lines obscures long-term developments and creates false dichotomies of “before” and “after” within the scholarship.

To this end, the chapters rarely follow traditional periodization. Chapter 1 begins with the Golden Bull of Sicily in 1212 (with some reference to the events of 1198 that have made this a dividing line), and continues through the first part of the sixteenth century. Chapter 2 follows a similar trajectory, ending around the year 1490. Chapter 3 examines Bohemian royal elections between 1435 and 1526 – again not using the accession of a new dynasty as a mark of change, but rather of continuity. Chapters 4, 5, and 6 focus on shorter periods of time, namely 1444-1457, 1464-1491, and 1478-1503. Indeed, in each instance when change is brought about, the effects of that change cannot be measured by starting or ending a study with the main

¹⁷ More recent studies in particular use Sigismund’s death in 1437 as an endpoint for their investigations. For example, see František Bartoš, *The Hussite Revolution: 1424-1437*, trans. Mrs. J. Weir, prepared by John Klassen (New York: East European Monographs, Columbia University Press, 1986); the *Velké dějiny zemí koruny české* series (as cited elsewhere, vol. 5 covers 1402-1437 and vol. 6 covers 1437-1526); Čechura’s six volumes in the series *České země v letech*, covering the period 1310-1620; and Šmahel, *Husitská Revoluce*. This date also appears as the endpoint for biographies (for example, Jörg K. Hoensch, *Kaiser Sigmund: Herrscher an der Schwelle zur Neuzeit, 1368-1437* (Munich: Verlag C. H. Beck, 1996)), and treatments for the crusades against Bohemia (for example, Thomas Fudge, ed. *The Crusade against Heretics in Bohemia, 1418-1437*, in *Crusade Texts in Translation* (Burlington, VT: Ashgate Publishing Company, 2002)), although the date makes more sense in these contexts. In contrast, the mid-nineteenth century Czech edition of Palacký, *Dějiny národu českého v Čechách a v Moravě* divides the first four volumes as follows: 1419-1431, 1431-1439, 1439-1457, 1457-1471 (dividing instead in 1439, at the death of Emperor Sigismund’s son-in-law). Although Emperor Sigismund was also King of Hungary, the recent series János M. Bak, György Bónis, and James Ross Sweeney, eds., *The Laws of the Medieval Kingdom of Hungary* (Budapest: Department of Medieval Studies, Central European University, 1992-2012) divides its volumes differently: vol. 1: 1000-1301; vol. 2: 1301-1457; vol. 3: 1457-1490; vol. 4: 1490-1526; and vol. 5: customary law, using the end of the Arpad dynasty, the death of Ladislas Postumous, and the death of Matthias Corvinus as caesurae.

development; they can only be measured in studies that use so-called “momentous” events as objects to be tested – to be weighed and measured against the other events that came before and after in order to discover how truly pivotal they might be.

One of the conclusions that emerges most clearly from studying this period is that the individuals and corporate bodies who produced documentation rarely espoused easily delineated identities, but rather these identities overlapped and complimented or contrasted with each other in a myriad of ways not necessarily explained overtly in contemporary documents. Len Scales examines this issue in the imperial context in *The Shaping of German Identity: Authority and Crisis, 1245-1414*.¹⁸ He argues that one of the ways in which German identity was created was through comparison and interaction with communities espousing different identities.¹⁹ Yet, Scales’ own examples provide evidence for the mutability of “German” identity in Bohemia in this period. He spends considerable time examining the identity of Peter von Zittau, an early-fourteenth-century German-speaking abbot and chronicler who identified as Bohemian and as a German speaker in ways that defy modern expectations, even those that inform Scales’ own perspective.²⁰ Despite the conclusions he draws from this evidence, Scales’ own observations show that Germanness could easily exist alongside an equally potent Bohemian identity.

Ample literature has shown that our present-day conceptions of nationality are rooted in the nineteenth century. Yet, both then and now, they are often applied to times and peoples in which they had not taken root. As Jeremy King puts it succinctly: “ethnic groups are not national

¹⁸ Len Scales, *The Shaping of German Identity: Authority and Crisis, 1245-1414* (New York: Cambridge University Press, 2012).

¹⁹ Scales, *The Shaping of German Identity*, 383-446, addresses Germans beyond the traditionally “German” parts of the Empire; Scales, *The Shaping of German Identity*, 392-395, 397-398, 410-414, 418-430, specifically addresses German interactions with Bohemians.

²⁰ Scales, *The Shaping of German Identity*, 420-422.

antecedents but national products, projected ahistorically yet with history-making effect into the past.”²¹ In discussing the mid-nineteenth-century beginnings of his examination of České Budějovice, he provides a clear illustration of how political activists created the national movement and national feelings that they then used to support their political agenda. He asserts “but at any time before 1848, had [Palacký] or Jireček visited Budweis/Budjějovice, they would have found only a few dozen Czechs with whom to lament a German dominance that existed only in their national imaginations. All national assertions aside, the Czech-German linguistic divide ran through many people, in undivisible fashion.”²² In this dissertation, I follow the conclusions expressed succinctly here. By not assuming some national or proto-national consciousness in my sources, I strive to come closer to understanding what my actors and documents said and did in their own contexts.

This dissertation is not concerned with the Czechness or Germanness of the territories and characters I examine. While these “national” questions have dominated discussions since the nineteenth century, they often assume the answer to their own questions. As national identity has become such a given in our society, we often treat it as a given in other societies. Thus, scholars frequently expect to find a national identity (whether or not they employ that term) defined by language and custom, and unique to each pre-identified group.²³ These assumptions narrow their research questions, and blind them to answers that may lie beyond these questions.

²¹ Jeremy King, *Budweisers into Czechs and Germans: A Local History of Bohemian Politics, 1848-1948* (Princeton, NJ: Princeton University Press, 2002), 8.

²² King, *Budweisers into Czechs and Germans*, 22.

²³ Of course, this problem is by no means unique to historians of central Europe or Bohemia. Indeed, these assumptions are at the core of nationally oriented research, teaching, and hiring, as well as in the non-academic world, and thus are consistently being reinforced on a variety of levels.

In my research and presentation, I consciously try to avoid this approach. Instead, I use documents from a variety of sources to show that these language communities overlapped significantly, and that their interactions in this period were defined by linguistic origin only in limited ways.²⁴ “German” did not necessarily mean a German-speaker, although language was likely some element of being “German.” In the Bohemian and Moravian context, it could also simply mean a foreigner.²⁵

This approach contrasts sharply with that taken by many other scholars of Bohemia. The influence of nationalists such as František Palacký on our modern understanding of national identities in the fifteenth century is strong in part because they saw in this period an early flourishing of the national culture that they themselves experienced. In this depiction, Utraquist “Czechs” were pitted against Catholic “Germans” – yet, these divisions were far too simplistic.²⁶ In his work, “The Idea of the Nation in Hussite Bohemia,” František Šmahel makes the same assumptions as Palacký – that language was necessarily the key uniting or dividing factor.²⁷ Yet,

²⁴ I am specifically referring to scholarship examining the emergence of “national” communities in Austria-Hungary in the nineteenth century. For example, Gary Cohen, *The Politics of Ethnic Survival: Germans in Prague, 1861-1914*, 2nd edition (West Lafayette, IN: Purdue University Press, 2006); King, *Budweisers into Czechs and Germans*; Tara Zahra, *Kidnapped Souls: National Indifference and the Battle for Children in the Bohemian Lands, 1900-48* (Ithaca, NY: Cornell University Press, 2008); Pieter Judson, *Guardians of the Nation: Activists on the Language Frontier of Imperial Austria* (Cambridge, MA: Harvard University Press, 2005).

²⁵ See the conditions set for Emperor Sigismund and King Albrecht before their election to the Bohemian throne, examined in Chapter 4.

²⁶ I discuss the emergence of Utraquism in early fifteenth-century Bohemia in detail in Chapter 1. To summarize, the movement began during the last years of Charles IV’s reign, and became centered around Prague during the 1380s and 1390s. Jan Hus, the figurehead of the movement, was educated in this environment, before commanding pan-European attention in the 1410s. Hus was accused of teaching the doctrines of the English theologian John Wyclif, particularly the latter’s opposition to transubstantiation, and was called before the Council of Constance in 1414 to defend himself against accusations of heresy. Although Emperor Sigismund issued Hus a safe conduct for his journey, upon arrival at the Council he was arrested and, after nearly a year in captivity, Hus was burned as a heretic on June 6, 1415. After Hus’s execution, the divisions between Hus’s followers and more staunch followers of Rome solidified. These divisions turned into civil war with the first Defenestration of Prague on July 30, 1419. After rebellion broke out, the division of Utraquists (Hussites) into moderate and radical groups became apparent, although by 1420 most Bohemian leaders agreed on the Four Articles of Prague.

²⁷ This is a key assumption throughout, but it suffices to quote a single example: “Alongside the older cult of St. Wenceslas, as the peculiar cult of the Přemylid dynasty, but embodying also the State ideology, the

the documents that I examine in this dissertation, although primarily in Czech, reflect no such identification, and when the situation warranted it, Latin or German were just as easily used.²⁸ As some of Šmahel's work has appeared in English and much of it has appeared in German as well as Czech, he has had wider influence than most Czech scholars. Although Šmahel's first article on the subject was written nearly fifty years ago, his argument was revised in 2000, and it is still influential, as is Šmahel, who is still the most prominent historian of the Hussite period.²⁹

Indeed, Scales depends primarily on Šmahel's "The Idea of the Nation" for his knowledge of the "nation" in Bohemia when writing about the role of national, linguistic, and ethnic identities in medieval warfare.³⁰ This dependence has a polarizing effect on how he then depicts the relations between different groups in Bohemia and serves to perpetuate nineteenth century ideas of the nation, through the mediation of Šmahel and Palacký, to a much wider,

propagators of a 'political nation' gave prominence to the new crystallizing and unifying elements of national consciousness, such as the *regnum Bohemiae*, the Czech 'language' and the existence of a Czech aristocracy. The Germans in Bohemia, on the other hand, did not form a unified national group or new racial unit from the language point of view and regarded themselves only as 'Deutsche.'" František Šmahel, "The idea of the 'Nation' in Hussite Bohemia I," in *Historica* 16 (1968), 143-248. Šmahel never explains what he meant by a "Czech aristocracy," or how the upper nobility could be characterized as such when they were clearly and readily multi-lingual. Both this part and the second part of this long essay, František Šmahel, "The idea of the 'Nation' in Hussite Bohemia I," in *Historica* 17 (1969), 93-198, have been extremely influential.

²⁸ This is particularly true of the correspondence during the 1440s and 1450s, which I address in Chapter 3.

²⁹ This influence is evident throughout Pánek and Tůma, *A History of the Czech Lands*, for which František Šmahel wrote the chapter "The Hussite Revolution (1419-1471);" the influence is also evident in the series *Velké dějiny země koruny české* series.

³⁰ See Len Scales, "Bread, Cheese, and Genocide: Imaging the Destruction of Peoples in Medieval Western Europe" in *History: The Journal of the Historical Association* 92:307 (2007), 284-300. In this article, Scales cites Šmahel's "The Idea of the Nation" (which he confusingly combines into a single citation, although the articles were initially published in separate issues, with non-consecutive pages). Scales includes Šmahel's recognition of places where sources might be inaccurate (Scales, "Bread, Cheese, and Genocide," 296, for example), but does not subject Šmahel's sources, or the few chronicles from Bohemia that he examines to any serious scrutiny. Indeed, he assumes that his medieval actors mean the same thing by "Czech" or "Bohemian" and "German as he does. This assumption undermines his argument. A similar assumption underpins his 2001 article "Monarchy and German Identity in the Later Middle Ages," *Bulletin of the John Rylands University Library*, 83:3 (2001), 167-200, in which Scales rehearses some of the key arguments he fleshes out in *The Shaping of German Identity*. At the end of this article (Scales, "Monarchy and German Identity," 200), he does point out the need for medievalists to avoid modern assumptions, but he himself appears as a victim of this error – although seemingly entirely unwillingly.

English-speaking audience. If we put aside language as a natural divider, we come to a very different reading of the period.

We might start with the perspective of Aeneas Silvius Piccolomini, who would become Pope Pius II, as he provides a different framework for understanding the relationship between Bohemia, Moravia, and the Empire in his 1458 *Europe*. He locates Moravia in his geographic sequence between Austria and Silesia on a north-south route, the latter a principality which he describes as speaking German and Polish and nominally subject to Bohemia, although in rebellion.³¹ He describes the Moravian people in equally complicated terms as “speak[ing] a mixture of German and Bohemian, but the Bohemians, who control the region, are predominant.”³² This overlap does not appear uncommon for this region, and Aeneas Silvius Piccolomini does not relate these observations with astonishment, and indeed with no real judgement.

Aeneas Silvius Piccolomini refers to language on a number of additional occasions, mostly for places east of what he considers “Germany” – whose borders he defines as needed. For example, he includes Denmark, Alsace, Holland, and part of Silesia in “Germany.” In many of these instances, he describes one or more Slavic groups alongside one or more other groups – sometimes defined linguistically, sometimes defined by religion, and sometimes defined by

³¹ “The language of the race is predominantly German, though the Polish language prevails on the other side of the Oder. Therefore, some, not unreasonably, have regarded the Oder as the frontier of Germany. As it slants northward, however, the same river flows between German peoples on both its banks.” Aeneas Silvius Piccolomini, *Europe (c. 1400-1458)*, trans. Robert Brown, intro. and annotations by Nancy Bisaha (Washington, DC: The Catholic University of America Press, 2013), 137-138. His use of language here is noteworthy, but it also reveals an ambivalence about whether linguistic divisions were a primary divider of peoples. It is only one of many characteristics that he describes, and generally comes at the end of his descriptions.

³² Piccolomini, *Europe*, 136.

internal divisions.³³ It is worth noting that for many of these areas, he uses contemporary as well as ancient names, sometimes dividing kingdoms or principalities into multiple parts, and sometimes grouping them together. For “Germany” and (particularly) “Italy,” he creates many divisions, yet he devotes only one chapter each to England, France, and the entirety of Iberia – even though Iberia contained multiple kingdoms with multiple regions in 1458.³⁴ He also describes the particular group traits of each region, even while grouping them together. Language appears as one of many defining factors, alongside other customs and traditions.

I do not argue that regional and other identities did not exist, but rather argue for their existence within a different paradigm. Scales does suggest one interpretation of identity that I see clearly reflected in the Bohemian situation. He suggests that “Local and regional solidarities did not so much drain the political substance from ideas of ‘the German’ as, in many ways, enrich and complicate them, and afford standpoints from which to invest them with meaning.”³⁵ The overlapping definitions of jurisdiction and identity imbue each other with meaning. Susan Reynolds suggests a similar situation in which individuals would feel themselves to be members of multiple overlapping communities and hierarchies.³⁶ It is an understanding of these overlapping meanings in fifteenth century Bohemia – shorn of any effort to force them to define Germanness – that this dissertation offers.

³³ For some examples, see Piccolomini, *Europe*, 118 (Istria – mostly Slavs, some Italians), 119 (Carniola – two groups of Slavs), 124 (Styria – mostly Germans, some Slavs).

³⁴ Of course, neither of these areas would become a united country until the third quarter of the nineteenth century. As England, France, and Iberia are only treated in one chapter each (sixteen pages all together), in total Piccolomini devotes far less attention to these regions than to the central European areas he includes in “Germany” and “Italy” (138 pages total). Piccolomini, *Europe*, 201-216 (England France, and Iberia); 156-201 (“Germany”); 216-307 (“Italy”).

³⁵ Scales, *Shaping of German Identity*, 524.

³⁶ Susan Reynolds, *Kingdoms and Communities in Western Europe 900-1300*, Second Edition (Oxford: Clarendon Press, 1997), lxxv.

These boundaries and the efforts to create them exist not only in linguistic and national terms, but also with respect to divisions of time. Despite the turmoil in fifteenth century Bohemia, nothing about the events suggests a decline, but instead these events underline frequent changes and adaptations.³⁷ Howard Kaminsky, a scholar of fifteenth century Bohemia, questions the historiographical paradigm of describing the later middle ages as decline.³⁸ John van Engen also turns traditional assumptions about decline on their head with his advocacy of “multiple options” for religious practice in this period.³⁹ Additionally, Constantin Fasolt specifically addresses the problems that are created by imposing a boundary between the “medieval” and the “modern” in his article “Hegel’s Ghost: Europe, the Reformation, and the Middle Ages.”⁴⁰ These divisions determine the questions that we ask, and in so doing color the conclusions that we propose.

In examining institutional developments in fifteenth century Bohemia, I show that while the kingdom and margraviate were certainly not always stable, there was no overwhelming “crisis,” but rather a series of unfortunate events interspersed with periods of relative calm.⁴¹

³⁷ For a quintessential presentation of the later middle ages as a period of decay, see Johan Huizinga, *The Autumn of the Middle Ages* (Chicago: University of Chicago Press, 1997).

³⁸ See Howard Kaminsky, “From Lateness to Waning to Crisis: the Burden of the Later Middle Ages,” in *Journal of Early Modern History* 4:1 (2000), 85-125.

³⁹ Van Engen, “Multiple Options.”

⁴⁰ Fasolt, “Hegel’s Ghost.”

⁴¹ This concept of crisis pervades many different areas of research into the fourteenth and fifteenth centuries and has found both supporters and critics, sometimes in the same people, in scholars working on a wide array of phenomena and geographic areas, among them Baron and Graus. See Hans Baron, *The Crisis of the Italian Renaissance: Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny*, 2nd ed. (Princeton: Princeton University Press, 1966); František Graus, *Pest-Geissler-Judenmorde: Das 14. Jahrhundert als Krisenzeit*, 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 1988). See also Walter Buckl, ed., *Das 14. Jahrhundert: Krisenzeit* (Regensburg: Puset, 1995). The concluding chapter to Graus’s *Pest, Geissler, Judenmorde* is entitled simply “Die Krise,” and discusses a period of crisis that not only followed immediately after the plague, but one that determined the mindset and overall picture of the fifteenth century as well. See especially Graus, *Pest, Geissler, Judenmorde*, 535-536. Although he accepts the concept of a shorter generation-long crisis, in *The Crisis of the Italian Renaissance* Hans Baron specifically argues against the idea of a crisis as something that can endure for extended periods of time, arguing instead that a crisis must be a turning point caused by some kind of threat which can in some way be resolved. Baron, *The Crisis of the Italian Renaissance*.

Indeed, by including both *long durée* and more limited examinations of developments in Bohemia, it is my hope that this dissertation will show the damage done to our understanding of change over time – and particularly its many continuities and discontinuities – when we assume that any arbitrary divisions of time somehow reflect or create meaning in the societies that we are examining.

The institutions examined here relied on the consent of the community in order to function, and were also the means by which that consent and consensus were conveyed. In many ways, this dissertation supports Susan Reynolds's claim in *Kingdoms and Communities* that communal action was necessary for the administration of the kingdom, as well as with her claim that by the central middle ages, and even more so the later middle ages, the different allegiances and affiliations were too complex and multi-faceted to describe as any one form of connection or unifier (kinship, religion, geography, etc.).⁴²

The situation in Bohemia and Moravia also seems to uphold Otto Brunner's claim that in the middle ages "liberties' and 'custom' were not constituted by the positive enactment of a sovereign state power, but themselves constituted an order standing above both the prince and the people of the *Land*."⁴³ As Brunner devotes significant energy to examining the development of the "land" community and its relationship to the lord, it would be foolish to try to better explain such a complicated relationship here in just a few sentences. Rather, it's important simply to note where the implications of Brunner's argument and mine differ. Primarily, this

⁴² While this is one of Reynold's arguments throughout, it is succinctly laid out on Reynolds, *Kingdoms and Communities*, 337.

⁴³ Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, trans. and intro. Howard Kaminsky and James Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1984), 296.

difference comes from the symbolism provided by the land, in light of the nationalism that I discuss above.

We can see this difference in the role played by land peace agreements. Although in his examination of medieval Austria, Brunner discusses the peace of the land on multiple occasions, he frequently examines the agreements creating that peace in the context of the feuds that had disrupted it.⁴⁴ The land peace agreements discussed in this dissertation were formed by groups of nobles and towns promising peace. For example, the Moravian land peace agreements of the 1470s did not rely on the authority of the king or margrave, and indeed the officials who were included appear as one voice among many.

This is the context in which Czech historiography has primarily examined land peace agreements. Indeed, although Austria and Bohemia are neighbors, Czech historians do not appear to cite Otto Brunner in their discussions of land peace agreements. Rather, these agreements are often examined in the context of the religious wars that were their proximate causes.⁴⁵ Despite this focus, recent works, particularly by Zdeněk Beran, have also attempted to place the Bohemian land peace movement in a wider context, both geographically and temporally.⁴⁶

The majority of topics that I take up in this dissertation can be seen as contentious, as my research has led me to suggest a number of new arguments. The narrative of this dissertation largely argues against the assumptions concerning periodization and nationalism that are

⁴⁴ There are many examples, but see particularly Brunner, *Land and Lordship*, 29-31, 35, 65-66, 81-82, 300.

⁴⁵ Zdeněk Beran, *Boleslavský Landfrýd 1440-1453: Krajský landfrýdní spolek v pohusitských Čechách* (Prague: Veduta, 2012).

⁴⁶ See Zdeněk Beran, *Landfrýdní hnutí v zemích české koruny. Snahy o zajištění veřejného řádu a bezpečnosti ve středověké* (Prague: Veduta, 2014) for a *longue durée* history of land peace agreements in all of the Bohemian lands between the thirteenth and sixteenth centuries.

ubiquitous in the existing scholarship. Similarly, I question the extent to which distinctions predicated upon ill-defined religious differences are appropriate ways to define groups of people, as well as our assumptions about the various roles that different institutions play in later medieval governing structures.

My dissertation draws attention to the significance of structures created in Bohemia, generally to their unusual formulations in comparison with commonly presented “models” and descriptions. One of the key developments that my research clearly reveals is the strong, assertive, and independent role of the Bohemian assembly throughout the fifteenth century. In the process, I also draw attention to the unusual and remarkable tendency of the assemblies, particularly in the mid-fifteenth century, to regularly meet in partisan, caucus-like assemblies both in order to prepare for the more authoritative general assembly, and when meeting in a general assembly proved difficult or impossible.

One of the consequences of these assemblies was the successful negotiation of a lasting religious peace, the Peace of Kutná Hora, in 1485, after three generations of religiously motivated civil war. This peace treaty was negotiated at and promulgated by an assembly, and, in contrast to most religious peace agreements concluded in the following two centuries, explicitly protected the free practice of religion by both Utraquists and Catholics throughout Bohemia, regardless of personal status. Although the agreement did not protect more radical groups such as the Bohemian Brethren, or the religious groups that emerged in the sixteenth century, it was in effect until the early seventeenth century, its principles enshrined in the slightly more inclusive informal agreement made in 1575 and in the 1609 Letter of Majesty.

My dissertation also offers the first thorough and systematic account of Bohemian and Moravian political history in the fifteenth century that not only focuses specifically on the role of the assembly and Bohemian political institutions, but is also based almost entirely on primary research. These sources lead me to take an explicitly critical stand against the national, linguistic, and religious stereotypes that still dominate much of the history of medieval and early modern Bohemia.

Fully situating Bohemian institutions in their political context has required me to carefully examine the relationship between Bohemia and the Empire. Because this relationship can stand in for so many of the tensions that have, often implicitly, informed the last two centuries of historical scholarship, it has rarely been examined in any detail, particularly for the period after Bohemia's elevation to a kingship. Defining this relationship with all of its changes and seeming ambiguities is critical for updating our understanding of the myriad kinds of relationships that existed between polities in medieval and early modern Europe.

This dissertation's focus on the period between the Battle of Lipany in 1434 and the accession of the Habsburg monarchy in 1526 is also of critical importance for understanding developments both in Bohemia and throughout Europe. Although very little scholarship focuses on this period, the developments that I examine have had profound consequences for the period after 1526, and in many ways are based on developments before 1434. Although it may seem rudimentary to point out that ninety years should not simply be glossed over or treated primarily in biographical works – this is precisely what has happened. My research joins that of a small but growing group of young scholars attempting to rectify this oversight. For example, one of the conclusions that my work allows us to draw is that the election of Ferdinand I of Habsburg

in 1526 was not innovative, but actually quite in line with typical practice throughout the fifteenth century.

On a broader level, scholars have not examined the interplay and mutual definition of institutions in Bohemia from the perspective that I present here. What little literature exists on these institutions examines them narrowly.⁴⁷ While such examinations are necessary and very important, they do not present a full picture of the institutions or how they interacted. Like observing behavior in a laboratory setting instead of in the real world, these examinations are blinded by their focus on a single topic, and so ignore much of its context. In contrast, I examine the development of institutional structures in fifteenth century Bohemia by looking at a myriad of institutions over the *longue durée*. While the assembly is a central node of my examination, it can only be understood through its connections with other institutions.

Source Base

My research took me to three dozen archives around the country, which allowed me to collect materials from the vast majority of the archives with fifteenth century collections. Sources directly cited in this dissertation come from thirteen collections in twelve of those archives, although the most important collections are concentrated in the archives in Třeboň (the collection Historica Třeboň at the Státní Oblastní Archiv Třeboň), Kutná Hora (the section Aktová Sbirka in the collection of the Archiv Města Kutné Hoře in the Státní Okresní Archiv

⁴⁷ For examples, see the treatment of the literature on the estates, the land court, and the land rolls at the beginning of this introduction. I have not found works that treat the development of institutions in the kingdom more synthetically.

Kutná Hora), and Brno (the collection Stavovské Listiny in the Moravský Zemský Archiv v Brně).⁴⁸

My archival research is supplemented by extensive use of edited source collections. During the nineteenth and early twentieth centuries, a number of extensive programs were undertaken to make available edited versions of key documents.⁴⁹ These collections include the majority of the extant documents from before the fourteenth century, as well as documents from the fourteenth through seventeenth centuries that the editors deemed relevant to the subjects of their respective volumes. While many of the series, particularly those covering the period before the fifteenth century, are devoted to publishing editions of Latin documents, and the *Archiv Český* is devoted almost exclusively to publishing those works that were initially written in

⁴⁸ This dissertation cites material from the following archives.

Archiv Města Plzně, Archiv Města Plzně.

Moravský Zemský Archiv v Brně, Stavovské Listiny.

Moravská Aemská Knihovna v Brně, Historické knihovní fondy.

Národní Archiv, Archiv České korunní (1158-1935).

Státní Oblastní Archiv Třeboň, Historica Třeboň.

Státní Oblastní Archiv Třeboň - oddělení Jindřichův Hradec, Rodinný Archiv Krajířů z Krajku.

Státní Okresní Archiv Český Krumlov, Purkmistrský úřad Český Krumlov.

Státní Okresní Archiv Jihlava, Archiv Města Jihlavy.

Státní Okresní Archiv Jindřichův Hradec, Archiv Města Lomnice nad Lužnicí.

Státní Okresní Archiv Kutná Hora, Aktová Sbirka, Archiv Města Kutné Hoře.

Státní Okresní Archiv Strakonice, Sbirka Listiny Sedlice.

The collection *Historica Třeboň* is based on the archive of the Rožmberk family, which was initially catalogued by Václav Březan in the early seventeenth century. Adolf Kalný, *Historica Třeboň: 1216-1682* (Třeboň: Státní oblastní archiv v Třeboňi, 1993). Because of the prominence of the Rožmberk family and the early cataloging of the archive, this collection is far more complete than most other collections of fifteenth century documents. The collection Stavovské Listiny (Estates Documents) housed in Brno is a collection of key documents related to the estates, and therefore quite often the assemblies, and the administration of the Margraviate of Moravia. Mojmír Švábenský, *Stavovské Listiny, 1212-1847, Katalog* (Brno, 1965). The collections in Jihlava and Kutná Hora are the city archival collections, and in the case of Kutná Hora I primarily use a specific section of that collection, separately catalogued: the Aktová Sbirka, or Collection of Acts. In both cases, these collections preserve documents related to the functioning of the cities and their interactions with other entities. “Katalog – Aktová Sbirka AMKH,” unpublished, courtesy of Viktor Pohanka, March 2, 2015.

⁴⁹ Some examples used in this dissertation include Palacký et al, *Archiv Český*; Palacký, *Urkundliche Beiträge*; Josef Emler, *Regesta Bohemiae et Moraviae: Diplomatica nec non epistolaria* vol. 2 (Prague, 1882); Nadání Palackého et al, *Fontes Rerum Bohemiarum*, vol. 1-8 (Prague, 1873-1932); Antonius Boczek et al, *Codex Diplomaticus et Epistolarum Moraviae*, vol. 1-15 (Olomouc and Brno, 1836-1903).

Czech, none of these series focus on those documents that were initially written in German, or provide editions that include documents from all three languages (with the exception of the occasional document whose importance was too great to ignore).⁵⁰ This has colored the way in which scholars have been able to interpret the use of language in these documents, and unfortunately probably reflects a similar tendency in archival practices, whereby documents in the various languages have not been preserved equally.

Different series focus on different parts of the period I examine. In the first half of my dissertation, I draw heavily upon edited documents from the series *Codex Diplomaticus et Epistolaris Moraviae*, *Fontes Rerum Bohemicarum*, and *Korunní Archiv Český* for documents from before the fifteenth century.⁵¹ From the fifteenth century, both extant documents and editions thereof become significantly more plentiful. For this period, I rely on editions in Blažena Rynešová's early twentieth century collection of documents related to Oldřich of Rožmberk, the *Listář a Listinár Oldřicha z Rožmberka*, as well as various volumes of the long-lived series *Archiv Český*.⁵² I also draw upon more recent editions of individual documents, and of documents that did not originate in Bohemia. The documents that do not pertain only to Bohemia include Aeneas Silvius Piccolomini's *Europe*, as well as the thirteenth-century *Sachsenspiegel*,

⁵⁰ A further exception is Blažena Rynešová, *Listáře a Listináře Oldřicha z Rožmberka*, vol.1-4 (Prague, 1929-1954), which tries to publish an edition or abstract for every document written to or by Oldřich of Rožmberk, regardless of language.

⁵¹ **Antonius Boczek**, *Codex Diplomaticus et Epistolaris Moraviae, volumes II-III (Olomouc, 1839-1841)*; Jos. Emler and V. V. Tomek, *Fontes rerum Bohemicarum* vol. II (Prague: Nákladem Musea Království Českého, 1874); Hermenegild Jiřeček, *Korunní Archiv Český: Sbirka Státních Listin Koruny České z Doby od r. 1306 do r. 1378* (Prague: Moravské Aciové Knihitiskárny v Brně, 1896).

⁵² Rynešová, *Listáře a Listináře*. The first six volumes of the series *Archiv Český* were edited by František Palacký alone and published between 1840 and 1872. The second, and most prolific, general editor was Josef Kalousek, who oversaw the publication of volumes 7-27 and 29 between 1887 and 1915, working with various editors and compilers for some volumes in the twentieth century. The third editor, Gustav Friedrich, oversaw volumes 28 and 30-37/3 between 1912 and 1944. The series was resurrected more recently, with volumes 38 and 40/1 edited by František Hoffman (2000-2004), and volume 39 edited by Ivan Hlaváček (2013), and volume 41 edited by Lenka Blechová, Tamás Visi, Daniel Polakovič, Marin Musilek, and Eva Doležalová (2015).

and volume three (covering the period 1458-1490) of the series edited by János Bak, *The Laws of the Kingdom of Hungary Series*.⁵³

The majority of these documents, whether archival or edited, are official documents or semi-public letters. The official documents consist of laws, such as the Vladislav Land Ordinances and the Golden Bull of 1356.⁵⁴ Some of the documents that I examine represent more directly the negotiations embedded in the passage of legislation, such as the lists of conditions to which candidates for the throne were required to agree before their elections were solemnized.⁵⁵ To this category can also be added the safe conducts, or promises of safe passage and occasionally protection, that were granted by a variety of different persons and entities to those traveling through their territory, and which were sometimes referred to in official treaties.⁵⁶ A third category consists of the public promises and pronouncements, such as land peace agreements, to which a large number of the inhabitants of the kingdom or margraviate pledged their allegiance, and which were maintained on the authority of those agreeing to them, rather than on the authority of the ruler or the administrative structures of the polity.

The types and purposes of the letters that I examine also vary. On the one hand, I utilize official letters, which may consist of an official report or official correspondence between the

⁵³ Some of the recent editions of documents related to Bohemia include Martin Wihoda's *Zlatá Bula Sicilská* (Prague: Argo, 2005); Martin Nodl, *Dekret Kutnohorský* (Prague: Nakladatelství lidové noviny, 2010); Petr Kreuz, Ivan Martinovský, and Jana Vojtíšková, *Vladislavské Zřízení Zemské Edice a navazující prameny (Svatováclavská smlouva a zřízení o ručnicích)* (Hradec Králové: University of Hradec Králové, Scriptorium, 2007). Other documents used in the dissertation include János M. Bak, ed., *The Laws of the Medieval Kingdom of Hungary, 1458-1490*, in *The Laws of the Kingdom of Hungary Series, vol. 3* (Budapest: Department of Medieval Studies, Central European University, 1995) and the 2013 edition of Piccolomini, *Europe*, and Karl August Eckhardt, *Sachsenspiegel Lehnrecht*, in *Monumenta Germaniae Historica n. s. 1, pt. 2, 2nd ed.* (Gottingen: Musterschmidt Verlag, 1956).

⁵⁴ Kreuz et al, *Vladislavské Zřízení Zemské*; Charles IV, "The Golden Bull," in *Readings in Medieval History*, 3rd ed., ed. Patrick J. Geary (Orchard Park, NY: Broadview Press, 2003), 663-685.

⁵⁵ These conditions have been found in variety of disparate editions and manuscript copies.

⁵⁶ An example of these safe conducts being referred to in treaties can be found in František Palacký, ed., *Archiv Český*, vol. V. (Prague, 1862), 377, #13.

assembly, the ruler, or an officer of the polity and another entity, as well as the response to this correspondence.⁵⁷ I also utilize semi-official correspondence, such as that between mutually-recognized assemblies whose powers were limited by their nature, as well as letters and drafts of documents with less official status. These include, for example, one attendee of the assembly writing to another to urge his attendance, as well as communication between assembly attendees regarding matters to be discussed before or during the assembly.

I also pay attention to the materiality of the archival documents that I use. In addition to noting the different kinds of paper and parchment that were used, and the type of hand and language of the document, I have noted the symbolism of the seals that were pressed upon these documents. A great many of these seals are preserved in whole or in part for the still-extant archival documents, and when possible I bring the material aspects of the documents to bear upon my treatment of the meaning of their words. Unfortunately, it is difficult to trace the current whereabouts of many of the documents edited in nineteenth century editions, unless they are housed in collections of the same name as they were over a century ago, so I am unable to speak to the material aspects of some of these documents.

Outline of Dissertation

This dissertation examines the development of institutions in the Bohemian lands by viewing these developments from a number of different perspectives. The first three chapters examine these institutions from a *long durée* perspective, placing fifteenth century developments in the context of developments beginning in the thirteenth century, and stretching into the sixteenth century. The second half of the dissertation examines more specifically how the

⁵⁷ For examples, see Archiv Města Jihlavy #183, #194, and #204, Státní Okresní Archiv Jihlava.

assemblies and their products functioned in more grounded, particular contexts between 1440 and the end of the century.

Chapter 1 examines Bohemia in relation to its neighbors, with three key aims in mind. At its most basic level, Chapter 1 provides a narrative of Bohemian history for non-specialists, covering the thirteenth through early sixteenth centuries. This narrative is not simply duplicative of work others have done, as I have stripped the traditional narrative of the nationalism that generally infuses it, providing a view of Bohemian history that does not place opposition between Czechs and Germans at its center. In rewriting this narrative, I focus on the structural relationships between Bohemia, Moravia, and the Empire. While these relationships are central to political developments in this period, they do not align with modern categories, or the wishful images of independence and subordination painted by nineteenth century scholars, and so have rarely been articulated in the scholarship.

This chapter argues that although the kingdom of Bohemia was nominally subject to the Empire, by the late thirteenth century it had secured internal autonomy, as confirmed by imperial grants. Although the emperor did not have the right to interfere in Bohemian affairs, the king of Bohemia was imperial cupbearer and – unquestionably by the mid-fourteenth century, although confirmed already a half-century earlier – an elector in the Empire. The margraviate of Moravia was subject to the kingdom of Bohemia and, although it was also within the Empire, the emperor did not have the right to select the margrave when his seat fell vacant; rather, the king of Bohemia had the right to fill the role – either by acting as margrave himself or by bestowing it upon a relative – and the emperor merely possessed the right to confirm that bestowal.

Chapter 2 examines the estates in their institutional context, focusing on their development and institutionalization as participants in the assemblies in Bohemia and Moravia. This chapter sets the estates in the context of the other key institutions in the kingdom – the monarchy, the Church, the land rolls, the land court, and the assembly – and establishes their role in relation to these other institutions. In order to understand the institutional function of the estates, it is necessary to also understand who comprised the estates. Thus, this chapter uses the language of a multitude of grants and documents issued by assemblies to determine who was included in the estates. I determine that by the early 1440s, the estates in Bohemia had been institutionalized as the upper nobility, the lower nobility, and the cities. At this time, the estates in Moravia generally included the upper nobility and the lower nobility, but the cities, as well as the prelates, were not confirmed in regular participation until the 1480s and 1490s.

Through this analysis of participation in the estates and the assemblies, I am able to articulate an understanding of the goal of governance that emerges from the assumptions and expectations of the originators of the documents. The way members of the estates in fifteenth century Bohemia constructed their institutions and portrayed these institutions in writing shows that one of the highest aims of good governance was to keep and restore order – which they found to be for the general good. They welcomed multiple perspectives and opinions – even in religion – as long as these perspectives fell within certain boundaries, but the ultimate aim was to create stability and near-unanimous approval of decisions taken for the common good.

Chapter 3 focuses on the role of the assembly in electing the king of Bohemia in the fifteenth and sixteenth centuries, and particularly on the assembly's practice of submitting conditions to which candidates for the throne were required to agree. These conditions were

submitted upon nearly every succession in the fifteenth and early sixteenth centuries, and were a means for the estates meeting in the assemblies to secure their privileges and rights from the new king before he took the throne – when they were in the best position to exact promises and concessions from him.⁵⁸ Indeed, the main goals of these conditions were to ensure good order in the kingdom, and to ensure that previously granted rights and privileges, as well as agreements between the kings and the estates, would be maintained and protected.

These conditions addressed the most important issues at the time when they were submitted, and I show that these issues were remarkably consistent throughout the century that I examine. In general, they included a promise of toleration for both Utraquist and Roman practice, as well as promises concerning the disposition of offices, the appointment of foreigners, and the consecration of an archbishop of Prague. My examination shows that although the conditions submitted to King Ferdinand of Habsburg in 1526 have often been described as specific to his person and situation, and his election has been seen as heralding a new era, his election and the conditions related to it in 1526 were extremely similar to those that had been submitted to previous kings for nearly a century.

Chapter 4 examines the role parties played in the assemblies during the interregnum caused by the premature death of King Albrecht in 1439, and the posthumous birth of his only male heir a few months later. Between 1439 and 1453, no recognized king sat on the Bohemian throne, although negotiations for a king were repeatedly opened. During this interregnum, a large number of assemblies met regularly to deal with the most important affairs of the kingdom as a

⁵⁸ Conditions were not submitted to George of Poděbrad upon his election in 1458 after he had served as regent for four years and had his term as regent extended to last through the few-month interregnum, but he did agree to conditions three years later. Louis Jagiellon was recognized as his father's heir when he was only three years old, and so was too young to agree to conditions, but his father did make promises on his behalf, which he confirmed when he reached his majority at age sixteen (after he had been ruling for six years).

whole – primarily focusing on securing a king and an archbishop. Yet, the assembly rarely met as a single, united assembly in a single location; rather, the main opposing parties would often meet in separate assemblies when they could not put aside petty squabbles and work together. Although these party assemblies recognized each other, they also recognized the greater authority of a united assembly, and repeatedly called for the meeting of such an assembly.

I argue that these competing parties meeting in assemblies reinforced the power of the assembly to manage the affairs of the kingdom when the monarchy was weak. By recognizing and building upon each other's authority, and also creating a system that legitimized the presence of multiple perspectives, these parties validated the participation of a variety of groups in their assemblies, and the authority of those assemblies to make decisions that would apply even to those who had opposed the decision. This development was extremely uneven, and nearly resulted in renewed civil war. Yet, the leaders of the assembly were eventually able to regulate themselves, removing from power those who refused to place the common good above private good. Throughout this process, the leading men of both parties sought the common good of the kingdom, and couched their complaints about the other party in accusations alleging that the other party was not working for the good of the kingdom.

Chapter 5 examines the role of Moravia in disputes over the kingdom of Bohemia, as revealed in treaties and agreements produced by assemblies. Although Moravia and Bohemia had been officially united since the eleventh century, lordship over Moravia was held by someone other than the king of Bohemia during both of the large-scale civil wars that took place in the fifteenth century. Yet, although lordship was transferred, this did not seem to change the allegiance of the people and entities within Moravia, and the undesirability of the separation of

Bohemia and Moravia was frequently remarked upon not only in the decrees of kings, but also in other documents from the period. Indeed, multiple possibilities for reuniting the provinces were written into the treaties that separated them. Thus, although it was described as destructive, this separation was never seen as irreversible.

In this chapter, Moravia is revealed to play a symbolic role in power struggles in central Europe. Possession of Moravia was coveted, even when possession bore little resemblance to control of the territory itself. Indeed, while it is understandable that King Matthias Corvinus of Hungary would seek lordship over Moravia, even if he were compelled to promise not to give away the honors and offices within it to people from outside its territory, it is unusual that the estates comprising the assembly of Hungary would, a few years later, require King Matthias's successor to pledge to keep Moravia associated with Hungary, rather than associating it again with the kingdom of Bohemia. They stood to gain little personally from this association. Yet, as this happened, we must ask why. The conclusion seems to be that possession of or association with Moravia, even if in name only, added prestige and served as a symbol of the power and authority of the polity with which it was associated, contributing to the common good of that polity.

Chapter 6 turns to the way in which institutions changed during the last quarter of the fifteenth century and first years of the sixteenth century, when a long-term religious settlement was reached and a new law code was passed. This chapter focuses on how these treaties sought to officially reshape the institutions that had been developing in new ways in the fifteenth century, notably by reducing the role of the cities, but also by codifying many other developments.

The slow coeducation of the various institutions in the kingdom defined their relationships to each other, but because definitions removed much of the possibility for the organic evolution of the role of these institutions in the kingdom's power structures, they were sometimes met with dissent. This is a natural consequence of codification, which by its nature reduces ambiguity. Although in the case of the religious peace created by the Peace of Kutná Hora in 1485 this reduction in ambiguity increased the stability of the kingdom, the introduction of a law code, the Vladislav Land Ordinances, in 1500 caused outrage that created new areas of instability.

Terminology

This introduction concludes with a brief overview of the key terminology used throughout this dissertation. In part because of its central location, Bohemia interacted frequently with polities that are usually considered eastern, as well as those considered western. The main province that I examine is the kingdom of Bohemia, which dominated the attached lands: Moravia, Silesia, and the Lusatias. These territories each have their own linguistic and national histories, which often affect how they are portrayed individually and in relation to their neighbors. To minimize the influence of these modern concerns as much as possible, I carefully employ "Czech" and "German" only when explicitly discussing languages or when translations require them, and use Bohemian, imperial, Austrian, or similar terms in all other situations, or when discussing modern people or events. These efforts cannot completely remove nationalist expectations or readings, but they aid this effort.

The terminology used to refer to different religious groups in Bohemia at this time can also present certain difficulties, and the choice of terminology affects how narratives are

understood. When common usage requires it, such as when referring to the Hussite Wars, I have continued to use the term “Hussite” to refer to followers of the religious reform movement that took shape in Bohemia in the fifteenth century. Generally, however, I refer to this group as Utraquists, after their practice of taking both the wine and the wafer during communion (communion *sub utraque*). I avoid the now suspect practice of referring to “Old Utraquists” and “New Utraquists” to refer to different wings of the religious group in the later fifteenth and early sixteenth centuries, but I do occasionally refer to radical Utraquists (the Tábórites, the Orebités, and later the Bohemian Brethren) and moderate Utraquists in my discussions of individuals’ biographies and party politics.

Following discussions with other scholars currently working more closely on religious developments in fifteenth and sixteenth century Bohemia, and particularly discussions with Jan Volek and Reid Weber, when possible I use the adjective “Roman” to refer to those who maintained traditional liturgical practices and obedience to Papal authority. The reason for this choice is to emphasize that Utraquists considered their practice to be in line with Catholic doctrine and that for a generation their practice was accepted at least grudgingly by both the Pope and the ecumenical council. Utraquists were not schismatics in the way that sixteenth century Protestants would be, and they continued to adhere to nearly all of Catholic doctrine.

The terminology used in the documents themselves leads to the question of how divided the leading groups were at various times, what propelled those divisions, and how solidly they were conceived. I have made the choice to generally refer to the different groups as parties, a relatively neutral term. In their letters, they often refer to each other as *strana*, which literally translates as “side,” but also corresponds to the modern word for “party.” The Czech word *strana*

does not only mean side or party; archaic meanings also include “country,” “section,” and “group,” and these valences may have affected readers’ understanding of the terminology used in the fifteenth century.⁵⁹

The words used to describe the assemblies are key. Generally, the Czech term used is *sněm*, which can be roughly translated as “diet,” and is a root word for the modern Czech word for “parliament,” *sněmovna*. I have left this word in the Czech so as not to impose foreign or modern conceptions of a “diet,” “assembly,” or “congress” on it, and to highlight the frequent instances when *sjezd*, roughly translated as “congress,” is used interchangeably.⁶⁰ The still-prevailing wisdom on the difference between *sněmy* and *sjezdy* in fifteenth century Moravia was summarized by František Kameniček in 1889 in an introduction to a section of *Archiv Český* Volume X.⁶¹ He gives an overview of the development of the assembly in Moravia, highlighting briefly the participation of the estates.⁶² He provides the Latin terms used to refer to the assemblies, at least at earlier points (“conventus, commune, consilium, colloquium [or] dieta”), before explaining that the Czech terms *sjezd* and *sněm* were used to encompass the same meanings.

Although Kameniček notes that *sněm* and *sjezd* later developed to mean different things, but they had the same meaning in the fifteenth century, his discussions follows the usage in modern Czech rather than in his sources, thus influencing scholars to see these terms as more distinct than they were. It will become clear from the usages examined throughout this

⁵⁹ Additional meanings, such as page, hand, end, and flank, are not relevant here.

⁶⁰ Josef Fronek, *Anglicko-český, česko-anglický slovník; English-Czech, Czech-English Dictionary* (Prague: Leda, 2005), 1080, 1092.

⁶¹ “Jednání sněmovní a veřejná v Markrabství Moravském” (Assembly and public deliberations in the Moravian Margraviate”), Josef Kalousek, *Archiv Český*, vol. X (Prague: Bursík and Kahout, 1890), 241-245.

⁶² Kalousek, *Archiv Český*, vol. X, 241.

dissertation that while it might be tempting to search for individual meanings for these terms, they were used interchangeably to refer to meetings of the various estates, with or without the king. The fifteenth century actors did not distinguish between these different types of assemblies in as clear a way as we might want. The differences become apparent only when the purpose of the assembly and its set of participants are examined.

A few other terms are used to refer to various types of meetings and assemblies. A common term is *jednání*. I have often translated this term as deliberation, although in certain contexts it has made more sense to translate the term as session, and the related past participle means negotiated. Another term used to refer to assemblies is *rok*, which appears to be used to indicate a summit or conference meeting. Because it appears rarely, I do not translate it, but explain its meaning in context.

A number of the offices in the kingdom also bear explanation. The highest administrative official in the kingdom was the Highest Burgrave of Prague, or *Nejvyšší Purkrabí Prahy*. The position was originally that of the administrator of Prague castle, but during the fourteenth and fifteenth centuries the holder of this position became chief administrator of the kingdom, and eventually chair of the land court and land diet.⁶³ The *nejvyšší zemský maršalek* (Highest Land Marshal) seems to have functioned in Moravia as well as Bohemia, although the position was nominally specific to Bohemia – a distinction that became important when Bohemia and Moravia were separated. The *nejvyšší zemský podkomoří* (Highest Land Sub-chamberlain) was one of the highest officials in Moravia and the kingdom, although the position was vacant most

⁶³ The title, if not the power, remained until 1848. *Všeobecná encyklopedie*, vol. 3 (Prague: Nákladatelství OP Diderot, 1997), 614; Anna Kubíková, *Oldřich II. z Rožmberka* (Prague: Vedita, 2004), 23-25, 31.

of the period 1466-1479. The highest ecclesiastical leader in Moravia, and for most of the fifteenth century the only bishop in either Bohemia or Moravia, was the Bishop of Olomouc.

Another term, *hejtman*, is extremely difficult to define. It is related to the German word *hauptmann*, and like *hauptmann* is often translated as captain (the two words often appear interchangeably – with various spellings – in the sources), but the word can have many other meanings as well. The term can refer to the overseer of a county or the representative of a region – the official *krajské hejtmány* as they are titled today in the Czech Republic. It can also still be used as an archaic term for the military rank of captain, as in German. It often seems to refer to the designated leader or leaders of a region or military group, particularly the field captains of the various Utraquist groups during the Hussite Wars. These men were generally appointed rather than elected, and were drawn from the upper and lower nobility, with advisors from these estates and the key towns in the region.⁶⁴ I have left the word untranslated as both *hejtman* and *hauptman*, with modernized spelling, so as not to impose modern meanings on it.

One of the main forms of collective organization was the *jednota*. If one were to translate *jednota*, unity is the closest term, but in Czech it indicates a group that has bound themselves together – generally for a military – or threatened military, purpose. In Bohemia, a *jednota* often seems to have been formed to forestall any actions that would disrupt the peace being created by a land peace agreement, or in other instances where the *jednota* could proclaim that its purpose was to protect the common good.

As should be clear, I have made the choice to leave a variety of words in the original Czech (with modernized spelling). For the most part, these words should not cause difficulty for

⁶⁴ Petr Čornej and Milena Bartlová *Velké Dějiny Zemí Koruny České*, volume 6: 1437-1526 (Prague: Paseka, 2007), 62-63.

the reader, although readers may find it useful to make reference to this discussion of terminology. Additional names and terms that may be relevant only to a specific chapter or section are introduced *in situ* in the relevant chapter.

Conclusion

The development of institutions in fifteenth century Bohemia cannot be understood in a vacuum. In addition to the complicated relationships that underpinned these institutions in their own time, the assumptions of the generations of scholars and observers that have lived in the intervening half-millennium have affected historians' ability to understand these institutions in innumerable ways. It would be impossible to entirely free ourselves from these influences.

Yet, by being aware of these influences and seriously considering their impact on scholarship – and the societies in which scholarship is created – historians can present new perspectives. Undoubtedly, we cannot remove all the logs from our own eyes, but careful examination of our biases can remove some, and may open doors for future scholars. This dissertation examines the relationship between the institutions that underpinned Bohemian society, and in so doing presents a new perspective on fifteenth century Bohemia, which should influence our understanding of central Europe and Europe more generally.

CHAPTER 1
**Retelling a Narrative:
The Intricate Relationships Underpinning Bohemian Institutions**

Where and What is Bohemia?

Every nation, institution, club, group, family, or indeed person constructs a narrative of their history. Their narrative is a combination of corroborated facts (Jane was born on June 3, Sam has three sisters), and that person's interpretation of those facts, based on their specific perspective and experience. When the scale becomes greater than that of a single individual, the narrative becomes more complicated, and is more likely to have been consciously, rather than unconsciously, constructed to emphasize certain traits and experiences. Even naming a group – for example, as a nation – carries with it significant consequences for future interpretations of that group.

These narratives become accepted over time. People trust (for the most part) their grandparents' descriptions of their childhood – maybe treating with skepticism stories of walking ten miles uphill both ways to school, but trusting their retrospectives on their experiences. The same is true of stories explaining group identity, heritage, and culture; yet, these narratives are always constructed, and always deeply influenced by the questions, interests, and perspectives of those constructing them. This is as true of narratives of medieval central Europe as it is of the story of Pocahontas.

In order to tease apart the political relationships within fifteenth century central Europe, and particularly those affecting the kingdom of Bohemia, it is necessary to present the narrative of this period shorn of as many nationalist assumptions and modern schema as possible. In presenting this nationally neutral narrative, I illuminate the network of relationships between the Empire, the kingdom of Bohemia, and the Margraviate of Moravia as they developed in the

thirteenth and fourteenth centuries, and how these relationships were then manipulated in the fifteenth century.

These relationships formed the basis upon which the institutions that structured fifteenth century Bohemian society were established. By the early fourteenth century, the emperor had repeatedly confirmed Bohemia's internal territorial autonomy, and had limited the way in which Bohemia was subject to the Empire in matters that crossed beyond its borders. This relationship became muddled when the emperor and the king of Bohemia were the same person for the last half of the fourteenth century and part of the first half of the fifteenth century. In this period of overlapping titles and jurisdictions, we can actually more easily discern the distinctions between imperial, royal, and margravian authority. Moravia provides the locus for these distinctions to be revealed. In this moment, we see that the Emperor only possessed the right to confirm Moravia, but not to bestow it. That right remained the possession of the king of Bohemia.

When, for the second third of the fifteenth century, the Bohemian throne was frequently vacant or disputed, the relationships between the emperor and both Bohemia and Moravia became more clear. When there was not a recognized ruler who could assert his privileges, the customary and legal relationships were defended instead by the emerging estates. These relationships and their new expressions were then retained in the later fifteenth and early sixteenth centuries when undisputed royal authority was restored.

This chapter focuses on an earlier period than the rest of this dissertation. Very little scholarship has attempted to address the formal relationship between Bohemia, Moravia, and the Empire after the early thirteenth century, but that relationship is key to understanding the political developments of the period 1212-1548 and the basis upon which various rulers and

other sources of political power made their claims. This chapter traces these relationships through expressions of royal authority in the thirteenth and fourteenth centuries, as well as through the challenges to that authority that came from the Hussite movement and the wars that followed in the fifteenth century. In the process, this chapter provides a brief overview of the political developments of the fifteenth and early sixteenth centuries that are examined in greater detail in the rest of this dissertation.

The Emerging Relationship Between Bohemia, Moravia, and the Empire

The first recorded "Czech" dynasty – so called in the majority of the historiography due to nativist assumptions – ruled in Bohemia from at least the late ninth century until 1306, when it died out in the male line.¹ Bohemia was originally regarded as a duchy, albeit one that held a status distinct from that held by the other duchies in the Empire. The duchy of Bohemia was permanently elevated to the status of a kingdom in 1198.² As the political structure of the

¹ See Nora Berend, Przemysław Urbánczyk, and Przemysław Wiszewski, *Central Europe in the High Middle Ages* (New York: Cambridge University Press, 2013), 90-97, for analysis of the origin myths of this dynasty in Christian's "Life of Saints Ludmila and Wenceslas" and Cosmas's *The Chronicle of the Czechs*, as well as its treatment in the scholarship.

² During the eleventh and twelfth centuries, the emperor twice granted the ruler of Bohemia non-hereditary royal titles, before Přemysl Otakar I received a hereditary royal title in 1198. Vratislav II (duke 1061-1085, king 1085/1086-1092) received the royal title from Emperor Henry IV in 1085, and Vladislav II (duke 1140-1158, king 1158-1172) received the royal title from Emperor Frederick I Barbarossa in 1158. Hermenegildus Jireček, ed., *Codex Juris Bohemici*, vol. 1 (Prague: I. L. Kober, 1867), 26-28, #16 (hereafter referred to as *CJB* I); Dušan Třeštík, "The Czech State in the Era of Přemyslid Princes and Kings (from the Beginning of the 11th Century to 1306): Consolidation of the Czech State in the era of the Princes," in *A History of the Czech Lands*, Pánek et al, eds., 84. Přemysl Otakar I (duke 1192-1193, 1197, king 1198-1230) was elevated during a struggle for the imperial throne between Philip of Swabia and Otto of Brunswick, and confirmed by Frederick II in the Golden Bull of Sicily in 1212. Josef Žemlička, "The Czech State in the Era of Přemyslid Princes and Kings (from the Beginning of the 11th Century to 1306): Royal Titles and Their Historical Significance," in *A History of the Czech Lands*, Pánek et al, eds., 95-96; Lisa Wolverton, *Hastening Toward Prague: Power and Society in the Medieval Czech Lands* (Philadelphia: University of Pennsylvania Press, 2001), 236, 370; see Berend, *Central Europe*, 222-224, for a short treatment of the relationship between Bohemia and the Empire in the tenth through twelfth centuries.

Empire was formalized in the thirteenth century, the king of Bohemia became one of the imperial electors as the leading secular magnate.³

While Bohemia was in many ways within the Empire, it possessed privileges granting greater autonomy than many other imperial principalities. A few key documents reveal the development of this relationship from Bohemia's elevation to a kingdom until the outbreak of the Hussite Wars in 1419. The first document is the December 1197 agreement in which Přemysl Otakar I became Duke of Bohemia, ruling in Prague, and his brother, Vladislaus Henry, became Margrave of Moravia. This agreement stipulated that both were to rule "as one spirit, so as one dominion."⁴ The following year, Přemysl Otakar was raised to the rank of King of Bohemia with the support of King of the Romans Philip of Swabia; this elevation was confirmed by Emperor Frederick II in the Golden Bull of Sicily in 1212.⁵

³ For some discussion of Bohemia's position as Imperial Elector, see Len Scales, *The Shaping of German Identity: Authority and Crisis, 1245-1414* (New York: Cambridge University Press, 2012), 274-276. For a list of electors in the thirteenth century *Sachsenspiegel*, see Karl August Eckhardt, *Sachsenspiegel Lehnrecht*, In *Monumenta Germaniae Historica n. s. I, pt. 2, 2nd ed.* (Göttingen: Musters Schmidt Verlag, 1956), 23; for a confirmation of this privilege sent to Wenceslas II in 1289, see CJB I, 241-242; for the official positions of the seven electors by the mid-fourteenth century, including their honorary titles, see E. F. Henderson, *Select Historical Documents* (London: George Bell, 1894), and Charles IV, "The Golden Bull of the Emperor Charles IV. 1356 AD," in *Readings in Medieval History*, 3rd ed., ed. Patrick J. Geary (Orchard Park, NY: Broadview Press, 2003), 663-685.

⁴ In Martin Wihoda, *Vladislaus Henry: Formation of Moravian Identity*, (Boston: Brill, 2015), 59-60, Martin Wihoda translates this phrase as "as one spirit, so as one rule," while I translate the entire passage as "that one in Moravia, this one in Bohemia, both rule and would exist as one spirit, so as one dominion; which continues perpetually undiminished today among them." "Ille in Moravia, iste in Boemia principatur et esset ambobus, sicut unus spiritus, ita et unus principatus, quod usque hodie inter eos illibatum manet." See Jos. Emler and V. V. Tomek, *Fontes rerum Bohemicarum* vol. II (Prague: Nákladem Musea Království Českého, 1874), 514-515 (hereafter FRB II) for the full text in the original Latin and a Czech translation from the "Letopis Jarlocha."

⁵ King of the Romans was the official title born by the imperial ruler after he had been elected and crowned in Aachen, but before he had been crowned by the Pope in Rome. In this period, many Kings of the Romans never became emperors. See Martin Wihoda, *Zlatá Bula Sicilská* (Prague: Argo, 2005), 225-228, for an edition of the text, also published in Martin Wihoda, *Die Sizilischen Goldenen Bullen von 1212: Kaiser Friedrichs II. Privilegien für die Přemysliden in Erinnerungsdiskurs* (Vienna: Böhlau, 2012), 263-264. Wihoda includes editions and translations of six key documents from the early 1210s in Wihoda, *Zlatá Bula Sicilská*, 223-236, and Wihoda, *Die sizilischen Goldenen Bullen*; some of these can also be found in Latin in Hermenegildus Jireček, *Codex Juris Bohemici*, vol. I (Prague: I. L. Kober, 1867), 38-44, #24-27 (hereafter CJB II). He was first raised to the kingship in 1198 by Philip of Swabia; this was confirmed in 1203 by Otto IV of Brunswick, and finally again in 1212 in the Golden Bull of Sicily by Frederick II.

The Golden Bull of Sicily revealed the complicated nature of the relationship between the emperor and the king of Bohemia. The emperor laid out the rights and privileges of the king of Bohemia, namely that he and his heirs would remain in possession of the Bohemian kingdom; that the borders of the kingdom would not be disturbed or its lands alienated; that the king of Bohemia could appoint bishops (as long as he preserved their previous freedoms); that the king of Bohemia would be required to attend imperial diets only in a few, specified cities; and a few provisions concerning support for the king of the Romans' coronation as emperor and escorts for the king of Poland.⁶ We see that although there was a strong connection between Bohemia and the Empire, and the emperor was in the position to make demands of the king of Bohemia, the emperor also gave up many rights in this treaty, or at least confirmed that they had slipped into the possession of the king of Bohemia.

As Martin Wihoda points out, the Golden Bull was not unique in granting increased privileges to an imperial principality – it joined a number of privileges that had been granted to Austria (the *Privilegium Minus*) and Bavaria (the *Gelnhäuser Urkunde*), not to mention the earlier elevations of Bohemian dukes to kingships.⁷ But that is not its great significance here. The significance of the Golden Bull of Sicily, for present purposes, is that it confirmed some freedoms that the king of Bohemia may have already been exercising, and that it proved to be the explicit basis for later grants and confirmations. It was not necessarily new, in Bohemia or in the

⁶ Wihoda, *Zlatá Bula Sicilská*, 225-228.

⁷ Wihoda, *Zlatá Bula Sicilská*, 211-212.

Empire writ large, but it had an out-sized significance on the later development of the relationship between Bohemia and the Empire.⁸

Even in the English-language scholarship, the relationship between Bohemia and the Empire has received some attention for this earlier period. In *Central Europe in the High Middle Ages*, Nora Berend and her co-authors address the ties between Bohemia and the Empire in the tenth through twelfth centuries, as well as Bohemian participation in affairs within the Empire, and in alliances with leaders within the Empire, but they do not thoroughly discuss the relationship beyond these surface-level alliances.⁹ In *Hastening Towards Prague*, Lisa Wolverton refers to appeals to the Empire to settle succession disputes in the twelfth century, as well as the lack of an archbishop independent from the Empire, and devotes a chapter to the relationship between the Bohemian king and the Empire in this period.¹⁰ Wihoda also gestures towards this development in Bohemia and in the Empire in the early thirteenth century.¹¹ Yet, these scholars do not continue their analysis beyond the reign of Přemysl Otakar I, the first king of Bohemia whose title became hereditary.

In 1216, Emperor Frederick II confirmed the elevation of Wenceslas I as his father's heir to the kingdom of Bohemia.¹² This document confirmed a number of privileges, not least of which was the hereditary nature of the kingship according to primogeniture, and an emphasis on

⁸ Despite the arguments of Martin Wihoda to the contrary in *Zlatá Bula Sicilská*, when he examines the thirteenth and fourteenth centuries, the Golden Bull of Silesia was seen as important by actors in the fifteenth century, thereby making it important for their actions.

⁹ Berend, *Central Europe*, 221-224. They also briefly mention the involvement of the Empire in the creation of Moravia as a margraviate; Berend, *Central Europe*, 238-239.

¹⁰ Wolverton, *Hastening Toward Prague*, 103, 111, 228-263,

¹¹ Wihoda, *Vladislaus Henry*, 293-296.

¹² This grant can be found in Antonius Boczek, *Codex Diplomaticus et Epistolaris Moraviae, volume II* (Olomouc, 1839), 88-89 (hereafter CDM II).

its (ideally) peaceful inheritance from father to son.¹³ This last aspect is reinforced because the grant bypassed Wenceslas's uncle Vladislaus Henry, a witness to the grant, who would have been next in line according to the prior practice of seniority succession.¹⁴

This change shows a shift in the nature of inheritance that correlated with the establishment of hereditary kingship: Přemysl Otakar I had come to power through seniority succession after a protracted struggle, but his heir in that system, his brother Vladislaus Henry, acquiesced to his own dispossession in favor of Přemysl Otakar I's son. This situation also reveals the continuing power of the barons in Bohemia to participate in the election of the next king, as the barons, greatest among them Vladislaus Henry, agreed to this new succession one month before Emperor Frederick II confirmed Wenceslas I as his father's heir.¹⁵ In ducal Bohemia, seniority succession had been accompanied by the consent of the leading men, which was preserved to some extent in Royal Bohemia.¹⁶

Frederick II's confirmation of Wenceslas as his father's heir carefully identifies by name Wenceslas's uncle Vladislaus Henry, Margrave of Moravia, while referring only generically to "the entirety of the magnates and nobles of Bohemia who, with the general will and approval of our beloved Otakar, illustrious King of Bohemia, elected this Wenceslas as king."¹⁷ The continuing role of the leading men in confirming the right of the king to inherit had significant

¹³ Title to the duchy of Bohemia had previously followed seniority succession, whereby the oldest male in any line of the family was heir to the throne.

¹⁴ In between each of the previous elevations of the dynasty to royal status, Bohemia faced internal instability, with multiple members of the Přemyslid family often vying for the throne, Třeštík, "The Czech State," 89-90; Berend, *Central Europe*, 166-171.

¹⁵ Wihoda, *Vladislaus Henry*, 118-119.

¹⁶ In chapter 1 of *Hastening Toward Prague*, 17-41, Wolverson explores this issue in ducal Bohemia.

¹⁷ "Universities magnatum et nobelium Boemie, quod communi voluntate et assensu dilecti nostri Odacrii, illustris regis Boemie, elegerunt in regem eorum Vencezlaum." Wihoda, *Zlatá Bula Sicilská*, 234, following the edition in Hermenegild Jiřeček, *Korunní Archiv Český: Sbírka Státních Listin Koruny České z Doby od r. 1306 do r. 1378* (Prague: Moravské Aciové Knihtiskárny v Brně, 1896), I.1, 12, #6. Wolverson also addresses the participation of the freemen in these elections, particularly in the second half of the twelfth century. Wolverson, *Hastening Toward Prague*, 220, 228-263.

implications in the fourteenth and fifteenth centuries, when the succession was not always so clear, as I discuss in Chapter 3. Indeed, the hereditary kingship and its accompanying privileges were again confirmed by Emperor Frederick II in a golden bull in 1231, the year after Wenceslas I's father (Přemysl Otakar I) died.¹⁸

Wolverton highlights the distinction between the ruler of Bohemia as duke and the ruler of Bohemia as king. When the first two Bohemian dukes were elevated to the kingship in the eleventh and twelfth centuries, although their titles proved not to be hereditary, they were elevated by coronation and anointment; the duke of Bohemia, however, was created by the election of the freemen, generally meeting together in some form of summit (whether or not it could be called an assembly).¹⁹ The distinction between the duke and the king of Bohemia blurred as the kingship became established in the thirteenth century. We can see the conscious way in which this was accomplished in the inclusion of Vladislaus Henry, the second-oldest member of the family, and the other magnates in the 1216 elevation of Wenceslas I. The elements that Wolverton identifies as belonging to the title and concept of “duke” in Bohemia became part of the ethos of the king as well, and the separate title “duke” eventually disappeared, both for kings of Bohemia and other members of the family.²⁰

¹⁸ Emperor Frederick II not only granted the Golden Bull of Sicily, but also confirmed Wenceslas I's accession in 1231 (CJB I, 65-66, #34). The interregnum that followed Emperor Frederick II in the Empire removed the emperor as a source for the confirmation of the authority of the king of Bohemia. In 1260, Pope Alexander IV authorized the bishops of Prague and Olomouc to crown Přemysl Otakar II, although he had acceded to the Bohemian throne in 1253 (he was crowned in 1262, CJB I, 148-150, #48). Similar permission was given by Pope Boniface VIII for the coronation of Wenceslas II in 1297, CJB I, 250-251, #90. Other grants include the investiture of Přemysl Otakar II by King of the Romans Richard of Cornwall as king of Bohemia, margrave of Moravia, duke of Austria, and margrave of Styria in 1262 (CJB I, 152-154, #50); the investiture of King Přemysl Otakar II with Bohemia and Moravia in 1276 (CJB I, 185-186, #66); and grants from Kings of the Romans Rudolf I, Adolf of Nassau, and Albert of Habsburg in the last years of the thirteenth century (CJB I, 241-242, 246-248, 256-259, #82, #85, #87, #93-94).

¹⁹ Wolverton, *Hastening Toward Prague*, 255.

²⁰ Wolverton, *Hastening Toward Prague*, 194, shows that the term “duke,” or *dux* (occasionally also *princeps* was used interchangeably, and in later Czech sources, *kniže*) was often used in the eleventh and twelfth

A pattern emerged in the way that the rulers of Bohemia chose the rulers of Moravia. This pattern closely marked the deep connections between the principalities and the Empire. The death of Wenceslas I's uncle, Vladislaus Henry, in 1222 led to the reversion of Moravia to the hands of the king of Bohemia – not to the emperor. While Wenceslas I never ruled as Margrave of Moravia before taking the Bohemian throne in 1230, his brothers and oldest son each held it briefly.²¹ In none of these cases did Moravia pass to anyone outside the Přemyslid dynasty, nor was it granted by the emperor. Clearly – despite the historiographic debate over whether Moravia was an intrinsic part of Bohemia or a territory that could be gifted by the emperor – like the Bohemian kingship and bishoprics, appointment to the margraviate of Moravia could be confirmed by the emperor, but remained tied to the dynasty ruling in Prague.²²

During this period, despite Wihoda's claims for the emergence of a Moravian land community in the early thirteenth century, Moravia's ruler was only rarely independent of the government in Prague.²³ The relationship between the two provinces thus seems simple. The ruling king in Prague had the right to dispose of Moravia by granting it to a relative or to retain it

centuries for the ruler as well as other males of the Přemyslid dynasty. After Vladislaus Henry, who died in 1222, there were no multi-generational cadet branches of the Přemyslid dynasty or its successor, the Luxemburg dynasty for over a century.

²¹ Wihoda, *Vladislaus Henry*, 297. Wenceslas I (1205-1253) ruled as king, while his brothers Vladislav (1207-1227) and Přemysl (1209-1239) ruled as margraves of Moravia in turn. His son Vladislav (1228-1247) also ruled as Margrave of Moravia, as did his son Přemysl Otakar II (1230-1278). It was then granted to two of Wenceslas I's younger brothers in series, neither of whom had children and both of whom died relatively young, as did Wenceslas I's oldest son, who held the title for only one year before his death.

²² For discussion of the literature on this topic, see Wihoda, *Vladislaus Henry*, 105-111.

²³ Wolverson, *Hastening Toward Prague*, 187, 297. The practice that can be observed was much more in keeping with Břetislav's mid-eleventh century designation of Moravia as the base for younger sons of the ruling family as they waited their turn to inherit, as Wolverson describes it. Unlike the generations following Břetislav, however, the thirteenth century Přemyslids rarely had more than one son who lived to adulthood or produced heirs. Thus, Moravia became the province in which adolescent sons and brothers honed the administrative skills that they rarely had the opportunity to exercise as adults. For these grants, see Boczek, CDM II, and Antonius Boczek, *Codex Diplomaticus et Epistolaris Moraviae, volume III* (Olomouc, 1841), including CDM II, 310-312, 317-318, #271, #279 (Wenceslas I made up for his brother's damage during his rebellion, and then his brother gave him a grant in return); CDM III, 88-89, #71 (Frederick II confirmed Wenceslas I as his father's heir in Moravia with a golden bull); CDM III, 144, #171 (one of many examples where Přemysl Otakar II made a grant using the title Duke of Austria, Margrave of Moravia and Styria).

for himself, as he saw fit. Yet, examination of the grants made in this period, as edited in the *Codex Diplomaticus Moraviae*, shows that the king of Bohemia was frequently invoked even when a margrave of Moravia existed, often alongside the dowager queen of Bohemia.²⁴ Even the attempted revolts of Wenceslas I's brother Přemysl in the 1230s did not effectively change the subordinate relationship of Moravia to Bohemia.²⁵ Yet, their relationship to each other must also be examined in light of their relationship to the Empire.

King Přemysl Otakar II ascended to the Bohemian throne in 1253, following his father Wenceslas I's death and upon the death of imperial ruler Conrad II. The following year he attempted unsuccessfully to have himself elected king of the Romans.²⁶ Even so, his privileges as king of Bohemia were regularly reconfirmed by the king of the Romans. In 1262, King of the Romans Richard of Cornwall confirmed Přemysl Otakar II as

the king of the principalities of the kingdom of Bohemia and the margraviate of Moravia and all the fiefs pertaining to the two mentioned principalities, which both the father, of shining memory, and the ancestors of the same, justly and reasonably held from the Empire; we invest [him with these principalities] right now by [our] authority, and we openly confirm with full royal authority the said two provinces and fiefs.²⁷

²⁴ For some of many examples, see CDM II, 186-187, #182 (Přemysl Otakar I made a grant with his son Wenceslas I); CDM II, 244-246, #221-223 (Dowager Queen Constance made grants along with her son, Margrave Přemysl, in 1233); CDM II, 145-147, #143-144 (one of many examples in which King Přemysl Otakar I made a grant in Moravia with his mother, Dowager Queen Constance); CDM II, 86-87, 112, 135-136, 162-163, #70, #104, #133, #161 (Přemysl Otakar I and his brother Vladislav Henry made grants together or witnessed each others' grants); CDM II, 103-105, #92-93 (Přemysl Otakar I and his brother Vladislav Henry separately confirmed the same man in his lands in Moravia, on the same day).

²⁵ There were numerous grants for the period 1232-1239, many of which can be found in CDM II, 235-364, #214-313. Wenceslas I's brother revolted in 1233 and 1237.

²⁶ Josef Žemlička, *Přemysl Otakar II: Král na Rozhraní věků* (Prague: Nakladatelství Lidové Noviny, 2011), 47-48, 181. William of Holland was elected anti-King as King of the Romans in 1247, and ruled until his death in 1256 (Frederick II had died in 1250). Richard of Cornwall was elected by four of the seven electors as his successor in 1256 and crowned in 1257, but he never asserted his rule effectively, and was opposed by Alfonso X of Castile, who was elected by the other three electors.

²⁷ "Regem de principatibus regni Bohemiae et marchionatus Moraviae ac omnibus feudis, dictis duobus principatibus attinentibus, quos et quae clarae memoriae pater et progenitores ejusdem juste et rationabiliter ab imperio tenuerunt, autoritate praesentium investimus, eique dictos principatus et feuda simpliciter autoritate regia confirmamus." CJB I, 153, #50. Wihoda, *Vladislav Henry*, 275, mentions this grant.

Richard of Cornwall thus confirmed the “full royal authority” of the king of Bohemia, recognizing his sovereignty and autonomy within his own lands. Yet, despite this independence, the king of the Romans retained the right to confirm and confer these privileges on the king of Bohemia. The question of the delegation of power between the two sovereigns was thus both settled for the moment, and confirmed as an issue that might be renegotiated later. Richard of Cornwall described Bohemia and Moravia as “held from the emperor,” indicating that despite Přemysl Otakar’s right to execute full royal authority in his lands, his sovereignty was not absolute.

In this 1262 confirmation, Richard of Cornwall also confirmed Přemysl Otakar II’s right to hold

those two noble principalities, namely the Duchy of Austria and the March of Styria, fallen to the hand of the Empire and to us freely by law, with all the fiefs belonging to the two principalities, held from the Empire under obligation by custom; we grant [these principalities] fully and directly in fief.²⁸

These territories were much more recently acquired, and Přemysl Otakar II’s right to them was much more debatable.²⁹ He had become duke of Austria and Margrave of Styria after being offered the titles by the Austrian nobility, on condition that he marry one of the Babenberg

²⁸ “Illos duos nobiles principatus, ducatum vid. Austriae et Marchionatum Styriae ad manum imperii et ad nostram de juro libere devolutos, cum omnibus feudis ad dictos duos pertinentibus principatus, ab imperio debito et consuetis teneri, integraliter et simpliciter in feudam concedimus.” CJB I, 153-154, #50.

²⁹ Přemysl Otakar II’s older brother and margrave of Moravia, Vladislav (1228-1247), had received in 1244 a dispensation from Pope Innocent IV to marry Gertrude of Austria, niece of the last Babenberg duke of Austria, in an effort to settle a dispute between the principalities. (CDM III, 43-44, #57) When Duke Frederick II died in the Battle of the Leitha River against Hungary in 1246, Gertrude was his heir according to the Privilegium Minus of 1156, which elevated Austria to a duchy. Unfortunately, although Vladislav received homage from the Austrian and Styrian lords in 1246, he died on January 3, 1247. Gertrude then married Herman VI, Margrave of Baden, in 1248, with whom she had a son and a daughter before he died in October 1250. Yet, Herman VI was never able to gain full control of the principalities. *Žemlička, Přemysl Otakar II*, 45. Gertrude’s aunt Margaret then married Vladislav’s younger brother Přemysl Otakar II, and Přemysl Otakar II and his father Wenceslas I claimed Austria and Styria in February 1252, and were accepted by most of the nobility. *Žemlička, Přemysl Otakar II*, 117.

heiresses.³⁰ He ruled all of these lands (Austria, Styria, Bohemia, and Moravia) for a generation. After the election of Rudolf I of Habsburg to the imperial throne in 1273, however, the new king of the Romans claimed that Přemysl Otakar II had not properly received imperial confirmation for Austria and Styria, and that therefore he must give them up.³¹ Přemysl Otakar II refused to submit to this order, and he and Rudolf I went to war over Austria and Styria.

When Přemysl Otakar II died in battle against King Rudolf I of Habsburg in 1278, his son was only seven years old and had not yet been granted any independent title to Moravia. A generation later in 1305, his grandson Wenceslas III obtained the Bohemian throne at age sixteen, also without first holding Moravia, before he was assassinated a year later. As such, the title Margrave of Moravia was not held by anyone aside from the king of Bohemia between Přemysl Otakar II's accession to the royal throne in 1253 and Charles IV's investment with Moravia in 1333. During the eighty years in which the title of Margrave of Moravia was held by the king of Bohemia, we can see a change in the relationship between the provinces. With no separate ruler, Moravia was not used as the power base by members of the dynasty for revolts against the king.³² Additionally, with no surviving younger sons of either Přemysl Otakar II or Wenceslas II, and Wenceslas III's assassination at age seventeen in 1306, the traditional dynastic source of revolts and rival kings was absent.³³

³⁰ Žemlička, "The Czech State," 108; Žemlička, *Přemysl Otakar II*, 45-46, 117-118.

³¹ Jörg K. Hoensch, *Přemysl Otakar II von Böhmen: Der goldene König* (Graz: Verlag Styria, 1989), 203-204, 208-213; Žemlička, "The Czech State," 110.

³² In addition to the eleventh century revolts discussed in Wolverton, *Hastening Toward Prague*, King Wenceslas I's brother Přemysl used Moravia as a base for revolts in 1233 and 1237, and Přemysl Otakar II had used it as a base for revolt against his father, King Wenceslas I, in 1249-1250. See CDM III, 106-107, #139 for Pope Innocent IV's urging for excommunication of Přemysl Otakar as a result.

³³ Polívka, "The Expansion of the Czech State during the Era of the Luxemburgs," in *A History of the Czech Lands*, Pánek et al, eds., 119-121.

This period also shows an evolution in the relationship between Bohemia and the Empire. After a generation of disputed kingship in the Empire, and following Rudolf of Habsburg's defeat of Přemysl Otakar II at the Battle of Marchfield in 1278, King Rudolf I invested his sons with Austria and the other disputed provinces.³⁴ He also marched on Bohemia, and on October 16, 1278, made an agreement with Přemysl Otakar II's widow, Kunhuta, that Bohemia and Moravia would be separated for five years, with Rudolf I getting the revenue from Moravia as compensation for his losses, and Otto V of Brandenburg serving as Wenceslas II's guardian in Moravia.³⁵ A set of double marriage alliances between Wenceslas II and Rudolf I was also arranged to cement the treaty.³⁶ In the summer of 1283, when Wenceslas II was twelve years old, negotiations were completed for him to come to Prague and to assume control of both Bohemia and Moravia.³⁷

In 1289, after Wenceslas II had fully attained his majority, Rudolf I again negotiated with him, this time for his son Albert of Habsburg's (initially unsuccessful) succession as King of the Romans. It is at this time that the status of the king of Bohemia as imperial elector becomes important, although this status began to be defined a half century earlier. To understand the reason for which a confirmation of the king of Bohemia's status as elector was needed in 1289, it is important to understand the contemporary debate surrounding this status.

³⁴ Kateřina Charvátová, *Václav II: Král český a polský* (Vyšehrad, 2007), 48-49. See Václava Kofránková, *26.8.1278: Moravské Pole: Poslední boj Zlatého krále* (Prague: Havran, 2006) for a recent analysis of this battle and its context.

³⁵ See Žemlička, "The Czech State," 111, for a very nationalist perspective; see Charvátová, *Václav II*, 48-70 for a more in-depth treatment.

³⁶ Charvátová, *Václav II*, 48-49.

³⁷ Charvátová, *Václav II*, 74.

The Sachsenpiegel, written in Saxony in the second quarter of the thirteenth century, presents an ambiguous definition of the rights of the king of Bohemia with regards to the imperial election.³⁸

If, however, from the Germans a king is to be chosen ... the choice is by the first in the Empire: the bishops of Trier, Mainz, and Cologne, and the Count Palatine of the Rhine (Steward of the Empire), the Duke of Saxony (the Marshal of the Empire) and the Margrave of Brandenburg (the Chamberlain of the Empire).³⁹

This initial portion includes no place for the king of Bohemia, stipulating only six imperial electors.⁴⁰ This *Monumenta Germaniae Historica* edition of the Sachsenpiegel, however, includes two alternative following sentences, judged not to be later interpolations, which add a new dimension to the choice of electors and the definition of their power:⁴¹

- 1) “The king of Bohemia, the Imperial Cupbearer, has no vote, because he is not of German origin.”⁴²
- 2) “and the king of Bohemia, if he is a German man.”⁴³

³⁸ In CJB I, 241, #82, Jiřeček discusses the various formulations of the imperial electors in the thirteenth century, noting that in the Sachsenpiegel, only six electors are mentioned in both the Latin and German versions, but omitting the alternative additions discussed here. He also notes that by Pope Urban IV’s grant in 1263, seven electors, including the king of Bohemia, were numbered.

³⁹ “Swenne aver de Dudeschen enen koning kesen, unde he to Rome varet to der wiunge ... de de ersten in des rikes kore sin: de biscop van Trire unde van Megenze unde van Kolne, unde de palenzgreve van dem Rine (des rikes druzte), de hertoge van Sassen (des rikes marscalk) unde de markgreve van Brandeborch (des rikes kemerere).” Eckhardt, *Sachsenspiegel Lehnrecht*, 23.

⁴⁰ Much of the commentary on this passage, Lehnrecht 4§3, (Frank Michael Kaufmann, *Monumenta Germaniae Historica Nova Series* vol. 8, part 1 (Hannover: Hahnsche Buchhandlung, 2006), 59-68; in this note abbreviated MGH NS 8.1) focuses first on Rome and the Papacy. Attention eventually turns to imperial principalities (MGH NS 8.1, 64-68), and finally to the electors of the King of the Romans (MGH NS 8.1, 65-66), but both of these glosses only mention six electors.

⁴¹ Scales summarizes the scholarship on this passage, arguing that recent research has shown that these additions were not later interpolations. See Scales, *The Shaping of German Identity*, 276, nt.90 for a treatment of the way in which Johannes von Buch, glosser of the Sachsenpiegel, understood these additions. Scale records that Johannes indicates that the king of Bohemia’s vote was limited to circumstances in which the other electors were evenly split. This limitation seems arbitrary, since the king of Bohemia’s vote would not have mattered if the other electors had not been evenly split. This understanding may have played a role in Otakar II’s abstention from the election of 1273; had he participated, he would likely have voted for himself, unlike the majority of the other electors, and thus his absence made a greater political statement than would have his participation. Scales, *Shaping of German Identity*, 274-276.

⁴² “De koning van Behemen, des rikes scenke, ne hevet nenen kore, dur dat he nicht dudisch n' is.” Eckhardt, *Sachsenspiegel*, 23.

⁴³ “Unde de koning van Behemen, of he is en dusescher man.” Eckhardt, *Sachsenspiegel*, 23.

The first version affirms the king of Bohemia as Imperial Cupbearer, questioning only his electoral vote. This version thus describes the king of Bohemia in terms similar to those used for the other electors, except that his status is conditional. The second version is conditioned upon the king of Bohemia being German, although that term is undefined.

Both continuations indicate that, unlike the other imperial electors, the king of Bohemia is not assumed to be German. It is important to note that the document discusses the nature of the king of Bohemia, rather than of the kingdom of Bohemia. The king of Bohemia's potential status as a non-German does not, however, mark him as outside the Empire.⁴⁴ These final sentences suggest the close relationship between the king of Bohemia and the emperor, while also hinting at the king of Bohemia's autonomy, and marking him as different from other imperial princes.

The second version makes no mention of the honor of Cupbearer, although the other electors are each given a position, and provides information only about the king of Bohemia's conditional status, so long as he remained German. The author could be simply referring to the heritage of the king of Bohemia, yet the fact that the Přemyslid dynasty had ruled for over 300 years by this point suggests that the ethnicity of the king of Bohemia was unlikely to change. Rather, I suggest that this passage may refer to the nature of the relationship between the king of Bohemia and the Empire. As long as the king of Bohemia was closely associated with the Empire, then he was allowed an electoral vote; should that relationship change, he would be considered an outsider and lose his vote. Len Scales also suggests that the "Germanness" of the

⁴⁴ Scales explains how the Archbishop of Trier, as well as the other episcopal electors, could serve as elector while laying within "Gallic" rather than "German" territory. Scales, *The Shaping of German Identity*, 277. The emperor during this period was also King of Sicily, and although these crowns were separate, their personal union under Frederick II indicates that this multi-ethnic rule was acceptable to some extent.

king of Bohemia was a result of his involvement with imperial affairs, but looks to a slightly later moment and attributes part of the acceptability of the king of Bohemia as an elector to the change in dynasty which occurred with the accession of the Luxembourgs to the Czech throne in 1310.⁴⁵ Yet, the documents issued in the last decade of the thirteenth century indicate that these definitions preceded dynastic change.

At this time, Rudolf I and Wenceslas II reached two agreements, defining the relationship between their two polities much more clearly than it had previously been defined.⁴⁶ Rudolf I issued a charter confirming the status of the king of Bohemia as an elector and as the Imperial Cupbearer.⁴⁷ These letters were sent towards the end of Rudolf I's reign, when he was attempting to make peace with the now adult Wenceslas II, and trying to obtain electoral votes for his son. The documents warn of the problems caused by a lack of clarity concerning the rights, privileges, and possessions of the king of Bohemia, and identify their purpose in nearly identical terms: to clarify the position of the king of Bohemia within the Empire and with regards to the election of emperors.⁴⁸ They then confirm Wenceslas II as Imperial Cupbearer, insisting that his vote in the imperial election was equal to those of the other electors.⁴⁹ The second point

⁴⁵ Scales, *Shaping of German Identity*, 274-278.

⁴⁶ *CJB I*, 241-242, 246, #82, #85. It should also be noted that Albert was the father of Wenceslas II's wife Judith, who bore her first children at this time.

⁴⁷ *CJB I*, 241-242, #82.

⁴⁸ This translation includes both versions, with difference set in italics. "why and how the rights of the renowned King Wenceslas of Bohemia, our dearest prince and son, and of his heirs, counts in the law of the Romans, *and in the election of the King of the Romans, the future Emperor.*" "Quid quantumve juris in Romanorum competat imperio inclyto regi Boemiae Wenceslas, principi nostro et filio charissimo, *nec non suis heredibus.*" *CJB I*, 242, #82. "Quid quantumve juris in Romano competat Imperio *et in electione Romanorum regis, futuri Imperatoris*, inclyto regi Boemiae (Wenceslas), principi et filio nostro carissimo, *et heredibus ipsius.*" *CJB I*, 246, #85.

⁴⁹ Although these two documents stress different issues, the first two points of each letter are nearly identical. In the 1289 letter: "I. That the above-mentioned king and his heirs maintain the right and office equal to the Cupbearer in the Roman Empire. ... II. And also resembles the other princes in the election of the Roman king, having the right and voice in this election, as far as the same right and voice of electing [as those who] receive equal office." "Quod rex supradictus jus ac officium pincernatus pariter et ejus heredes in Romano obteneat imperio. ...

may have carried specific resonance because Wenceslas II's father had abstained from voting in the election of Rudolf I in order to promote his own candidacy. The second letter continues with three further stipulations addressing the tradition of maintaining these privileges.⁵⁰ Despite these confirmations from Rudolf I, however, Wenceslas II and the other electors also won concessions from his rival, Adolf of Nassau, and for some years supported him as King of the Romans, before turning back to Albert of Habsburg.⁵¹

In March 1298, four months before his July 27 election as King of the Romans, Albert I wrote to Wenceslas II.⁵² In this letter, Albert promised Wenceslas II that upon his election, Wenceslas II would receive three important concessions. The first was that “by special grace,

Nec non in Romanorum regis electione instar aliorum principum, in ipsa electione habentium jus et vocem, quoad idem jus et vocem eligendi, potestate pari potiantur.” CJB I, 242, #82. The second letter is more detailed in its prescriptions, but follows essentially the same pattern: “I. This king of Bohemia owes being Cupbearer to the Empire, and the right and office of Cupbearer resides with him and also with his heirs by hereditary law. II. Furthermore, it was clearly prominently declared that the above-mentioned king of Bohemia and his heirs ought to be among the other electors in the election of the Roman king, the future emperor, [having] the same full rights and voice in electing as the other electors.” “I. Ipsum regem Boemiae Imperii debere incernam existere et jus ac officium pincernatus apud eum necnon ejus heredes jure hereditario residere. II. Extitit etiam dilucide declaratum, praedictum regem Boemiae et suod heredes in electione regis Romanorum, futuri Imperatoris, cum ceteris electoribus habere debere ad similitudinem aliorum electorum eligendi plenarium jus et vocem.” CJB I, 246, #85.

⁵⁰ Although the first letter concluded after these two points, the second letter continued with three more stipulations, directly addressing allegations against Wencelsas II. Rudolf I declared that “but we have learned that these rights of Cupbearer and election not only apply to the aforementioned king and his heirs, but also applied in the fullest right to their progenitors, great-grandfathers, forefathers, and ancestors” and “wanting therefore to guard against losses to the aforementioned king and his heirs, the right and office of Cupbearer in the Empire applies to him and his heirs and not to others; we clearly recognize, approve, and offer in the present testament that he has the right and voice in the election of the Roman King, the Future Emperor.” “Haec vero jura pincernatus et electionis nedum dicto regi et suis heredibus didicimus cometerere, sed etiam suis progenitoribus, abavis, atavis, proavis et avis jure plenissimo competebant.” CJB I, 246. “Volentes itaque dicti regis et heredum suorum dispendiis praecavere, jus et officium pincernatus in Imperio sibi et heredibus suis et non alii competere, et in electione regis Romanorum, futuri Imperatoris, habere jus et vocem, clare recodnoscimus, approbamus et praesentium testimonio profitemur.” CJB I, 247, #85.

⁵¹ See CJB I, 247-248, #87, for an example of a grant made by Adolf of Nassau, conceding certain privileges to Wenceslas II.

⁵² This document was issued before Easter, which fell on April 6 of that year, and is dated as 1298, although the way Albert styled himself in the letter indicates that it may have actually been sent in 1299. The language used is also similar to the language used in confirmations. “Albert, by the grace of God ever august King of the Romans. To each and every faithful member of the Holy Roman Empire.” “Albertus Dei gratia Romanorum rex semper augustus. Universis et singulis sacri imperii Romani fidelibus.” CJB I, 257, #93.

we absolve and release this king and his successors from all burdens of service in perpetuity.”⁵³

This concession made Bohemia an autonomous polity, not bound but still allowed to voluntarily serve the emperor or the Empire. More than any other confirmation examined here, this grant marks the kingdom of Bohemia as separate. Yet, Albert was careful not to diminish the closeness of the relationship between Bohemia and the Empire. Albert also exempted the king of Bohemia from further duties to the imperial court.⁵⁴ Yet, he concluded by re-asserting the ties between the Empire and Bohemia and reminding the king of Bohemia of the long-standing relationship between the two polities.⁵⁵ This grant was made when the king of Bohemia was in a position of relative power compared with the emperor, and it served as the basis for their continuing relationship in the fourteenth century.

After Wenceslas II’s death in 1305, Albert I confirmed these same privileges for the new king of Bohemia, Wenceslas III.⁵⁶ Albert I described the king of Bohemia as above all other imperial subjects, established the king of Bohemia as the Imperial Cupbearer and as an Imperial

⁵³ “Eundem regem ac successores ipsius ab omni servitiorum onere ... de speciali gratia in perpetuum absolvimus et eximimus.” CJB I, 257, #93.

⁵⁴ “The aforementioned king and his heirs and successors are not in any way bound to personally come or to send nuncios or any other men to the expedition, convocation, or court, that is the general conference or particular announced [conferences], whichever, wheresoever, and by whomsoever the matter is imposed or requested, in whatever way it is held.” “Ut antedictus rex et heredes ac successores ipsius ad nullam nostram vel successorum nostrorum, regum seu imperatorum Romanorum, expeditionem, convocatiam, curiam seu colloquia generaliter vel specialiter indicenda, quacunque ubicunque et quacunque negotio seu causa jussi vel requisiti, personaliter venire vel nuntios aut homines aliquos mittere, aliquatenus teneantur.” CJB I, 257, #93.

⁵⁵ “The last point ensures that the first two could not be read as a complete abrogation of the ties between the Empire and Bohemia. CJB I, 257-258, #93.

⁵⁶ “To the illustrious Wenceslas, King of Bohemia and Poland, our most dear uncle (sic) and prince, wanting to honor [him] above others with greater favor and designated more beloved, we approve, renew, ratify, and confirm all privileges, fiefs, rights, liberties, and graces ceded by us and our aforementioned [ancestors], kings and emperors to this illustrious Wenceslas, King of Bohemia, or to his ancestors, for themselves or their heirs, the aforementioned kings of Bohemia, with the support of the present document.” “Illustrem Wenceslaum Bohemiae et Poloniae regem, avunculum et principem nostrum carissimum, ampliori benevolentia et gratiosiori affectu prae alteris prosequi cupientes, omnia privilegia, feuda, jura, libertates et gratias illustri quondam Wenceslao regi Bohemiae genitori suo, ac sibi et ipsorum heredibus, praedictis regibus Bohemiae, a nobis et nostris praedictis imperatoribus et regibus Romanis concessa et concessas approbamus, innovamus, ratificamus et praesentis scripti patrocinio confirmamus.” CJB I, 446-447, #108.

Elector, rejected any conditions upon these honors, and threatened anyone who would challenge them.⁵⁷ He also described Wenceslas II as a sovereign king, and pledged that the imperial ruler would not interfere with the management of the Bohemian lands. This confirmation suggests that Albert's concessions were not meant only to secure support from Wenceslas II in the imperial election, but that they were intended to be hereditary.

Thus, by the early fourteenth century, the king of Bohemia was secure in his status as distinct from the other imperial princes and that he was the autonomous ruler of his own kingdom, although he was still an imperial prince with privileges and honors within the Empire. While the king of Bohemia had been able to use the imperial succession to secure confirmations of his privileges, the emperor had only briefly possessed the authority to influence the election of the Bohemian king, and that was through guardianship of the heir rather than through influencing the choice of king. This relationship would change in the fourteenth century.

Holy Roman Emperor and King of Bohemia

When Wenceslas III was assassinated in 1306, there were no other male Přemyslids to inherit the Bohemian throne – the first time a dynastic change occurred in recorded Bohemian history. The throne was then fought over by the husbands of the two sisters of the last Přemyslid king and by the kings of the Romans who ruled over the next few years – King Albert I of Habsburg (assassinated 1308) and Emperor Henry VII of Luxembourg (died 1313) – who

⁵⁷ CJB I, 446-447, #108.

wanted it for their sons.⁵⁸ Emperor Henry VII attained his wish after marrying his son John to the younger sister, Eliška.

John's marriage to Eliška Přemyslovna and the support of the barons brought him to the throne, but did not establish the basis for a positive future relationship with the barons.⁵⁹ At this time, the formal institutions through which the nobility and the towns could later express approval or disapproval had not yet received official authority, although this did not stop them from participating in the dispute over the throne, as discussed in Chapter 2, nor did it stop the nobility from rebelling against John in 1318.⁶⁰ As a result of this conflict, John was forced to acknowledge the rights of the aristocracy, substantially weakening his position in Bohemia.⁶¹

The key issue was whether or not the kingdom of Bohemia reverted to the emperor upon the extinction of the dynasty in the male line, a privilege that the imperial ruler was able to assert over other territories of the empire, or whether Bohemia instead stayed autonomous and the leading figures of the kingdom had the right to choose their own ruler. John of Luxembourg's accession to the Bohemian throne could be read either as a reversion to the king of the Romans, who bestowed it upon his son, or as inheritance through the female line.

John's son, Emperor Charles IV, became an extremely powerful and well-respected king who established himself effectively as emperor and ruled in both Bohemia and the Empire for

⁵⁸ As the husband of the elder sister Anne, Henry of Carinthia was the initial choice. However, his right was contested by King of the Romans Albert I of Habsburg, who declared Bohemia forfeit to the imperial crown and made his son, Rudolf, a contender, before dying himself in 1308. Rudolf of Habsburg was rejected by much of the Bohemian nobility and died besieging a castle in 1307, opening the door for Emperor Henry VII of the House of Luxembourg (King of the Romans 1308-1312, Holy Roman Emperor 1312-1313) to marry his son John to the younger sister, Eliška of Bohemia, in 1310. John was crowned king in 1311. Henry of Carinthia's wife Anne, the reason for his claim to the throne, died without issue in 1313. Jörg Hoensch, *Die Luxemburger: eine Spätmittelalterliche Dynastie gesamt-europäischer Bedeutung, 1308-1407* (Stuttgart: Kohlhammer, 2000), 37-39; Polívka, "The Expansion of the Czech State," 120-121.

⁵⁹ Polívka, "The Expansion of the Czech State," 121.

⁶⁰ Polívka, "The Expansion of the Czech State," 123.

⁶¹ John's authority in Bohemia was also not increased by his separation from his wife and children. Hoensch, *Die Luxemburger*, 59-61.

over thirty years, despite having come to power in a disputed imperial election.⁶² He was elected king of the Romans on July 11, 1346, and became undisputed king of the Romans after King Louis IV of Bavaria died on April 7, 1348.⁶³ The following day, on April 8, 1348, Charles IV confirmed the key charters previously granted to Bohemia.⁶⁴ Charles IV then granted a series of new privileges further clarifying the rights of the kingdom, and the relations between the different principalities within the kingdom.⁶⁵ Charles IV had been Margrave of Moravia since 1333, while his father (who died in 1346 at the Battle of Crécy in France) remained King of Bohemia. Thus, his grants in 1348 reflect his experience as ruler of all three principalities: as Margrave of Moravia, as King of Bohemia, and as King of the Romans, as well as his vision for the future of these principalities.

In 1356, the year after he was crowned Emperor, Charles IV issued a golden bull that was intended to clarify many of the legal relationships in the Empire, including those between the

⁶² Charles IV is a national hero in Bohemia, and this is reflected in the scholarship. During his reign, he strove to increase Bohemia's status in the Empire and Europe, and also sought to improve royal imperial cities. His efforts in Prague focused on prestige-building activities such as the elevation of the Archbishopric of Prague (1346) and the foundation of the University of Prague (1348), the first university in any imperial or central European land north of the Alps, as well as local improvements such as the creation of the New Town in Prague (1348) and the construction of a key bridge in Prague over the river Vltava (1357). For a sample of the literature on Charles IV, see Zdeněk Kalista, *Karel IV. Jeho duchovní tvář* (Prague: Vyšehrad, 1971); Karel Čapek, "Karel IV. a nástup české reformace," in *Křesťanská revue* 45 (1978), 200-209; Ferdinand Seibt, *Karl IV: ein Kaiser in Europa, 1346-1378* (Munich: Süddeutscher Verlag, 1978); Jiří Spěváček, *Karel IV, Život a dílo, 1316-1378* (Prague: Svoboda, 1979); Henry Stooß, *Kaiser Karl IV. und seine Zeit* (Graz: Verlag Styria, 1990); František Kafka, *Vláda Karla IV. za jeho císařství, 1355-1378: Země České koruny, rodová, říšská a evropská politika* (Prague: Univerzita Karlova, 1993); František Kavka, *Karel IV. Historie života velkého vládyře* (Prague: Mladá Fronta, 1998); Polívka, "The Expansion of the Czech State," 128-129; Jaroslav Čechura, *České země v letech 1310- 1378: Lucemburkové na českém trůně I* (Prague: Libri, 1999), 65-68; David Mengel, "Emperor Charles IV (1346-1378) as the Architect of Local Religion" in *Austrian History Yearbook* 41 (2010), 15-29; Jaroslav Čechura, *Karel IV. Na dvojím trůně* (Prague: Rybka Publishers, 2016).

⁶³ An abstract of John of Luxembourg's grant of Moravia to Charles IV can be found in Jiřeček, *Korunní Archiv Český, 1306-1378*, 117, #105.

⁶⁴ The earliest of these was Frederick Barbarossa's 1158 elevation of Vladislav to the royal title in Bohemia, followed by many of the documents previously mentioned: Frederick II's 1212 golden bull and his 1216 confirmation of Wenceslas I as Přemysl Otakar's heir; the confirmation of Richard of Cornwall's 1262 grant; and the confirmation of many of the grants of Rudolf I and Albert I. Jiřeček, *Korunní Archiv Český, 1306-1378*, 281-297, #262-272.

⁶⁵ Jiřeček, *Korunní Archiv Český, 1306-1378*, 297-308, #273-275.

emperor, the electors, and their territories.⁶⁶ Charles IV reiterated that the king of Bohemia was one of the electors of the Empire, and also clarified that if one of the electors were chosen as king of the Romans, that elector would keep his full voting privileges.⁶⁷

Charles IV also singled out Bohemia when setting out how the reversion of lands would be dealt with. For imperial lands in general, he stated that “if any such principality should happen to revert to the holy empire, then the emperor or king of the Romans should and may so dispose of it as of a possession which has lawfully devolved upon himself and the empire.”⁶⁸

Despite this general provision, he stipulated that Bohemia would be treated differently:

Saving always the privileges, rights, and customs of our kingdom of Bohemia concerning the election, through its subjects, of a king in case of a vacancy. For they have the right of electing the king of Bohemia: such election to be made according to the contents of those privileges obtained from the illustrious emperors or kings of the Romans, and according to long observed custom.⁶⁹

Charles IV thus confirmed the elective nature of the Bohemian monarchy, essentially exempting it from the possibility of reversion, as that would preempt an election.

These special privileges were further elaborated upon in the next section. This section of the bull confirmed that no subject of Bohemia could be compelled to appear before any court outside of Bohemia, and that the proceedings of any such trial were null and void – although he

⁶⁶ He devoted significant attention to protocol and precedent, but also to succession and the responsibilities of the electors to the emperor. Charles IV addressed protocol with respect to the position of Bohemia in sections 1.8 and 1.12 (regarding escorts of the electors); order of voting in 4; and precedence and order in 4, 6, 22, 26 (that the king of Bohemia was before the empress in processions), and 27. Charles IV, “The Golden Bull,” 666-683; Henderson, *Select Historical Documents*, 225-257.

⁶⁷ “Among the electors themselves, to whose number we, as King of Bohemia are known to belong.” Charles IV, “The Golden Bull,” 664; Henderson, *Select Historical Documents*, 221. “In a case, finally, where three prince electors in person, or the envoys of the absent ones, shall elect as King of the Romans a fourth from among themselves or from among their whole number – an elector prince, namely, who is either present or absent: – we decree that the vote of that person who has been elected, if he shall be present, or of his envoys if he shall chance to be absent, shall have full vigor and shall increase the number of those electing, and shall constitute a majority like that of the other prince electors.” Charles IV, “The Golden Bull,” 669; Henderson, *Select Historical Documents*, 231.

⁶⁸ Charles IV, “The Golden Bull,” 672; Henderson, *Select Historical Documents*, 236.

⁶⁹ Charles IV, “The Golden Bull,” 672; Henderson, *Select Historical Documents*, 236-237.

seemed to be referring only to the princely or municipal courts, rather than ecclesiastical courts.⁷⁰

When discussing money, Charles IV also asserted the right of the king of Bohemia to purchase or receive from anyone “any lands, castles, possessions, estates, or goods,” and that he should retain them in the state in which they were purchased (as alods, freeholds, or fiefs), and that he would be required to “render to the holy empire its pristine and customary rights over these things.”⁷¹ Essentially, this provision meant that incorporation into the kingdom of Bohemia would not exempt the king of Bohemia from traditional obligations regarding these territories. In showing that these new possessions would not receive the same rights as the kingdom of Bohemia, Charles IV marked the privileges of the kingdom of Bohemia yet more sharply as distinct, even though he extended different privileges to the other electors as well.⁷²

Charles IV also made two decrees concerning the heirs of the electors, including Bohemia.⁷³ The latter, regarding imperial heirs, is the concern here. He stated that the “sons, or heirs and successors of the illustrious prince electors ... since they are expected in all likelihood to have naturally acquired the German language, and to have been taught it from their infancy – shall be instructed in the grammar of the Italian and Slavic tongues.”⁷⁴ This requirement, even if it was never enforced, reveals the extent to which Charles IV saw all of the lands of the empire, both north and south of the Alps, as integral parts of the empire. For this reason, he expected the

⁷⁰ Charles IV, “The Golden Bull,” 672; Henderson, *Select Historical Documents*, 237-238. If it also applied to ecclesiastical courts, then Jan Hus could not have been compelled to attend his trial at the Council of Constance in 1414-1415, nor could Jan of Milič be compelled to comply with a summons from Avignon to defend himself in 1374. As these figures seem to have agreed to the authority of the ecclesiastical court to call for their attendance, I will not assume that the Golden Bull of 1356 extended to this arena.

⁷¹ Charles IV, “The Golden Bull,” 673; Henderson, *Select Historical Documents*, 239.

⁷² Charles IV, “The Golden Bull,” 673; Henderson, *Select Historical Documents*, 240.

⁷³ The first stipulated that unless the first-born male was unfit to rule, he would inherit the entire, undivided lands belonging to each secular electorate. Charles IV, “The Golden Bull,” 681; Henderson, *Select Historical Documents*, 254.

⁷⁴ Charles IV, “The Golden Bull,” 684-685; Henderson, *Select Historical Documents*, 261.

princes who might rule these territories and who would certainly give advice affecting them to learn all of the major languages of the Empire.

This requirement also reinforced the multi-lingual nature of the Empire: the Empire was not German, although the electors were assumed to speak German natively, but rather Roman; it encompassed many lands tied together by long-standing customs, agreements, and privileges. This bull confirmed these privileges, and attempted to create a situation in which the electors would be well-disposed to ensure the continuing and growing strength of the Empire. We see that Charles IV understood his empire to include people speaking multiple language and from multiple geographic origins.

This clarification process is also evident in Charles IV's bestowal of the margraviate of Moravia on his brother John Henry at the time of the latter's marriage to Margaret, Countess of Tyrol, in 1349.⁷⁵ Charles IV provided an extensive list of the subjects, properties, and rights to which John Henry was ascending, and described the manner in which his brother would hold the province.⁷⁶ This grant of Moravia was witnessed by many of the key lords of the Empire, Bohemia, and Moravia, who held territories in multiple provinces and whose presence illustrates the connections between the provinces in the kingdom.⁷⁷ John Henry accepted his brother's

⁷⁵ Jireček, *Korunní Archiv Český, 1306-1378*, 329-330, #296.

⁷⁶ Jireček, *Korunní Archiv Český, 1306-1378*, 329-330, #296.

⁷⁷ This portion of the document reads as follows: "To the venerable Arnesto, archbishop of Prague, John and Nicholas, bishops of Olomouc and Nuremberg, and also to the princes, the illustrious Rudolf, duke of Saxony and grand marshal of the holy empire, and Rudolf, count palatine, and Reni, duke of Bavaria, and to the nobles of the kingdom of Bohemia, William of Landstein, John of Michelsberg, Henrico of Luchtenburg, Andrea of Duby, Jodoco of Rosenberg, Tassone of Scurrow, Sbincone of Hasenburg, Johanne of Sternberg, Bucone of Willarticz, Hascone of Swereticz, to the barons of the margraviate of Moravia, Stephano and Jaroslao of Sternberg, Bernardo of Cimburg, Johanne of Boscowicz, Henrico of Lichtenburg, called Vethovia, Jenczone and Proczkone, called Lomnic, witnesses to this grant (*praemissa*).” "Venerabili Arnesto arciepiscono Pragensi, Johanne Olomucensi et Nicolao Nuemburgensi episcopis, nec non illustribus Rudolpho duce Saxoniae sacri Imperii arcimarsallo, et Ruperto comite palatino, Reni et duce Bavariae, principibus, et nobilibus Wilhelmi de Landstein, Johanne de Michelsberg, Henrico de Luchtenburg, Andrea de Duba, Jodoco de Rosemberg, Tassone de Scurrow, Sbincone de Hasenburg, Johanne de Sternberg, Bucone de Willarticz, Hascone de Swereticz, regni Boemiae, Stephano et Jaroslao de Sternberg,

grant of Moravia in an accompanying document, given the same day. Although exactly the same men witnessed both grants, they were described slightly differently in each document; these differences help clarify the relationship between Bohemia and Moravia.

In Charles IV's grant, the end of the list of imperial princes witnessing the document is marked by "the princes," immediately followed by "and the nobles," and then a list of names, and "of the kingdom of Bohemia."⁷⁸ The document from John Henry does not include "the princes" to describe the imperial princes, but does surround the list of Bohemian nobles with "and by the noble men ... barons of the kingdom of Bohemia, our named lords and faithful brothers."⁷⁹ The Moravian nobles are not described as such until the end of Charles IV's grant: "the barons of the margraviate of Moravia, our loyal men, witnesses to the aforementioned grant (*praemissa*)."⁸⁰ This description makes it clear that while the final group of witnesses were Moravian nobles, they were also Charles IV's men. Indeed, in his grant John Henry identifies the Bohemian nobles as "the barons, faithful men of our named lord and brother," while describing his own men at the end of his document as "to the barons and our beloved loyal men,

Bernardo de Cimburg, Johanne de Boscowicz, Henrico de Lichtenburg dicto de Vethovia, Jenczone et Proczkone dictis de Lompnicz, Marchionatus Moraviae barones, fidelibus nostris, testibus ad praemissa." Jireček, *Korunní Archiv Český, 1306-1378*, 337, #296.

⁷⁸ "Principibus, et nobilibus;" "Regni Boemiae," Jireček, *Korunní Archiv Český, 1306-1378*, 337, #296.

⁷⁹ The names are transcribed differently in the editions of the two documents (although they are published in the same volume), but the same names occur in John Henry's response: "Reverendis in Christo patribus dominos Arnesto, sancta Pragensis ecclesiae archiepiscopo, Johanne Olomucensis et Nicolao Neumburgensis ecclesiarum episcopis, necnon illustribus et magnificis principibus et dominis, domini Rudolpho duce Saxoniae, Ruperto comite palatino, Reni et duce Bawariae, et nobilibus vir Wilhelmo de Lantstayn, Johanne de Michasperch, Henrico de Luchtenburch, Andree de Duba, Jodoco de Rozemberch, Tassone de Scuhrow, Sbinkone de Hazmburch, Johanne de Stermberch, Buscone de Willarticz, Hascone de Zwierzeticz, regni Boemiae baronibus, dicti domini et fratris nostri fidelibus, et demum nobilibus, Stephano de Jaroslavo de Stermberch, Bernhardo de Czimburch, Johanne de Bozcowicz, Henrico de Luchtenburch dicto de Wetowia, Jenczone et Proczkone dictis de Lomnicz, baronibus et fidelibus nostris dilectis, testibus ad praemissa." Jireček, *Korunní Archiv Český, 1306-1378*, 346, #297.

⁸⁰ "marchionatus Moraviae baroniis, fidelibus nostris, testibus ad praemissa." Jireček, *Korunní Archiv Český, 1306-1378*, 337, #296.

witnesses to this grant (*praemissa*).”⁸¹ He also noted the distinction, marking only the Moravian and not the Bohemian nobles as his men, while the Moravian nobles were simultaneously his and his brother’s men. Their phrasing delineates some of the boundaries between the men coming from Bohemia and Moravia. Charles IV’s men held territories in the Empire as well as Bohemia, and both John Henry and Charles IV recognized that the Bohemian noblemen belonged to Charles IV.

The many overlapping jurisdictions that functioned in this environment are evident. Until this document was issued, Charles IV was simultaneously Holy Roman emperor, king of Bohemia, and margrave of Moravia. He gave that last honor to his brother John Henry, but retained the other two. The language used to describe the witnesses shows that while giving up the immediate title over the “Moravian barons,” these barons were still his men by virtue of his role as king of Bohemia. Thus, the king of Bohemia retained his lordship over Moravia, and granting the title to a subordinate lord did not disconnect him entirely from the nobles in Moravia. This relationship confirms the ruler-subordinate relationship between the king of Bohemia and the margrave of Moravia. Yet, with imperial rule also being vested in their family, at least for a few generations, this relationship eventually became more complicated.

John Henry and his son Jošt continued to hold the margraviate of Moravia until the early fifteenth century. Charles IV’s oldest son, Wenceslas IV, inherited the kingdom of Bohemia and was elected king of the Romans during his father's lifetime, while his second son, Sigismund,

⁸¹ “Baronibus, dicti domini et fratris nostri fidelibus,” “barones et fidelibus nostris dilectis, testibus ad praemissa.” Jireček, *Korunní Archiv Český, 1306-1378*, 337, #296; 346, #297.

received Brandenburg and rule of Hungary through his wife, Mary.⁸² John Henry's son Jošt inherited Moravia in 1375.⁸³ When Wenceslas IV inherited the kingdom of Bohemia and the Empire from his father in 1378, he was only seventeen years old, and the territories that he inherited provided him with a less united and less secure base than those his father had possessed.⁸⁴ He was never as secure on either throne as his father had been, was never crowned emperor, and was deposed from the imperial throne in 1400 by all three Bishop-Electors and by Rupert, elector Palatine, who was then elected emperor.⁸⁵

Following Rupert's death in 1410, Jošt – also the elector of Brandenburg – competed against his cousin Sigismund for the imperial throne, an election in which the now former King of the Romans Wenceslas IV was expected to cast a vote as King of Bohemia. Jošt won the election thanks to Wenceslas IV's tie-breaking vote.⁸⁶ Yet, Jošt died a few months later, leading to Sigismund's election as emperor. With no heirs in his branch of the family, Jošt's Moravian title reverted to his cousin Wenceslas IV as king of Bohemia – not to the Empire. Thus, when Wenceslas IV died and the Hussite Wars broke out in 1419, Emperor Sigismund was his brother's heir in Moravia as well as Bohemia, and the sole male of his dynasty.

Although succession laws favored electing Emperor Sigismund as the next king of Bohemia, his reaction to Utraquism, discussed in the following section, alienated many and kept

⁸² Charles IV's younger son, Jan, inherited the region near Görlitz. Polívka, "The Expansion of the Czech State," 143. By King John's will, Charles IV's brother John Henry had received Moravia, as discussed, while his brother Wenceslas received Luxembourg.

⁸³ He also obtained Brandenburg in pawn from Sigismund in 1388.

⁸⁴ He had been crowned King of Bohemia in 1363 and King of the Romans in 1376, before his father's death. Polívka, "The Expansion of the Czech State," 143.

⁸⁵ Jaroslav Čechura, *České země v letech 1378-1437: Lucemburkové na českém trůně II [The Bohemian Lands in the Years 1378-1437: The Luxembourgs on the Bohemian Throne II]* (Prague: Libri, 2000), 40. Following his deposition in the Empire, Wenceslas IV also faced turmoil within Bohemia, which resulted in the rebellion of the nobles and Wenceslas IV being help captive by his brother Sigismund in 1402-1403. See Čechura, *České země v letech 1378-1437*, 55-57, and Hoensch, *Die Luxemburger*, 217-225 for a detailed description.

⁸⁶ Petr Čornej, *Velké Dějiny Zemi Koruny České*, volume 5: 1402-1437 (Prague: Paseka, 2010), 130.

him from attaining broad consent to his rule until 1436. After his brother's death in 1419, Emperor Sigismund's continual claims to be the ruler of Bohemia and the provinces attached to it required repeated assaults on Bohemian and Moravian territory. In 1422, after two failed crusades to impose Roman doctrine, Emperor Sigismund married his only daughter, thirteen-year-old Elizabeth, to Albrecht of Habsburg.⁸⁷ The following year, Emperor Sigismund invested his new son-in-law with Moravia to reward him for his military support, and acknowledged Albrecht as his heir. This endowment would further inflame tensions, and would continue to be derided in official documents for decades.

For the second half of the fourteenth century and much of the first half of the fifteenth century, the person of the king of the Romans and the king of Bohemia – or the margrave of Moravia – converged. One would expect this to have undermined the separation of these lordships, and yet the king of the Romans, or the Emperor, was always careful to confirm and preserve the distinctions between both the rulers and the territories of Bohemia and the Empire, even while also confirming their close connection to each other.

While the king of Bohemia was a subject of the Empire, and the kingdom of Bohemia and the margraviate of Moravia were imperial principalities, they were never governed by the emperor, nor were they subject to being governed by the emperor under any circumstances. The relationship was not dependent on subjugation or independence, but was rather a combination of the two, which were surprisingly well-balanced by all of the players involved, at least when it came to their formal relationships.

⁸⁷ Čornej, *Velké Dějiny* vol. 5, 305.

Jan Hus and Religious Disharmony

During the last years of Charles IV's reign, an influential religious movement arose in Bohemia. This movement would have ramifications for centuries, and it has received more attention in scholarship than any other aspects of this period in Bohemian history. As such, nearly every interpretation has been significantly colored not only by the biases of the scholars making it, but also by the weight of those on whose interpretations later historians have based their work. While this narrative is certainly not immune to this problem, I have made every effort to strip away nationalist and religious preconceptions.

The Bohemian reform movement emerged in Prague with the assent of Emperor Charles IV in the 1360s and 1370s with figures such as Conrad Waldhauser, Milíč of Kroměříž, and Matthew of Janov, before becoming centered around the University of Prague.⁸⁸ During the 1380s and 1390s, significant exchange developed between the universities of Oxford and Prague, creating paths for John Wyclif's controversial works to enter the University of Prague.⁸⁹ Jan

⁸⁸ For more information about reformers before Jan Hus, see David Mengel, "Bones, Stones, and Brothels: Religion and Topography in Prague Under Emperor Charles IV (1346-1378)," PhD diss. (Notre Dame University, 2003); David Mengel, "From Venice to Jerusalem and Beyond: Milíč of Kroměříž and the Topography of Prostitution in Fourteenth Century Prague," *Speculum* 79:2 (2004), 407-442; Vilém Herold, "The Spiritual Background of the Czech Reformation: Precursors of Jan Hus" in *A Companion to Jan Hus*, ed. Howard Louthan and Graeme Murdock (Leiden: Brill, 2015), 69-95; Malcolm D. Lambert, *Medieval Heresy: Popular Movements from Bogomil to Hus* (London: Edward Arnold, 1977), 272-283. For a sample of the significant literature on Jan Hus, see Paul de Vooght, *L'Hérésie de Jean Huss* (Louvain, France: Publication Universitaires de Louvain, 1960), 75-76; Matthew Spinka, *John Hus: Concept of the Church* (Princeton, NJ: Princeton University Press, 1966), 14-21; Howard Kaminsky, *History of the Hussite Revolution* (Berkeley: University of California Press, 1967), 18-24; Matthew Spinka, *John Hus: A Biography* (Princeton, NJ: Princeton University Press, 1968), 7-8, 12-21; Zdeněk David, *Finding the Middle Way: The Utraquists Liberal Challenge to Rome and Luther* (Washington, DC: Woodrow Wilson Center Press, 2003); Philip Haberkern, *Patron Saint and Prophet: Jan Hus in the Bohemian and German Reformation* (Oxford: Oxford University Press, 2016), 6-16. For the proceedings from the biannual Bohemian Reformation and Religious Practice Symposium, many of which address Hus, other reformers, or their context, see www.brrp.org, where publications through 2015 are digitized.

⁸⁹ See Michael van Dussen, *From England to Bohemia: Heresy and Communication in the Later Middle Ages* (New York: Cambridge University Press, 2012) for a thorough, recent examination of the exchange and communication between England and Bohemia during this period.

Hus, the Bohemian religious reformer who commanded pan-European attention in the 1410s, was educated in Prague in this environment.⁹⁰

One of the most nationalistically interpreted events in the first decade of the fifteenth century concerns the Decree of Kutná Hora, signed by King Wenceslas IV in 1409, which restructured the voting system within the University of Prague.⁹¹ The university was formally divided into four “nations:” the Bohemian, Saxon, Bavarian, and Polish nations. Typically, students were assigned to a nation roughly named after one of the nearby regions and based on their place of origin, with, for example, the Bavarian nation including students from Bavaria, the Italian peninsula, and other places in that direction. For the first sixty years of the university, each nation had one vote in university matters; in 1409, the Decree of Kutná Hora gave the Bohemian nation three votes, effectively making it superior to the other nations. In protest, the

⁹⁰ Jan Hus became a leader of this movement. He was born in southwestern Bohemia in 1369 and began his studies at the University of Prague in the 1380s, where he taught from 1400-1402, before becoming the rector and preacher in Bethlehem Chapel in Prague. František Šmahel, "The Hussite Revolution (1419-1471)," in *A History of the Czech Lands*, Pánek et al, eds., 152. Spinka, *John Hus: Concept of the Church*, 11, 19-41; Lambert, *Medieval Heresy*, 283-287; Kaminsky, *A History of the Hussite Revolution*, 59. Bethlehem Chapel was founded in 1391 with the explicit purpose of serving Czech speakers with religious instruction in the vernacular. Much of the recent scholarship on Jan Hus in English was written by Thomas Fudge, most recently Thomas Fudge, *Jan Hus Between Time and Eternity: Reconsidering a Medieval Heretic* (Lanham: Lexington Books, 2016); Thomas Fudge, *Jan Hus: Religious Reform and Social Revolution in Bohemia* (New York: I.B. Tauris, 2010); Thomas Fudge, *The Trial of Jan Hus: Medieval Heresy and Criminal Procedure* (New York: Oxford University Press, 2013); and Thomas Fudge *The Memory and Motivation of Jan Hus, Medieval Priest and Martyr* (Turnhout: Brepols, 2013). In Czech, Pavel Soukup is one of the preeminent scholars, including works such as Pavel Soukup, *Reformní kazatelství a Jakoubek ze Stríbra* (Prague: Filosofia, 2011); Pavel Soukup, "Kauza Reformace: Husitství v konkurenci reformních projektů," in *Heresis Seminaria: Pojmy a Koncepty v Bádání o Husitsví*, Pavlína Rychterová and Pavel Soukup, eds. (Prague: Filosofia, 2013), 171-217; Pavel Soukup, *Jan Hus: Života a smrt kazatele* (Prague: Nakladatelství Lidové noviny, 2015); Pavel Soukup, "Jan Hus as a Preacher," in *A Companion to Jan Hus*, František Šmahel and Ota Pavlíček, eds. (Leiden: Brill, 2015), 96-129.

⁹¹ František Šmahel, "Le Mouvement des étudiants a Prague dans les années 1408-12," in *Historica: Historical Sciences in Czechoslovakia* 14 (1967): 33-76; František Šmahel, *Pražské universitní studentstvo v předrevolučním období 1399-1419: statisticko-sociologická studie* (Prague: Academia, 1967); František Šmahel, *The Charles University in the Middle Ages: Selected Studies* (Leiden: Brill, 2007). See Martin Nodl, *Dekret Kutnohorský* (Prague: Nakladatelství lidové noviny, 2010) for a recent analysis of the Decree of Kutná Hora, and František Šmahel, "The Kuttenberg Decree and the Withdrawal of the German Schools from Prague in 1409: A Discussion," in *History of Universities* 4 (1984): 153-166 for an analysis of the Czech student body at the University of Prague before and after this decree.

majority of the students in those nations left the University of Prague, and many moved to the newly founded University of Leipzig.

Traditionally, scholarship has emphasized the “Czechness” of the Bohemian nation, and the fact that many students in the other three nations spoke German dialects, in order to highlight the nationalist meaning of this decree.⁹² While there may have been some amount of localism involved, the linguistic elements need hardly be emphasized. This narrative minimizes the internal university debates concerning Wyclif’s doctrines and the debate between nominalism and realism, and associated theological disagreements, which provide an equally compelling rationale for the dispute, especially in light of the increasingly heated theological debates that the reorganization of the university facilitated.⁹³ These debates gained pan-European attention particularly through the person and actions of Jan Hus.⁹⁴

Hus was accused of teaching Wyclif’s doctrines, particularly the latter’s opposition to transubstantiation, which was deemed heretical in 1410.⁹⁵ Church authorities took issue with Hus’s doctrines and with his opposition to the indulgence preached that year, and in 1412 he was

⁹² See V. V. Tomek, *Geschichte de Prager Universität: Zur Feier der fünfhundertjährigen Gründung* (Prague: Hofbuchdruckerei von Gottlieb haase Söhne, 1849), 67-73, for a classic account of this event, which has frequently featured in nationalist scholarship as a moment when “Czechs” fought for their “national” rights against “German” oppression. There are many problems with this understanding of the event.

⁹³ Vilém Herold is an authority on the afterlife of Wyclif’s works in Prague. For examples in English, see Herold, “The Spiritual Background,” 89-95; Vilém Herold, “Vojtěch Raňkův of Ježov (Adalbertus Rankonis de Ericinio) and the Bohemian Reformation,” trans. Zdeněk David, in *The Bohemian Reformation and Religious Practice*, vol. 7, Ed. Zdeněk David and David R. Holeton (Prague: Academy of Sciences of the Czech Republic, 2009), 72-79; Vilém Herold, “Wyclif’s Ecclesiology and Its Prague Context,” trans. Zdeněk David, in *The Bohemian Reformation and Religious Practice*, vol. 4, Ed. Zdeněk David and David R. Holeton (Prague: Academy of Sciences of the Czech Republic, 2002), 15-30; Vilém Herold, “The University of Paris and the Foundations of the Bohemian Reformation,” trans. Zdeněk David, in *The Bohemian Reformation and Religious Practice*, vol. 3, Ed. Zdeněk David and David R. Holeton (Prague: Academy of Sciences of the Czech Republic, 2000), 15-24; Vilém Herold, “How Wycliffite Was the Bohemian Reformation?” trans. Zdeněk David, in *The Bohemian Reformation and Religious Practice*, vol. 2, Ed. Zdeněk David and David R. Holeton (Prague: Academy of Sciences of the Czech Republic, 1998), 25-37.

⁹⁴ This incident is just one of many examples where historians have imposed their own nationalist understanding on the past.

⁹⁵ Matthew Spinka, *John Hus and the Czech Reform* (Hamden, CT: Archon Books, 1966), 35. See van Dussen, *From England to Bohemia*, 63-65, for an account of the reaction to the 1410 burning of Wyclif’s works.

forced from his post in Bethlehem Chapel and exiled from Prague.⁹⁶ When the Council of Constance was called in 1414, Hus was asked to attend so that the question of heresy in Bohemia could be addressed. Critically, Emperor Sigismund issued Hus a safe conduct for his journey, but upon arrival at the council he was arrested and, after nearly a year in captivity, burned as a heretic on June 6, 1415.⁹⁷

In most narratives of Hus and the movement that came after him, much attention is paid to his place of origin (Bohemia) and his practice of preaching in the vernacular (particularly Czech). Scholars since František Palacký, particularly in the nineteenth century, have located in this period a moment of proto-Czech self-assertion that mirrored and complemented their own “national revival.”⁹⁸ While overtly nationalist claims have subsided in recent generations, the understanding that there is something particularly “Czech” about this movement, in a nationalist sense, has remained.⁹⁹ The following account is retold without these themes to the extent possible, while not ignoring the real developments, particularly religious, that inspired them.

⁹⁶ Šmahel, “The Hussite Revolution,” 152; Spinka, *John Hus and the Czech Reform*, 43-49. It was during this exile that he wrote the majority of his treatises.

⁹⁷ Šmahel, “The Hussite Revolution,” 153. For some literature on Jan Hus and his safe conduct, all of which discuss Hus’s safe conduct without placing it in its wider context, see Wilhelm Berger, *Johannes Hus und König Sigmund* (Augsburg, 1871); Paul Uhlmann, *König Sigmunds Gleit für Hus und das Geleit im Mittelalter* (Halle, 1893); Václav Novotný, “Husův gleit,” *Český Časopis Historický* 2 (1896) 10-24, 67-86, 146-170; Karl Müller, “König Sigmunds Geleit für Huss,” *Historische Vierteljahrschrift* (Leipzig, 1898); František Bartoš, “Zur Geleitsfrage im Mittelalter,” *Zeitschrift für Kirchengeschichte* 34 (1913), 414-417; Rudolf Hoke “Der Prozeß des Jan Hus und das Geleit König Sigmunds,” *Annuaire historiae conciliorum* 15 (1983), 172-193; Sebastián Provvidente, “Hus’s Trial in Constance: *Disputatio Aut Inquisitio*,” in *A Companion to Jan Hus* (Leiden, The Netherlands: Brill, 2015), 254-288. For an analysis of this safe conduct in a European context, see Lisa Stith Scott, “‘To Go, Stay, Tarry, and Return’: Jan Hus and the Pan-European Authority of the Safe Conduct,” in *Bohemian Reformation and Religious Practice, vol. 10, Filosofický časopis (Journal of Philosophy)*, Zdeněk David and David R. Holeton, eds. (Prague: Academy of Sciences of the Czech Republic), forthcoming 2018.

⁹⁸ A complete list of such texts would essentially double as a list of classic histories of this period. For a quintessential example, see František Palacký, *Dějiny národu českého v Čechách a v Moravě* (1836-1867).

⁹⁹ For example, this perspective is visible in most chapters of the twenty-first century survey edited by Pánek and Tůma, eds., *A History of the Czech Lands*. For a single example, see the description of Menhart of Hradec as a “duplicitous lord” in Šmahel, “The Hussite Revolution,” 163.

After Hus's execution at the Council of Constance, the divisions between Hus's followers and more staunch Catholics solidified.¹⁰⁰ These divisions turned into civil war with the first Defenestration of Prague on July 30, 1419. In response to a dispute concerning the release of prisoners, the Utraquist (Hussite) priest Jan Želivský led his congregation to the New Town Hall in Prague, where they threw members of the town council and the mayor out of the windows into the mob below.¹⁰¹ King Wenceslas IV died from a stroke barely two weeks after the outbreak of hostilities, leaving a power vacuum at the head of the state in Bohemia, which his brother Emperor Sigismund was not immediately able to occupy because he was defending his Hungarian realm from the Ottomans.¹⁰²

After rebellion broke out, differences among the Utraquists (Hussites) became apparent.¹⁰³ The particular theological differences between the different groups are not relevant here, but it should suffice to say that by 1420 most Bohemian leaders agreed on the Four Articles of Prague, and the more radical Tábórites and the Orebités urged even greater reform.¹⁰⁴ The Four Articles of Prague represented the main tenets of Utraquism that were palatable to both moderates and radicals. As laid out by the 1421 Diet of Čáslav, these were 1) the free preaching of Christian priests; 2) the administration of the Eucharist as both bread and wine to children and adults, 3) an end to priestly rule over temporal property “to the detriment of the secular state;” 4)

¹⁰⁰ Kaminsky, *A History of the Hussite Revolution*, 141, 143; Šmahel, "The Hussite Revolution," 153.

¹⁰¹ See Petr Čornej, *30.7.1419: první pražská defenestrace: krvavá neděle uprostřed léta* (Prague: Havran, 2010) for a full account of this event and its context.

¹⁰² Kaminsky, *A History of the Hussite Revolution*, 295-296; Šmahel, "The Hussite Revolution," 154.

¹⁰³ The most well-known radical group was the Tábórites, closely associated with the city of Tábor, which was founded in southern Bohemia in 1420 as a radical Utraquist fortress town. The movement coalesced in the spring and summer of 1419 and was named after their foundation Tábor (camp) on a mountain in southern Bohemia. See Kaminsky, *A History of the Hussite Revolution*, 278-280, 329-336, especially 334-335, and 367-369, for treatment of the foundation of Tábor, as well as David, *Finding the Middle Way*, 25.

¹⁰⁴ Kaminsky, *A History of the Hussite Revolution*, 478-479. The Orebités were a lesser known Utraquist group who merged with the Tábórites under Jan Žižka in 1423.

and all deadly sins stopped and the transgressors actually punished.¹⁰⁵ These articles were thereafter reaffirmed by each new king, and for a generation were observed by the Papacy's agents in Bohemia after the acceptance of the Basel Compacts concluded at the Council of Basel in 1436-1437. Utraquism itself takes its name from the second of these articles, the administration of the Eucharist in both kinds, or *sub utraque specie*, rather than as just the wafer.

By 1419, military forces were solidifying into three groups: the Catholics, the moderate Utraquists, and the radical Utraquists.¹⁰⁶ At this time, Emperor Sigismund received the allegiance of Moravia, Silesia, Lusatia, and a number of Bohemian Catholic lords and clerics in Brno, but not the allegiance of Prague or of Bohemia as a whole.¹⁰⁷ While briefly at the head of a victorious crusading force in July 1420, Emperor Sigismund had himself crowned king in St. Vítus Cathedral in Prague in the presence of much of the Bohemian nobility, but this did not stop the revolt, and he was soon forced to abandon Prague for Kutná Hora.¹⁰⁸

During the civil wars that followed, many of the leading Bohemian nobles and cities vacillated between Utraquism and Catholicism, particularly in the 1410s and 1420s. Key among

¹⁰⁵ Thomas Fudge, *The Crusade against Heretics in Bohemia, 1418-1437*, in *Crusade Texts in Translation* (Burlington, VT: Ashgate Publishing Company, 2002), 118. For the original, see František Palacký, *Archiv Český*, vol. III (Prague, 1844), 227-228; Kaminsky, *A History of the Hussite Revolution*, 369.

¹⁰⁶ A few analyses of the era of the civil war exist in English. Kaminsky, *A History of the Hussite Revolution*, is the only full English-language treatment of the period until 1424. For the period 1424-1437, see F. M. Bartoš, *The Hussite Revolution, 1424-1437*, trans. by Mrs. J. Weir, prepared by John Klassen (New York: East European Monographs, Columbia University Press, 1986), whose text was edited, translated, and abridged for an international audience from the Czech original: František Bartoš, *Husitská revoluce I. Doba Žižkova, 1415-1426* (Československá akademie věd, 1965); František Bartoš, *Husitská revoluce II. Vláda bratrstev a její pád, 1426-1437* (Československá akademie věd, 1966). Brief overviews of this period may also be found in English in Šmahel, "The Hussite Revolution," 149-169; and David, *Finding the Middle Way*, 18-32. For analysis of the commemoration of Jan Hus in the fifteenth and sixteenth centuries, see Haberkern, *Patron Saint*. In both Czech and German, the current authority is František Šmahel, in particular František Šmahel, *Husitská Revoluce*, 4 vols. (Prague: University Karlova, vydavatelství Karolinum, 1995-1996) and František Šmahel, *Die Hussitischen Revolution*, 3 vols. (Hanover: Hahnsche Buchhandlung, 2002).

¹⁰⁷ Šmahel, "The Hussite Revolution," 154-155.

¹⁰⁸ Jörg K. Hoensch, *Kaiser Sigismund: Herrscher an der Schwelle zur Neuzeit, 1368-1437* (Munich: Verlag C. H. Beck, 1996), 293-294.

these men was Oldřich of Rožmberk, the most important Catholic lord in the first half of the fifteenth century. He was born in 1403 and inherited his family's vast holdings, including most of southern Bohemia, at his father's death in 1412.¹⁰⁹ Although he was a Catholic leader for over thirty years, even Oldřich of Rožmberk considered Utraquism as a teenager, influenced in part by his mother and his guardian, Čeněk of Vartenberk, both of whom were Utraquists until 1418.¹¹⁰ Although he had initially sided with Čeněk against Emperor Sigismund, by June of 1420 Oldřich of Rožmberk had switched to Emperor Sigismund's side. Yet, although he would remain a follower of Rome – not an Utraquist – for the rest of his life, his support of Emperor Sigismund was less steadfast, and in 1421 at the Diet of Čáslav he even vowed not to allow Emperor Sigismund to take the throne without the emperor first making amends.¹¹¹

During the years between Jan Hus's execution (1415) and the first Defenestration of Prague (1419), Čeněk emerged not only as a leader of the kingdom and as Highest Burgrave of

¹⁰⁹ During Oldřich's tenure, the family adopted the "Regulations of the House of Rožmberk," purportedly granted in 1360 by Charles IV, which allowed the leader of the family the use of the title *vládař*, or ruler, giving them the status of "first among equals" within the Bohemian nobility and making the family property indivisible and the sole inheritance of the oldest male, following the tradition of seniority succession that had been employed by the dukes of Bohemia. Robert Šimůnek, "Oldřich II. z Rožmberka (1403-1462)," in *Rožmberkové: rod českých velmožů a jeho cesta dějinami*, Eliška Fučíková, Martin Gaži, and Roman Lavička, editors, (České Budějovice: Národní památkový ústav, 2011), 44.

¹¹⁰ Oldřich of Rožmberk's mother, Eliška Rožmberk z Kravař, became an Utraquist in 1414 during her widowhood and found support in this from Čeněk of Vartemberk. She was dissuaded from continuing to take communion in both kinds in 1418, shortly before the outbreak of hostilities. Anna Kubíková, *Oldřich II. z Rožmberka* (České Budějovice: Vedita, 2004), 23. Oldřich of Rožmberk's guardians were among the most important men in the Kingdom. Jan of Hradec, Oldřich of Rožmberk's father's cousin, was Highest Burgrave of Prague from 1411-1413, while Čeněk of Vartenberk inherited the position from 1413 to 1420, after which it remained vacant until 1437 and the end of the Hussite Wars. Jindřich of Kravař and Plumov, his third guardian, was his mother's brother and the holder of the property of a key Moravian family. The Highest Burgrave of Prague, or *Nejvyšší Purkrabí Prahy*, was the highest administrative official in the kingdom. The position was originally simply administrator of Prague castle, but during the fourteenth and fifteenth centuries the position rose to chief administrator of the kingdom, and eventually to chair of the land court and land diet. The title, if not the power, remained until 1848. *Diderot: Velká Všeobecná encyklopedie*, vol. 3 (Prague: Nákladatelství OP Diderot, 1997), 614.

¹¹¹ Kubíková, *Oldřich II*, 40. AČ III, 227; Fudge, *The Crusade Against Heretics*, 118-119.

Prague, but also as a leader of the Utraquist nobles.¹¹² Following King Wenceslas's death, Čeněk was created co-regent with the Dowager Queen Sophie, although this arrangement was short-lived.¹¹³ Evidence of the confusion and mixed allegiances of the Hussite Wars can be seen in the last years of Čeněk's career. After meeting with Emperor Sigismund in Wrocław in 1420, he determined to support the Utraquists, taking issue with the crusade by which Sigismund planned to gain the throne.¹¹⁴ Yet, when Sigismund seemed successful later in 1420, Čeněk handed Prague Castle over to the Emperor, allowing him to be crowned.¹¹⁵ In 1421, however, Čeněk returned to the Utraquist camp and was one of the governors appointed by the Diet of Čáslav to govern the kingdom.¹¹⁶ Then, later that same year, he returned to Emperor Sigismund's side and fought the Utraquists until shortly before Čeněk's death of plague in 1425, by which time he had reportedly reconverted to Utraquism.¹¹⁷

The years of civil war also saw a number of crusades called against Bohemia, in 1420, 1421, 1422, 1427, and 1431.¹¹⁸ In supporting these crusades, Emperor Sigismund was also supporting his own claim to the Bohemian throne, for which he competed against other regional

¹¹² In 1415, Čenek of Vartenberk was a major influence encouraging the mayors of southern Bohemian towns in the Rožmberk lands to sign the letter sent to the Council of Constance protesting Hus's treatment and execution. This letter included the seals of 452 members of the upper and lower Bohemian and Moravian nobility. František Palacký, *Documenta Mag. Joannis Hus* (Prague, 1869), 580-584; Kubíková, *Oldřich II*, 23-26, 31; Kaminsky, *A History of the Hussite Revolution*, 141, 143; Šmahel, "The Hussite Revolution," 153.

¹¹³ Kubíková, *Oldřich II*, 38-40; Čornej, *Velké Dějiny* vol. 5, 218.

¹¹⁴ Kubíková, *Oldřich II*, 40-41.

¹¹⁵ Prague was, as it had been since at least the tenth century, the capital of the kingdom (originally duchy) of Bohemia. The three cities of Prague are the Old Town; the New Town, founded in 1348 by Charles IV and surrounding the Old Town; and the Lesser Side, located across the Vltava (Moldau) river from the other two. Prague's prominence can be seen in the connection between control of Prague and control of the kingdom. Wolverton, *Hastening Toward Prague*, 82; Čornej, *Velké Dějiny*, vol. 5, 245.

¹¹⁶ Čornej, *Velké Dějiny*, vol. 5, 245; Fudge, *The Crusade Against Heretics*, 117-121.

¹¹⁷ Čornej, *Velké Dějiny*, vol. 5, 351; Kubíková, *Oldřich II*, 61.

¹¹⁸ Fudge, *The Crusade Against Heretics*, 4-5; Joachim Böhlke, Winfried Eberhard, Miloslav Polívka, *Handbuch der historischen Stätten: Böhmen und Mähren* (Stuttgart: Alfred Kröner Verlag, 1998), LXXI.

leaders.¹¹⁹ As part of his effort to obtain and retain control of Bohemia, Emperor Sigismund granted Moravia to his new son-in-law, Albrecht of Habsburg, in 1423. This grant proved extremely contentious, and both the mechanism by which it was granted and its implications feature prominently in Chapter 5. Civil war between the three religious groups continued until the Council of Basel, where the Utraquists secured recognition in 1433, and the fighting largely ended after a joint Catholic and Utraquist army defeated the radical Tábórites at the Battle of Lipany on May 30, 1434.¹²⁰

Although multiple delegations to the Council of Basel were required and the result was tenuous, between 1433 and 1436 an agreement was reached that allowed the Four Articles of Prague to be upheld, while also protecting Catholicism in Bohemia.¹²¹ This treaty paved the way for Sigismund to agree to key conditions set by the Bohemian assembly at Jihlava, and for a joint group of moderate Utraquists and Catholics to accept Sigismund as king. Yet, despite this settlement, the legacy of the Hussite Wars continued to affect the political situation. Two of the greatest difficulties in establishing Emperor Sigismund as king of Bohemia were his failure to enforce the safe conduct that he had granted to Jan Hus, and the disaffection of many when he called crusades against Bohemia to attain the throne and wipe out Utraquism.¹²²

¹¹⁹ One of the most important alternative candidates, supported particularly by the Utraquists, was Prince Korybut of Lithuania, who first fought on behalf of Grand Duke Vytautas of Lithuania, and in 1424 was himself offered the Bohemian throne, but could never control it. Kaminsky, *A History of the Hussite Revolution*, 460, 466, 477.

¹²⁰ There is significant scholarship on the Bohemian presence and petitions at the Council of Basel, and the ensuing "Basel Compacts" concerning their religious rights. For a few examples, see Šmahel, "The Hussite Revolution," 154-161; Frederick Heymann, *George of Bohemia: King of Heretics* (Binghamton, NY: Vail-Baillou Press, 1965), 5-10 (who is cited sparingly in this dissertation due to difficulties in confirming the materials to which his citations refer); František Šmahel, *Basilejská kompaktáta: Příběh deseti listin* (Prague: Nakladatelství Lidové noviny, 2011).

¹²¹ Bartoš, *The Hussite Revolution*, 127-134.

¹²² For example, see the proclamation of Čeněk of Vartenberk, Oldřich of Rožmberk, and many others against Sigismund in 1420, František Palacký, *Archiv Český volume III* (Prague: Kommissí u Kronbergra I Řiwnáče,

The questions and conflicts that grew out of the Hussite Movement and the subsequent civil wars undeniably altered the political and social situation in Bohemia, as well as Bohemia's relationships with its neighbors. By the end of the Hussite Wars, Bohemia contained two recognized religious groups, on account of which its relations with the papacy had become extremely strained. Indeed, the presence of regular, although not continual, warfare in the kingdom for nearly two decades led to the redistribution of land (particularly church land) and reshaped the power dynamics between many of the groups in the kingdom.

During this long period without a functioning monarchy or episcopate, other institutions began to step into the void, with varying success, and with consequences that would continue to play out over the following decades. The upending of religious and monarchical institutions, as well as the reshuffling caused by early two decades of civil war, had profound effects on the rest of the century.

The Impossibility of a Return to the Status Quo Antebellum

The other chapters of this dissertation focus on the later two-thirds of the fifteenth century, so the same level of detail is not required here. Yet, it is important to understand the basic narrative that underpins my portrayal of institutional developments in this period, which is what the last section of this chapter provides. Thus, I will briefly cover here the main development of the period 1437-1526, to provide a narrative highlighting themes similar to those addressed above.

1844), 210-212 (hereafter AČ III); for a somewhat problematic English translation, see Fudge, *Crusade Against Heretics*, 60-63.

The death of Emperor Sigismund in 1437, only sixteen months after he began to rule in Bohemia, is traditionally seen as a major caesura in Bohemian history. Many studies of the Hussite Wars end with his death and the end of his dynasty.¹²³ Yet, while this was a moment of transition, the problems which preceded his death still remained. As planned, Emperor Sigismund was succeeded by his son-in-law Albrecht of Habsburg, but the transition was not smooth. Although King Albrecht had been quickly crowned in Hungary on January 1, 1438, and his election as Holy Roman Emperor followed on March 18, 1438, his election by the assembly in Bohemia took months longer.¹²⁴ Even after he agreed to the conditions set before him for his election, a substantial segment of the leading men and towns, particularly the Utraquists and Taborites, refused to support him, supporting instead Kazimierz, brother of the Polish king, Władisław.¹²⁵

King Albrecht was the obvious successor to Emperor Sigismund because of his marriage to the latter's daughter Elizabeth in 1422, and Emperor Sigismund's grant to him of Moravia the following year. Yet, King Albrecht's actions in the Hussite Wars did not ingratiate him with many people in the kingdom.¹²⁶ Causing the outbreak of a rebellion, King Albrecht took the Bohemian throne in summer 1438; this rebellion lasted through the summer, when a stalemate was reached.¹²⁷ He compromised with those who had rebelled, and named the loyal Utraquist leader Menhart of Hradec *hejtman* in his absence, alongside his stalwart supporter Oldřich of

¹²³ More recent studies in particular use Sigismund's death as an endpoint for their investigations. See Introduction for further analysis.

¹²⁴ Petr Čornej and Milena Bartlová, *Velké Dějiny Zemí Koruny České*, volume 6: 1437-1526 (Prague: Paseka, 2007), 40, 42.

¹²⁵ Šmahel, "The Hussite Revolution," 163; Heymann, *George of Bohemia*, 12.

¹²⁶ For an example of the perception of his actions by a relative outsider a generation later, see Aeneas Silvius Piccolomini, *Europe* (c. 1400-1458), trans. Robert Brown, introduction and annotations by Nancy Bisaha (Washington, DC: The Catholic University of America Press, 2013), 135.

¹²⁷ Šmahel, "The Hussite Revolution," 163.

Rožmberk.¹²⁸ Yet, King Albrecht died in October 1439 on campaign against the Ottomans, with no male heir to succeed him immediately. King Albrecht's son Ladislaus Posthumous was born four months later, and this situation naturally led to yet another disputed succession. I examine these elections, and those that followed through 1526, in greater detail in Chapter 3.

During the first years of his life, Ladislaus Posthumous primarily lived with his mother in Hungary, but after her death in December 1442, he was moved to Austria, where he was under the guardianship of his uncle, Emperor Frederick III.¹²⁹ During these years, the Bohemian upper nobility, lower nobility, and towns set up a government to elect a new king.¹³⁰ Part of the reason for Ladislaus Posthumous's residence outside Bohemia was that he had also inherited Austria and a strong claim to Hungary from his father and grandfather, so the boy was a central figure in lands other than Bohemia as well. During the early 1440s, multiple candidates for the Bohemian throne were considered, and the assembly even offered the crown to Duke Albrecht of Bavaria-Munich, but no king was crowned. This series of elections in the early fifteenth century is examined in Chapter 3. The efforts undertaken by the assemblies to elect and enthrone a king both reflected and exacerbated existing party tensions, which are examined in Chapter 4.

In 1446, the Bohemian assemblies petitioned Emperor Frederick III to release Ladislaus Posthumous to Prague; Emperor Frederick III declined, but suggested another assembly for September 1447.¹³¹ After this and many other assemblies proved ineffective at securing a king, George of Poděbrad, a Bohemian noble of rising importance, invaded Prague on September 3,

¹²⁸ AČ. III, 463, #34. When the king was absent from Bohemia and Moravia, he would often appoint *hejtmany*, who served as interim or vice-governors.

¹²⁹ Otakar Odložilík, *The Hussite King: Bohemia in European Affairs, 1440-1471* (Rahway, NJ: Rutgers University Press, 1965), 25-26.

¹³⁰ Odložilík, *The Hussite King*, 27.

¹³¹ Odložilík, *The Hussite King*, 33-34; see also David Papajík, *Ladislav Pohrobek (1440-1457): uherský a český král* (České Budějovice: Bohumír Němec – Veduta, 2016).

1448, and by the end of that year only Oldřich of Rožmberk and Oldřich of Hradec were left in a position to challenge George of Poděbrad's forces.¹³² They clashed repeatedly in 1449-1451, but by 1452 they were able to iron out a solution.¹³³ George of Poděbrad was then made regent for Ladislaus Posthumous, and the following year Ladislaus Posthumous came to Bohemia for the first time and was crowned king in Prague in 1453.¹³⁴ He returned to Austria in 1455, before moving to Bohemia at age seventeen to assume personal rule. However, he died on November 23, 1457, likely of leukemia, and George of Poděbrad succeeded him as king in early 1458.¹³⁵

George of Poděbrad used the extension of his term as regent to secure his election as king in part by fatefully releasing the prominent Hungarian leader Matthias Corvinus to return to Buda.¹³⁶ George of Poděbrad was crowned on May 7, 1458 in St. Vitus Cathedral, and shortly thereafter he was tacitly acknowledged as king by Emperor Frederick III.¹³⁷ He spent the early years of his reign strengthening his position inside and outside the kingdom, including at the Roman Curia. However, the negotiations with the Roman Curia turned sour, and in 1462 Pope

¹³² Šmahel, "The Hussite Revolution," 164 (who does not mention Oldřich of Hradec).

¹³³ Odložilík, *The Hussite King*, 52-54. See Lukáš Pátý, "Strakonická jednota. Protivníci Jiřího z Poděbrad v souboji o moc v Českém království (1449-1452)," PhD diss., Filozofická fakulta, Charles University, 2015, for a recent analysis of this conflict.

¹³⁴ Following an inconclusive assembly in the fall of 1452, attended by delegates from all of the lands that Ladislaus Posthumous stood to rule, individual negotiations for Ladislaus's confirmation opened between each of the Bohemian Crown Lands and Emperor Frederick III and Ladislaus. Ladislaus was received in state in Brno, Moravia, in July 1453, after which the Bohemians quickly negotiated to bring him to Prague, where he was crowned in October 1453, and where he stayed under the guardianship of George of Poděbrad until he returned to Vienna in early 1455. In the summer of 1457, George visited Ladislaus in Vienna, where they concluded terms for Ladislaus's return to Prague, which he entered on September 29, 1457. Odložilík, *The Hussite King*, 73-74, 85. At this time, negotiations were proceeding for his marriage to fifteen year-old Magdalen of Valois. Odložilík, *The Hussite King*, 54-55, 86; Jaroslav Čechura, *České země v letech 1437-1526, díl I (1437-1471)* (Prague: Libri, 2010), 85-89. See also Papajík, *Ladislav Pohrobek*, 106-131, and Rudolf Urbánek, *Konec Ladislava Pohrobka* (Prague: Nákladem České Akademie Věd a Umění, 1924).

¹³⁵ Odložilík, *The Hussite King*, 91-95; see also Papajík, *Ladislav Pohrobek*, 196-218.

¹³⁶ He also betrothed his nine year-old daughter to Matthias Corvinus. Odložilík, *The Hussite King*, 91. A few years later, Matthias Corvinus would take advantage of the abrogation of the Basel Compacts by Pope Pius II to claim Bohemia for himself. For more information on George of Poděbrad's election, see Zdeněk Tobolka, *O Volbě a Korunování Jiřího z Poděbrad* (Prague: Nákladem Klubu Historického, 1896); Rudolf Urbánek, *O Volbě Jiřího z Poděbrad za Krále Českého 2. Března 1458* (Prague: Nakladatelství Československé Akademie Věd, 1958).

¹³⁷ Odložilík, *The Hussite King*, 95-96.

Pius II rejected the Basel Compacts.¹³⁸ This rejection meant that Utraquists were again considered heretics, which jeopardized the security and stability of the kingdom.

The disagreement grew during the mid-1460s, and by December 1466, Pope Paul II declared George of Poděbrad a heretic for encouraging rejected beliefs and purportedly persecuting Catholics in Bohemia.¹³⁹ Some of the leaders of Bohemia and Moravia, particularly the Catholic leaders, had been in open rebellion against George of Poděbrad since 1465.¹⁴⁰ This faction had first offered the throne to King Kazimierz IV of Poland, husband of King Ladislaus's older sister, but changed their support to King Matthias of Hungary in 1466 after Pope Paul II called for yet another crusade against Bohemia.¹⁴¹ Despite the fact that upon his accession to the throne, King George of Poděbrad had released King Matthias Corvinus from prison in Prague, King Matthias Corvinus vigorously supported the rebels against him.¹⁴²

The disaffected Catholic lords had formed the League of Zelená Hora (Green Mountain) in 1465, and fighting intensified in early 1467, after King Matthias was called in on the side of the League of Zelená Hora; he was elected King of Bohemia by this faction in May 1469 in Olomouc.¹⁴³ During the intermittent campaigns of this war, King George lost control of much of Moravia and faced political as well as military threats after King Matthias was crowned, despite the fact that the coronation took place in one of the leading towns of Moravia rather than in

¹³⁸ Odložilík, *The Hussite King*, 132-133; Šmahel, "The Hussite Revolution," 165; see Josef Macek, "Le mouvement conciliaire, Louis XI et Georges de Poděbrady (en particulier dans la période 1466-1468)," in *Historica: Historical Sciences in Czechoslovakia* 15 (1967): 5-64, for information about George's international diplomacy.

¹³⁹ Odložilík, *The Hussite King*, 185. Josef Macek, "Le mouvement conciliaire," 5-64, treats the relationship between George of Poděbrad and the Pope, and movements within the Catholic church, in great detail.

¹⁴⁰ Čornej and Bartlová, *Velké Dějiny* vol. 6, 230-231, 235-241.

¹⁴¹ Čornej and Bartlová, *Velké Dějiny* vol. 6, 239.

¹⁴² Čornej and Bartlová, *Velké Dějiny* vol. 6, 228.

¹⁴³ Šmahel, "The Hussite Revolution," 167-168.

Bohemia.¹⁴⁴ He was unable to regain control of these lands, and was still in conflict with King Matthias at his death on March 22, 1471.¹⁴⁵

The throne continued to be disputed beyond King George's death and the election of Vladislav Jagiellon of Poland as King of Bohemia. Vladislav Jagiellon was not a random choice as successor, but rather was Ladislaus Posthumous's nephew, son of King Albrecht's second daughter and King Kazimierz IV of Poland, who had himself been a contender for the Bohemian throne in the past. Vladislav Jagiellon had been less than two years old when Ladislaus Posthumous died, and the fifteen year old was Ladislaus Posthumous's closest male heir. His accession had been the subject of negotiations between the Jagiellons and King George before the latter's death, and the negotiations were concluded shortly thereafter.¹⁴⁶

The civil war finally ended when the Peace of Olomouc was concluded in 1478, one of the results of which was the transfer of the margraviate of Moravia, along with Silesia and Lusatia, from King Vladislav Jagiellon to King Matthias and the kingdom of Hungary. King Matthias also received the right to use the title king of Bohemia, even though he did not hold the eponymous land, at the same time as King Vladislav.¹⁴⁷ I examine this peace agreement and the events leading up to it in detail in chapter 5.

The tensions between the vying parties were not fully resolved with the 1478 Peace of Olomouc. King Vladislav took advantage of his new, stronger position in Bohemia to attempt to convert many Utraquists to Catholicism; this was not well-received, and in September 1483 the

¹⁴⁴ Šmahel, "The Hussite Revolution," 167-168; Antonín Kalous, *Matyáš Korvín (1443-1490): Uherský a český král [Matthias Corvinus (1443-1490): Hungarian and Bohemian King]* (České Budějovice: Veduta, 2009), 122-149, 171-172.

¹⁴⁵ Odložilík, *The Hussite King*, 194, 204-221.

¹⁴⁶ Boubín, "The Bohemian Crownlands," in *A History of the Czech Lands*, Pánek et al, eds., 173-174; Odložilík, *The Hussite King*, 267-268.

¹⁴⁷ The final treaty is edited in František Palacký, *Archiv Český*, vol. V (Prague, 1862), 377, #13.

Utraquists took part in an uprising in Prague, during which King Vladislav's administrators were forced out of office or executed.¹⁴⁸ In part because of this event, King Vladislav was forced to come to a settlement with both the Catholics and the Utraquists. This settlement took place in Kutná Hora, resulting in the Peace of Kutná Hora in 1485, in which both sides agreed to recognize the Basel Compacts, creating a situation of relative religious toleration for Catholics and moderate Utraquists in which no one, regardless of social status, was able to legally convert another by force.¹⁴⁹ I examine this agreement in greater detail in Chapter 6.

On April 6, 1490, King Matthias died, and the Hungarian assembly elected King Vladislav as their king, requiring him to renounce his claim to the Polish throne.¹⁵⁰ Upon his accession to the Hungarian throne, King Vladislav moved his court to Buda, from which he ruled until his death in 1516.¹⁵¹ It is generally argued that during the period when King Vladislav ruled from Buda, the nobility and the towns asserted independence at the expense of the king's power.¹⁵² This independence was codified in the Vladislav Land Ordinance of 1500, in which the privileges of the nobility were confirmed, in contrast to the towns.¹⁵³ In Chapter 6, I examine

¹⁴⁸ Boubín, "The Bohemian Crownlands," 181.

¹⁴⁹ Boubín, "The Bohemian Crownlands," 181; The Decree of Kutná Hora was originally signed for 31 years, but was continued in perpetuity in 1512. Jaroslav Čechura, *České země v letech 1437-1526, díl II (1471-1526)*, 344. This peace, however, recognized freedoms for only Utraquists and followers of Rome, and not those adhering to any of the more radical doctrines. Although the Taborites had been beaten in the 1430s, other radical groups, such as the Bohemian Brethren, had sprung up by the 1450s.

¹⁵⁰ Boubín, "The Bohemian Crownlands," 174.

¹⁵¹ Disputes continued over the other crown lands, for which the Hungarians claimed King Vladislav would need to pay a specified sum, or they would remain tied to the Hungarian rather than the Bohemian kingdom. Boubín, "The Bohemian Crownlands," 174-175; Čechura, *České země v letech 1437-1526*, vol. 2, 112-115. I examine this further in Chapter 5.

¹⁵² This perspective is apparent in the introduction to the Vladislav Land Ordinance of 1500 in Petr Kreuz and Ivan Martinovský, eds., *Vladislavské zřízení zemské – a navazující pramen (Svatováclavská smlouva a zřízení o ručnicích) edice* (Prague: Scriptorium, 2007), 11-102; Boubín, "The Bohemian Crownlands," 174-180.

¹⁵³ See Kreuz and Martinovský, *Vladislavské zřízení zemské*, 476-480, 34-50, for an English summary of the events immediately before the issuance of the Land Ordinance, and for a more expansive treatment in Czech. The towns' privileges were again codified and expanded in the 1517 St. Wenceslas's Treaty. Jindřich Francek, *24.10.1517 Svatováclavské smlouva: urození versus neurození* (Prague: Havran, 2006). See Kreuz and Martinovský, *Vladislavské zřízení zemské*, 486, 51-84, for a summary of the events leading to the St. Wenceslas's

the adoption of this law code, and the continued role that King Vladislav played in the administration of Bohemia, regardless of the location of his court.

Upon King Vladislav's death in 1516, his ten year old son Louis ascended to the Bohemian and Hungarian thrones.¹⁵⁴ In 1515, King Vladislav had signed the Treaty of Vienna with Emperor Maximilian I of Habsburg, whereby Louis was betrothed to Maximilian's granddaughter Mary and Maximilian's grandson Ferdinand was betrothed to Louis's sister Anne.¹⁵⁵ When King Louis died in the battle against the Ottomans at Mohács on August 29, 1526, he and Mary had no children, and that branch of the dynasty died out in the male line.¹⁵⁶ His brother in law, Ferdinand of Habsburg thus inherited a strong claim to both Bohemia and Hungary through his wife, Anne, with whom he had his first daughter a few weeks before Louis's death. Yet, both of these thrones were elective, and he was forced to negotiate with the assemblies in both kingdoms before he could accede to the thrones.¹⁵⁷

Treaty's conclusion in English, as well as more extensive Czech treatment of the events leading to its adoption and of the treaty itself.

¹⁵⁴ Boubín, "The Bohemian Crownlands," 176; Kenneth Dillon, *The King and Estates in the Bohemian Lands, 1526-1564* (Bruxelles: Editions de la librairie encyclopédique, 1976), 21.

¹⁵⁵ This treaty was based on a more tentative 1506 agreement. Jaroslav Pánek, "The Czech Estates in the Habsburg Monarchy (1526-1620)," in *A History of the Czech Lands*, Pánek et al, eds., 192; Čornej and Bartlová, *Velké dějiny*, vol. 6, 590-592. Ferdinand and Anne were married in Linz on May 26, 1521, when they were 17 and 18 years old. Mary was crowned Queen of Hungary in December 1521, and she and Louis were married on January 13, 1522. Čornej and Bartlová, *Velké dějiny*, vol. 6, 676-677.

¹⁵⁶ Dillon, *The King and Estates*, 22. During the reigns of both Jagiellon kings, the advance of the Ottomans into Hungary required significant attention. Although the Ottomans had been moving into Hungarian territory since Emperor Sigismund's rule in the late fourteenth century, the threat became stronger in the later fifteenth century, and the defenses established by Sigismund collapsed. János M. Bak and Béla K. Király, *From Hunyadi to Rákóczi: War and Society in Late Medieval and Early Modern Hungary* (Brooklyn, NY: Social Science Monographs, Brooklyn College Press, 1982), 10, 141-158. The fiscal structure in Hungary was insufficient to meet its demands, and opposition to demands from the barons and lack of commitment from the peasants hurt Jagiellon efforts significantly. Bak and Király, *From Hunyadi to Rákóczi*, 11-12.

¹⁵⁷ His claim to Hungary was contested by a local candidate, John Zápolya, who was backed by the Ottomans. King Ferdinand was never able to assert this claim as strongly as his predecessors, and for the majority of his reign effectively only ruled the western edge of the kingdom. Pánek, "The Czech Estates," 193.

The Bohemian assembly submitted a list of conditions to which King Ferdinand was required to agree before they would elect him king.¹⁵⁸ For the first part of his reign, up until the Schmalkaldic Wars, he more or less abided by these conditions. He visited Bohemia often, grudgingly consulted the assemblies when required to do so, and was relatively respectful of Utraquism as allowed by the Basel Compacts.¹⁵⁹ Scholarship traditionally asserts that one of the main goals of Ferdinand's early reign was to consolidate his own power, which he accomplished by respecting some of the rights of the nobility and the towns, while also limiting their ability to meet independently.¹⁶⁰ This perspective ties in with the view that King Ferdinand's accession to the Bohemian throne in 1526 was a watershed moment, after which the *Czech* kingdom of Bohemia was dominated by a *German* Habsburg monarchy. There are many problems with this strictly nationalist approach, not least of which is that any changes were incremental and far from inevitable.

While the bulk of the examinations made in the following chapters end by the first years of the sixteenth century, it is important to recognize the similar circumstances surrounding King Ferdinand's accession to the Bohemian and Hungarian thrones, and those which had accompanied the accessions of his fifteenth century predecessors. Although this dissertation will not continue beyond King Ferdinand's election, similar examinations could be undertaken of later periods.¹⁶¹

¹⁵⁸ I treat these conditions in greater detail in chapter 3.

¹⁵⁹ David, *Finding the Middle Way*, 72-73, 156, 298.

¹⁶⁰ For example, see Pánek, "The Czech Estates," 195, and particularly the tone with which he presents his perspective.

¹⁶¹ See Boubín, "The Bohemian Crownlands," 177-178, for a brief explanation of the national assembly in Bohemia in the sixteenth century; see Dillon, *The King and Estates*, 10, for a brief contrast of the sixteenth century regional and national assemblies, which he calls the *sjezdy* and the *sněmy*.

Conclusions

This chapter has provided a narrative that looks to both recent and traditional historiography as appropriate, and attempts to look past the nationalist lenses that color much of the scholarship, while also laying out clearly the relationship between the Empire, Bohemia, and Moravia. The preceding narrative of this period provides the context in which the analysis of the following chapters should be understood.

The treatment of the period before 1422 has included greater analysis of primary sources and more details about key moments specifically because this period provides the necessary context for, but does not feature prominently in, the remaining chapters of this dissertation. The examination of the thirteenth and fourteenth century relationship between Bohemia, Moravia, and the Empire is necessary to understand the structures in which fifteenth century actors operated, and the assumptions about the interactions of these structures and institutions that were too much a part of the backdrop of their lives for the actors themselves to describe explicitly.

While significant tensions between rulers and polities abound during the period examined in this chapter, these tensions were not based on modern distinctions between linguistic or ethnic groups. Rather, they reflected the particular interests of the actors in the moment; occasionally these interests were territorial, but they were often also based on religion, status, or personal considerations, and seem to rarely if ever have been linguistic. Dynastic and personal considerations, as well as the character of the individuals involved, seems to have played as much of a role as any of these other factors. The actions an individual took, both good and bad, can clearly be seen to affect the loyalty of his followers.

The men who made decisions affecting the kingdom met and deliberated in assemblies that included, by the fifteenth century, representatives not only from the nobility, but also from

the cities. These men generally explicitly expressed their goal of alleviating the myriad tensions and working for the “greater good” of the kingdom. They had a wide variety of approaches to doing so and opinions on what would make the kingdom better, as do decision makers in any era, and they did not make decisions based purely on a single religious, linguistic, or class litmus test. Rather, these considerations mingled with individual assessments of the personal fitness of a person or an action, as well as personal interests, and together contributed to the decision making of the assembly and the people who participated in it, as will be seen in the follow

CHAPTER 2
**“The Lords, the Knights, and the Cities”:
The Estates and Assembly in their Institutional Context**

Institutional structures are the invisible frameworks that uphold a society. They fade into the background, allowing everyday business to continue, and only call attention to themselves when those regular functions are disrupted so completely that the framework is damaged and must be reaffirmed, redesigned, or dismantled. This can be seen no less in the middle ages than in the political and societal challenges of the early twenty-first century.

This chapter lays out the various institutions that underpinned society in later medieval Bohemia, focusing specifically on the estates, but also including the ecclesiastical and secular institutional contexts in which the estates and the assembly functioned. I argue that although the consent of the estates was long necessary for the legitimation of important decisions, the specific delineation of who constituted the estates, and thus who was eligible to participate in the decision making at the assembly, changed dramatically over time. These changes had profound effects on the exercise of power in the kingdom. These changes also reflected the particular threats to unified authority that developed in Bohemia during this period.

An examination of the documents issued to and from the assembled estates illustrates their changing composition. While in early fifteenth-century Bohemia the estates were still centered on the lords and the lower nobility – a term that itself varied and defies easy explanation – after the Hussite Wars they had clearly come to include the cities as well. While these cities had been present at times in earlier assemblies, the Hussite Wars created space for the cities to become more fully integrated into the increasingly codified assembly. I argue that during this period, the definition of who belonged in the three estates that emerged in Bohemia became more

firmly established. In Moravia, a similar transition from the domination of the estates by the lords to the inclusion of the lower nobility occurred in the first half of the century, and by the 1480s the cities and (unlike in Bohemia) the prelates were regular participants.

The estates were divisions both of society and of those who participated in decision-making in the kingdom. Those who found their personal livelihoods tied to the welfare of the kingdom, and who expressed some responsibility for supporting the “general good” of the kingdom saw it as their right to participate in the administration of the kingdom. The groups that became defined in the fifteenth century were in part defined by whether or not they had the right to participate in the important decisions that affected the kingdom. Thus, the categories of social distinction that emerged in this period cannot properly be separated from those of political participation.

This chapter analyzes a wide array of decrees and letters made by and sent to Bohemian assemblies. The extant documents become sufficient by the 1430s for the various terms used within those documents to be compared, and for deductions to be made about the various choices of terminology. When possible, I have also examined the original manuscripts for these documents, and I have incorporated evidence from city and family archives to supplement the more accessible edited documents.

Bohemian Institutional Structures

Alongside the estates, a number of institutions formed the structures within and through which power was exercised and society was organized. These institutions sometimes challenged each other and sometimes reaffirmed each other, but regardless of their nature, these interactions led to the mutual definition of these institutions. In order to understand who was and who was

not included in the estates, it is necessary also to examine the other institutions of the kingdom. The main institutions included here are the Church, the monarchy, the land court, the land rolls, and the estates.¹ The monarchy is examined in the context of the estates and the assemblies in greater detail in Chapter 3, but it deserves a cursory examination here.

The monarchy in Bohemia was elective, indicating that there was a body capable of conducting elections. This body became the assembly, which was peopled by members of the estates.² The monarchy as an institution had been fairly stable from 1198-1306, but the end of the Přemyslid dynasty in the male line brought an interregnum, followed by the rule of the weak king John.³ During the third quarter of the fourteenth century, Emperor Charles IV was an effective ruler, but his son's comparatively weak position led to the weakening of the monarchy, not least by the imprisonment of the king by his nobles on multiple occasions.⁴ The fifteenth century saw further instability, as only a few years between 1419 and 1526 saw an adult, recognized king sitting on the throne in Prague.⁵ Thus, while the idea of the monarchy was strong, and strong monarchs were able to effectively impose their authority, the power of the institution in relation to other institutions in the kingdom was diminished. The continuing power of the idea of a king, of the body that elected the king, and of the need to have a king, is examined in Chapters 3 and 4.

¹ Older literature translates the *zemský desky* literally as the "Land Tables," but "land rolls" is more descriptive for an international audience.

² See Chapter 3 for further details.

³ Minimal background is provided in this chapter as a more thorough overview of the political relations between the Empire, Bohemia, and Moravia is central to Chapter 1.

⁴ For more information, see Jörg Hoensch, *Die Luxemburger: Eine spätmittelalterliche Dynastie gesamteuropäischer Bedeutung 1308-1437* (Berlin: Verlag W. Kohlhammer, 2000), 209-212; for an overview of this period, see Lenka Bobková and Milena Bartlová, *Velké dějiny země koruny české, volume 4b: 1310-1402* (Prague: Paseka, 2003), 330-405.

⁵ See Chapter 1 for more information.

One of the most important institutions throughout Europe was the Church, yet its presence and relative power differed widely across the continent. The Church made its power felt through papal cardinals, legates, and other agents, as well as monastic institutions, but its most institutional form in Bohemia was the secular clergy in the form of the archbishop, bishops, and priests.⁶ Yet, Bohemia possessed significantly fewer dioceses than other European kingdoms, diminished still further by the developments of the Hussite Wars.⁷

While Prague had been founded as a bishopric in 973, both it and Olomouc (founded in 1063) were subject to the archbishop of Mainz until Prague was elevated to an archbishopric in 1344; until 1777, Prague was the only archbishopric in the kingdom or margraviate.⁸ Additionally, the seat in Prague was vacant from 1421 until 1561, the period during which the composition of the estates became firmly entrenched.⁹ Thus, throughout most of the fifteenth century, the only functioning bishopric in either Bohemia or Moravia whose holder was not simply an administrator, and who was recognized by the Pope, was in Olomouc.¹⁰ As such, the

⁶ For a thorough analysis of the religious topography of Prague in the third quarter of the fourteenth century, see David Mengel, “Bones, Stones, and Brothels: Religion and Topography in Prague Under Emperor Charles IV (1436-78)” (PhD diss., University of Notre Dame, 2003).

⁷ For further comparisons, see Figure 1.

⁸ Lisa Wolverton, “The Christianization of Bohemia: Revising the Narratives,” in *Christianity and Culture in the Middle Ages: Essays to Honor John Van Engen* (Notre Dame, IN: University of Notre Dame, 2015), 27. Further dioceses were established in Bohemia later: in Litoměřice in 1655, in Hradec Králové in 1664, in České Budějovice in 1785, and in Plzeň in 1993. In Moravia, dioceses were founded in Brno in 1777 and Ostrava-Opava in 1996. For treatment of the church in Bohemia in the central middle ages, see Lisa Wolverton, *Hastening Toward Prague: Power and Society in the Medieval Czech Lands* (Philadelphia: University of Pennsylvania Press, 2001), 111-112.

⁹ The seat was vacated in 1421 after Archbishop Konrád of Vechta was deposed for agreeing to the proceedings of the Diet of Čáslav and expressing support for the Four Articles of Prague. Despite the nomination of Jan Rokycana as archbishop in 1435 (Konrád had died in 1431), he was never consecrated by the Pope. After his death in 1471, administrators of the see in Prague and the bishop of Olomouc maintained basic functions, but the seat remained vacant. After significant negotiation, it was finally filled in 1561.

¹⁰ Episcopal administrators were not uncommon, but the long duration of the *sede vacante* was uncommon. One problem with having an administrator rather than a consecrated bishop (or an administrator who was also a consecrated bishop) was that he could not ordain priests.

bishop of Olomouc often played a key political as well as religious role throughout the kingdom.¹¹

For comparison, by 1500 there were 28 dioceses in England and Wales serving a population of approximately two and a half million people, spread out over about 58,300 square miles.¹² France had well over one hundred bishoprics for a population of about sixteen million, spread out over about 200,000 square miles.¹³ By contrast, in 1400 Bohemia and Moravia had one archbishop with the minimum two suffragan bishops, serving a population of approximately 2.5 million people, covering about 30,000 square miles.¹⁴ After 1421, the area had only one functional bishopric for both principalities, with administrators acting for the other sees.¹⁵ This, coupled with the relatively low amounts of power concentrated in abbeys and monasteries, led to a lower level of participation for many members of the clergy in the affairs of state than in some other kingdoms.¹⁶ This lack of concentrated power in the Church allowed space for other

¹¹ The bishopric of Olomouc was reestablished in 1063 after unclear beginnings, and elevated to an archbishopric in 1777. Marie Bláhová, *Velké Dějiny zemí Koruny české, volume 1: do roku 1197* (Prague: Paseka, 1999), 418-419.

¹² Robert Allan Houston, *The Population History of Britain and Ireland, 1500-1750* (Houndmills, Basingstoke, Hampshire: Macmillan Education, 1992), 32; extrapolated from a table that draws upon Ian Whyte, "Urbanization in early-modern Scotland: a preliminary analysis," *Scottish Economic History* 9:1 (1989), 21-37.

¹³ Carlo M. Cipolla, *Before the Industrial Revolution: European Society and Economy 1000-1700*, 3rd ed. (New York: W. W. Norton and Company, 1993), 4.

¹⁴ Michaela Culková, "Česká republika v historicko-demografické perspektivě: interpretace k současnému vývoji; Czech Republic in historical-demographic perspective: interpretation towards current development" (Master's Thesis, Masarykova univerzita, 2011), 16.

¹⁵ While the Bishopric of Litomyšl was created in 1344 to be the second suffragan bishopric under Prague, it was reduced to only titular function during the Hussite Wars before being formally dismantled in the mid-sixteenth century. Petr Čornej, *Velké Dějiny Zemí Koruny České [Great History of the Lands of the Bohemian Crown]*, volume 5: 1402-1437 (Prague: Paseka, 2010), 387; Milena Bartlová and Lenka Bobková, *Velké Dějiny zemí koruny české, volume 4a: 1310-1402* (Prague: Paseka, 2003), 191.

¹⁶ Abbeys and monasteries certainly existed in Bohemia and Moravia as well, but they were less prevalent and less prominent than in parts of Europe that had been Christianized earlier. There were no monastic dioceses, and the leaders of the existing five dozen houses were not considered ex officio among the leading men of the kingdom. See Dušan Foltýn, *Encyclopedie moravských a slezských klášterů* (Prague: Libri, 2005) and Pavel Vlček, *Encyclopedie českých klášterů* (Prague: Nakladatelství Libri, 1997) for more information on abbeys and monasteries in Bohemia, Moravia, and Silesia. In general, abbots and monks do not appear among the signatories to documents discussed in this chapter and in the figures in the appendix, although the notable exceptions are Josef Kalousek,

institutions, including the estates, to assert themselves. Additionally, it affected membership in the estates, as the clergy were not prominent enough to insist on representation in the estates and assemblies to the same degree as they were able to do in other polities.

A land court also existed at this time. The first mention of a person with the title “judge” (*iudex*) is found in 1244, and a few people were known by that title by 1259.¹⁷ During the 1260s, this transformed into the land court (*Soud zemský, iudicium terre*), and it is mentioned in the land rolls in 1287, although other records of the land court are rare in this period. The law court of the court (*dvorský soud*), whose members included the highest judge of the court (*summus iudex curie*) dealt specifically with direct subjects of the king.¹⁸ Following the Hussite Wars, the membership of the land court was redefined. At the request of the lords and knights, in 1437 Emperor Sigismund determined that the land court should be made up of twelve lords and eight *zemané*, giving both groups the opportunity to participate in the proceedings, and this composition was reconfirmed at least twice more (in the late 1440s and in 1485) in an effort to increase the functionality of the land court.¹⁹ The status of the *zemané* will be discussed in

Archiv Český, vol. X (Prague, 1890), 256-258, #12 (hereafter AČ X), a 1440 land peace agreement that mentions unnamed abbots and prelates at the beginning, and AČ X, 256-258, #12, a 1496 land peace agreement that includes two unnamed abbots and one named provost.

¹⁷ Jan Janák, *Dějiny správy v českých zemích do roku 1945* (Prague: Státní pedagogické nakladatelství, 1986), 56.

¹⁸ Janák, *Dějiny správy*, 66.

¹⁹ See AČ III, 451-452, #24 (hereafter AČ III) for Emperor Sigismund’s response to this request. See AČ III, 455-456, #27 for a request made by the knights and *zemané* to this body (and the assembly) for a recognition of their freedoms. For some of the limited literature on the land court in the later fourteenth and fifteenth centuries, see Robert Robert Novotný, “Ulohá zemského soudu pro formování panského stavu,” in *Šlechta, moc a reprezentace ve středověku*, eds. Martin Nodl and Marin Wihoda (Prague: Filosofia, 2008), 241-251, and for background on the Bohemia legal tradition through the Hussite Wars, see Jeanne Grant, *For the Common Good: The Bohemian Land Law and the Beginning of the Hussite Revolution* (Boston: Brill, 2015).

greater detail later, but by the fifteenth century they can be understood as freemen who had a high level of recognized status and held land, often registered in the land rolls.²⁰

Although not an institution of people, the land rolls (*zemský desky*) were also an institution that deserves some attention. They formed the official record of all of the important privileges, rights, grants, decisions, and property distributions made by the king, the land diet, or the land court. Most official documents drew upon information in the land rolls or were required to be registered therein.²¹ In the first half of the fourteenth century, the term *zemané* could be applied to anyone whose land holdings were recorded in the land rolls.²² Indeed, the land rolls continued to be used as an authority to settle disputes and as a witness to privileges and rights until 1948.²³

The land rolls also played a role in defining the estates. There are many different definitions of the estates and the institutions in which they participate, depending on the polity being examined. Michel Hébert provides a thorough assessment of the different forms that the estates took in “Western” Europe – for him those areas once belonging to Lotharingia and west – concluding that a definition of the estates cannot be said to map easily onto traditional ideas of the “three orders” of society.²⁴ In doing so, he presupposes an arrangement of the estates based

²⁰ For more information, although I will discuss this group in detail later in this chapter, see *Josef Macek, Jagellonský věk v českých zemích, 1471-1526, vol. 2: Šlechta* (Prague: Academia, 1994), 64-65.

²¹ Unfortunately, except for a single book that was on loan at the time, the original records of the land tables were caught in a fire in Prague Castle in 1541. Jaroslav Pánek, “The Czech Estates in the Habsburg Monarchy (1526-1620),” in *A History of the Czech Lands*, eds. Jaroslav Pánek and Oldřich Tůma et al (Prague: Karolinum Press, 2014), 198.

²² Čornej, *Velké Dějiny vol. 5*, 54. Indeed, in the fourteenth century both the terms *zeman* and *vladyka* could apply to the peerage (*panstvo*) as well.

²³ The land rolls had receded in importance by the later nineteenth century, but they retain some relevance even today. For example, they played a role in the restitution of lands after the end of the communist government in 1989, as the most important land holdings were still recored in the land rolls on the eve of the establishment of the communist government.

²⁴ See Michel Hébert, *Parlementer: Assemblies representatives et change politique en Europe occidental a la fin du Moyen Age* (Paris: Editions de Boccard, 2014), 5, 241-253. This conception also appears in Kazimierz

on the three orders, although he acknowledges that there were often subdivisions within the various orders.²⁵ Piotr Gorecki addresses a similar phenomenon in central medieval Poland. Although the rights of the various groups differed, as did their group names, he too finds the different “lordly,” knightly,” and “peasant” inhabitants divided into a myriad of subcategories.²⁶ Although the three orders paradigm may reflect the different contributions people could make to their societies, it does not seem to reflect the real social divisions in East Central Europe in the central or later middle ages.

While the term estate does encompass inhabitants of a variety of statuses, conceptually the term’s function was to provide a means for understanding what those different statuses were, and how they related to each other. Understanding this relationship in Bohemia and Moravia is complicated by the fact that, unlike in other polities, no true hierarchy of noble titles existed until the seventeenth century.²⁷ Although there was a clear and acknowledged difference between the estate of the lords and the estate of the knights, this difference was not clarified with distinct

Orzechowski, “Les Systemes des assemblies d’stats: origins, évolution, typologie,” *Parliaments, Estates and Representation* 6:2 (1986), 105-112, who identifies two types of assemblies that developed: the vertical, wherein a lead assembly was the key authority, under which other assemblies might be nested, and the horizontal type, wherein multiple territorial assemblies with relatively equivalent power might develop. He refers to Bohemia in his analysis, but clearly has in mind developments that did not begin until the mid-sixteenth century, beyond the period examined here. Orzechowski, “Les Systemes des assemblies d’etats,” 107.

²⁵ See in particular Hébert, *Parlementer*, 250-252.

²⁶ Gorecki addresses the issue of “knightly” status in a number of contexts. First, in 1136 he finds a list of *milites* who he describes as being peasants of slightly higher status than imperial *ministerialis* (Piotr Gorecki, *Economy, Society, and Lordship in Medieval Poland* (New York: Holmes and Meier, 1992), 75). He also discusses the various rights that the knights amassed over the next century (Gorecki, *Economy*, 105, 129). By the 1240s, he finds uniform statuses for peasants and knights, although still with a multiplicity of names (Gorecki, *Economy*, 180-181).

²⁷ Ivana Čornejová, Jirí Kaše, Jirí Mikulec, and Vít Vlnas, *Velké Dějiny Zemí Koruny České, volume 8: 1618-1683* (Prague: Paseka, 2008), 232, 248-250, 257. Wolverton, *Hastening Toward Prague*, 46, treats this idea in relative detail for the twelfth century. The notable uses of titles include king/duke for Bohemia and margrave for Moravia, but aside from Silesia and Lusatia, where the protocol was somewhat different, no other noble titles except the honorific *pán* (lord) are employed in Bohemia and Moravia in the fifteenth century. Macek, *Jagellonský věk* vol. 2, 12-13.

titles.²⁸ Instead, each estate and individual had been granted privileges which were recorded in the land rolls. In this chapter, I show that at least in Bohemia and Moravia, the “three orders” bore little resemblance to the careful discrimination between the different groups included in the estates, and thus the participants in the assemblies.

Each of these institutions was capable of functioning independently in specific circumstances, but for the kingdom to function well they all needed to be able to cooperate, compromise, and work together. While technically the absence of an archbishop did not hinder the functioning of the monarchy, the assembly, or the court, it did have a negative effect on the ability of the people performing their roles (and their subjects) to practice their religion and receive the spiritual support (such as confession and communion) that they needed. Likewise, the court and the assembly could function without a monarch, but that meant that there was no final arbiter. Both of these absences created voids in which the institutions that continued to function were able to insert themselves, increasing their relative power. Yet, since each institution actually had a purpose and responsibilities, they were each necessary to the regular functioning of the kingdom.

The Evolution of the Estates before the Hussite Wars

The thirteenth and fourteenth centuries witness an evolution of the understanding of the estates, although not yet known by that title, and of their participation in the key functions of the kingdom in the thirteenth and fourteenth centuries. From 1198, the ruler of Bohemia was called the king. He was nominally subordinate to the Emperor, but, as discussed in Chapter 1, this

²⁸ See Petr Čornej and Milena Bartlová, *Velké Dějiny země koruny české, volume 6: 1437-1526* (Prague: Paseka, 2007), 62-63, for an example.

subordination had little impact on domestic affairs. By the early thirteenth century, the margraviate of Moravia was clearly a separate principality attached to the Bohemian crown and subordinate to Bohemia, yet also within the Empire.²⁹ Despite their role within the Empire, the succession in Bohemia and Moravia, whether following a clear dynastic relationship or more convoluted means, required the consent of the powerful men in Bohemia.

In 1216, Emperor Frederick II confirmed Wenceslas I as heir to his father's crown instead of his uncle, confirming succession by primogeniture rather than seniority succession. This grant confirmed his elevation by the key barons of the kingdom, including his uncle.³⁰ This role for the barons is not made as explicit in the documents concerning Wenceslas I's actual succession in 1231, but that year Emperor Frederick II did reconfirm his 1216 confirmation of Wenceslas I's election.³¹ This reconfirmation does not refer to Wenceslas I's designation or inheritance, but rather to his election. For an election to take place, some group(s) of people must have the right to participate in the election. A decade and a half later, in 1247, Wenceslas I's son King Přemysl Otakar II was elected by a group of rebels from the lower nobility in 1247, and although the rebellion was squashed, his election as heir remained valid.³²

These early thirteenth century elections were conducted by the barons, cementing their role in choosing the king of Bohemia, as they had previously chosen the duke of Bohemia.³³

During the two elections mentioned here, a group of barons, not necessarily defined

²⁹ See Chapter 1 for a more detailed analysis.

³⁰ Antonius Boczek, *Codex Diplomaticus et Epistolaris Moraviae II* (Olomouc, 1839), 88-89, #71 (hereafter CDM II); see Chapter 1 for more information.

³¹ Hermenegildus Jireček, *Codex Juris Bohemici I* (Prague, 1867), 65-66, #34 (hereafter CJB I).

³² Josef Žemlička, "The Czech State in the Era of Přemyslid Princes and Kings (from the Beginning of the 11th Century to 1306)," in *A History of the Czech Lands*, ed. Jaroslav Pánek and Oldřich Tůma, et al, (Prague: Charles University in Prague Karolinum Press, 2014), 107-108. Přemysl Otakar II's eventual coronation in 1262 was approved of by Pope Alexander IV in 1260, when he authorized the bishops of Prague and Olomouc to perform the ceremony. CJB I, 148-150, #48.

³³ Wolverton, *Hastening Toward Prague*, 213.

systematically, were recognized as important contributors to the decision-making process in the kingdom. Because the accession of the next ruler, Přemysl Otakar II's son Wenceslas II, came by treaty following Přemysl Otakar II's untimely death in battle in 1278, the language surrounding it was different.³⁴ Mention of the barons is again absent from the documents that I have found concerning the accession of Wenceslas III in 1305, but appears immediately after his death the following year.

Upon the end of the Přemyslid dynasty in the male line in 1306, a new dynasty came to the throne following a period of dispute. The leaders of the kingdom immediately asserted their right to elect their king, and exercised this right multiple times in the period 1306-1313.³⁵ First, on October 23, 1306, two and one half months after the death of Wenceslas III, the barons of the kingdom of Bohemia, including the bishop of Prague, the city of Prague, and men from leading families (including the Rožmberk, Lípa, and Luchtenberk families) met together to write a document that confirmed the Golden Bull of Sicily (1212) and Emperor Frederick II's confirmation of Wenceslas I as Přemysl Otakar I's heir (1216).³⁶ While the participants list their names and titles, they use no specific word to describe their entire group, nor do they designate

³⁴ Emperor Rudolf I's investment of Přemysl Otakar II with Bohemia and Moravia in 1276 made no mention of his election, but he had at that time been king for a quarter century. CJB I, 185-186, #66. A summary of this treaty can be found in CJB I, 208-209, #70. For further analysis of the battle that resulted in the death of Přemysl Otakar II, see Václava Kofránková, *26.8.1278 Moravské pole: poslední boj Zlatého krále* (Prague: Havana, 2006). Biographies of Přemysl Otakar II have abounded in recent years, for example, Josef Žemlička, *Přemysl Otakar II.: král na rozhraní věků* (Prague: Nakladatelství Lidové noviny, 2011) and Václava Kofránková, *Zlatý král a chudý hrabě: Přemysl Otakar II. a Rudolf Habsburský v historické tradici* (Prague: Lika klub, 2012), and the slightly older German biography by Jörg K. Hoensch, *Přemysl Otakar II von Böhmen: der goldene König* (Graz: Styria, 1989). Treatment of these events also features in biographies of Rudolf of Habsburg, such as the recent Karl Krieger, *Rudolf von Habsburg* (Darmstadt: Primus, 2003). František Palacký also treats the 1278 battle and subsequent regency in *Geschichte von Böhmen*, vol. 1 pt. 2 (Prague: 1845-1867), 265-285 (battle and Přemysl Otakar II's death) 285-296 (effects of Přemysl Otakar II's death); 297-318 (sources for Přemysl Otakar II); 319-344 ("the first Bohemian interregnum" 1278-1283).

³⁵ Hermenegildus Jireček, *Codex Juris Bohemici II/1* (Prague, 1896), 9-10, #1 (hereafter CJB II/1).

³⁶ CJB II/1, 9-11, #1.

the bishop of Prague or the cities of Prague as members of separate groups.³⁷ This document was drawn up following a gathering of the Bohemian nobles in Prague towards the end of August, at which they had elected Henry of Carinthia, husband of the elder Přemyslid heir Anne, to succeed his brother-in-law as king of Bohemia.³⁸ What is most notable is that these men gathering together indicated that they had sufficient authority to confirm the grants of an emperor, without their confirmation needing to be legitimized by some higher temporal power.

Three months later, King Albert of the Holy Roman Empire attempted to circumvent this election, ignoring the reminder of election privileges granted by his predecessors, to have his son Rudolf installed as king of Bohemia.³⁹ Yet, by May 1308, both King Albert and his son Rudolf were deceased, and in August 1308 their heir, Frederick, Duke of Austria, confirmed Henry of Carinthia as the elected king of Bohemia and provided for reuniting Bohemia and Moravia, as they had been separated during the struggle for the throne.⁴⁰

³⁷ “We John, Bishop of Prague, Henry of Dubá, Tobias of Bechingen, Henry of Rožmberk (chamberlain), Albert of Seberg, Raymond of Luchtenberk (sub chamberlain), Henry of Lípa, Ulrich of Luchtenberg, and the mayor and the council of the city of Prague.” “Nos Johannes episcopes Pragensis, Heynco de Duba, Thobias de Bechingen, Heinricus de Rosenberg camerarius, Albertus de Seberg, Reymundus de Luchtemburg subcamerarius, Heinricus de Lypa, Ulricus de Luchtemburg, iudices jurati et universitates civium in Praga.” CJB II/1, 10, #1. Prague, like Budapest, was not one city until relatively recently. Conventionally, the three cities are known in English as the Old Town (*Staré Město*) – the original settlement – the New Town (*Nové Město*) – founded by Charles IV in 1348 – and the Lesser/Small Side (*Malá Strana*) – on the opposite side of the river. While I am retaining the conventional names, the designation “town” rather than “city” for these preeminent royal cities is an error of the early translations of their names. I will generally refer to Prague in the singular, unless there is a reason to highlight the character or actions of the cities of Prague as individual entities.

³⁸ Unfortunately, the editions of this document do not provide a complete list of signatories. I have not located the original. CJB II/1, 9-11, #1; Joseph Emler, *Regesta Diplomatica nec non Epistolaria Bohemiae et Moraviae II* (Prague, 1882), 910, #2112 (hereafter RBM II). Indeed, the inclusion of the word *barones* in the 1323 entry in the *Chronicon Benesii atque Francisci ad annum 1323* when discussing those who made decisions concerning the election of the new king in 1306-1311 does not actually clarify the meaning of the term, since it is unclear if the chronicler knew about the participation of the city of Prague. Hermenegild Jiřeček, *Korunní Archiv Český: Sbíрка Státních Listin Koruny České z Doby od r. 1306 do r. 1378* (Prague: Moravské Arciové Knihtiskárny v Brně, 1896), 310, #1.

³⁹ CJB II/1, 12-14, #3.

⁴⁰ CJB II/1, 16-17, #7. This separation of Bohemia and Moravia is a recurring issue that I treat in detail in Chapter 5.

The election had been conducted by the highest status people and entities in the kingdom, including the cities of Prague.⁴¹ These same entities soon turned their allegiance from Henry of Carinthia to John, son of imperial ruler Henry VII, and elected him king of Bohemia in conjunction with this marriage to one of the other Přemyslid female heir, Eliška. At this point, King John confirmed the privileges of the kingdom and its leaders, along the same lines as the fifteenth-century conditions for election that are discussed in Chapter 3.⁴²

The nobility, bishop, and city of Prague had played a key role in both resolving and prolonging this interregnum. First, they had, as a body, elected Henry of Carinthia as king, and then in July 1310 they had rejected him and elected John of Luxembourg as king, pushing through the latter's coronation.⁴³ At the start of the interregnum in 1306, they had issued a document confirming their own privileges, after calling an assembly to determine the next course of action for the kingdom. The power they asserted in this 1306 document, including the confirmation of all prior privileges granted to the "kingdom of Bohemia" (*regnum Bohemiae*), assumed their authority to defend their rights. Notably, only the city of Prague and the bishop of Prague are listed alongside a small group of key noblemen, some of whom were also officers in the kingdom.⁴⁴ In the absence of a king, these barons seemed to see no impediment to their

⁴¹ I have been unable to find a document that exactly pinpoints when the Old Town of Prague had already received a grant of the right to its own court by approximately 1101 (CJB I, 23-25, #14). We also can assume that a council already existed in Prague by 1306, as the October confirmation of the barons uses the phrase "judices jurati et universitates civium in Praga." (CJB II/1, 9-11, #1) When the new town of Prague was funded by Charles IV in 1348, it was founded with a city council.

⁴² CJB II/1, 19-23, #11. Yet, this confirmation does not specify the particular groups to whom these privileges belonged, nor does it list recipients of a wide array of statuses, as similar documents do in the fifteenth century. This confirmation was made by King John on December 25, following his September 1 marriage to Eliška and December 3 capture of Prague, and before his February 7, 1311 coronation. Henry of Carinthia had never been crowned.

⁴³ For the rejection of Henry of Carinthia, see CJB II/1, 18, #9. For then king of the Romans Henry VII's promise to marry his son John to Eliška Přemyslovna, see RBM II, 966, #2226; for confirmations of this promise, see RBM II, 966-967, #2227-2229.

⁴⁴ CJB II/1, 9-10, #1.

calling an assembly and participating in the resolution of the crisis concerning the selection of a king. Yet, these barons did not yet meet regularly – by any definition of that term – as an assembly to participate in the administration of power, although each of the named participants was in a position to independently influence the course of events.

In the flurry of confirmations that followed his accession, in July 1311 King John confirmed the customs and laws granted to Bohemia and Moravia. He addressed himself “to our faithful men, the whole kingdom of Bohemia and our Margraviate of Moravia,” and throughout the confirmation he made it clear that he was addressing “all of our kingdom of Bohemia and Moravia, the princes (*principes*), [both] ecclesiastical and secular, the barons, nobles, prelates, clerics, and all the subjects of our domain.”⁴⁵ While he intended to encompass his entire realm, he clearly viewed the leading ecclesiastical and secular men as able to stand in for and apart from the others. It was this group that had brought him to power, and it was this group whom he needed to please in order to retain his power.⁴⁶ Yet, it is striking that although the cities of Prague had participated in his and Henry of Carinthia’s election, they were not mentioned specifically here.

King John ruled as king of Bohemia until his death at the Battle of Crécy in 1346. His son, Charles IV, had been granted Moravia in 1333, but the succession was not formally settled by King John until 1341.⁴⁷ To do so, he called together an assembly (although that word is not

⁴⁵ “Universis regni Boemia et marchionatus nostri Moraviae fidelibus . . . omnes regni nostri Boemiae et Moraviae principes, ecclesiasticos et seculares, barones, nobiles, praelatos, clericos et universes nostrae dicioni subiecos.” CJB II/1, 26, #16.

⁴⁶ Indeed, King John found this difficult. For an account of his reign in the 1310 and 1320s, see Hoensch, *Die Luxemburger*, 51-71; Bobková, *Velké dějiny* 4b, 11-40.

⁴⁷ According to Charles IV’s autobiography, one of our main sources for this grant, the Margraviate was bestowed upon him by his father in that year. CJB II/1, 117, #105; Charles IV, “Charles IV of Luxembourg *Autobiography*,” in *Readings in Medieval History*, 3rd ed., ed. Patrick Geary (Orchard Park, NY: Broadview Press, 2003), 659. For the 1341 arrangement of the succession, see CJB II/1, 199, #181.

used in the description of it released by the Old Town of Prague) that took place in Prague on June 11, 1341.⁴⁸ The purpose of this assembly was to solidify the arrangements for the succession. The participants in this assembly thus reveal the various groups that King John considered worthy of addressing three decades into his reign: the “assembled prelates, princes, barons, nobles, mayors, or counselors of the aforementioned city of Prague, and the other cities of the kingdom of Bohemia, as well as the mayor or ambassador of the city of of Wrocław.”⁴⁹ Clearly, the prelates were at this time still important members of the assembly, as was not only Prague, but also the Silesian city that housed a bishop. Yet, this assembly, convened to bolster the legitimacy of the king’s heir, did not specifically include the lower nobility as a group identified separately from the upper nobility.

The participants in this assembly provide a snapshot of those who influenced the king and the administration of the kingdom in this period. The upper nobility and leading cities were included alongside prelates, but other lower- and non-noble subjects were not considered participants or necessary to address. This formulation would change dramatically in the fifteenth century, as the series of civil wars known as the Hussite Wars changed the balance between the various institutions and created opportunities for the assertion of power by groups who had previously possessed less influence.

The different groups of nobles mentioned are complicated to parse. The princes (*principes*), barons (*barones*), and nobles (*nobiles*) could be seen as synonyms, yet this would be overly simplistic. As there are relatively few comparable Bohemian documents from the mid-

⁴⁸ CJB II/1, 199, #181.

⁴⁹ “Convocatis prelatibus, principibus, baronibus, nobilibus, consulibus seu juratis praedictae civitatis Pragensis et aliarum civitatum regni Boemiae, civibus nec non consiliariis set ambassatoribus civitatis Wratislaviensis.” CJB II/1, 199, #181.

fourteenth century, to a certain extent the analysis of these terms relies on documents issued in the surrounding decades. Aside from the documents issued during the interregnum between 1306 and 1311, the richest body of sources for this period is a series of grants made by Charles IV following his accession to the Bohemian throne in 1346 and the imperial throne in 1348.

On April 7, 1348, Charles IV confirmed a large number of past grants made by emperors to kings of Bohemia. These grants were all witnessed by the same men, who were universally described as

“approaching us at present, the exalted, venerable archbishop of Prague; the bishops of Olomouc and Litomyšl; and also the illustrious John, count of Carinthia, the Tyrol, and Gorizia, our dear brother; and Nicholas, duke of Opava and Ratibor; and the other prelates, dukes, princes, barons, leading men, and nobles of our Bohemian kingdom and of the same related [lands],”

who “humbly beseeched us” to confirm the privileges granted by Emperor Frederick II and his successors.⁵⁰ The frequent use of identical terminology to describe the men addressed in these confirmations indicates that at least on that day, when grants needed to be speedily produced, a formulaic description of the participants was utilized. This description specifically included the bishops of Litomyšl and Olomouc (and sometimes of Wrocław) alongside the archbishop of

⁵⁰ “Ad nostrae celsitudinis venerabiles archiepiscopatus Pragensis, Olomucensis et Luthomusslensis episcopi, necnon illustres Johannes, Karinthiae comesque Tyrolis et Goriciae germanus noster carissimus, ac Nicolaus, Opaviae et Ratiboriae duces, caeterique praelati, duces, principes, barones, proceres et nobiles regni nostri Boemiae et pertinentiarum eiusdem praesentiam accedentes, nobis humiliter supplicarunt.” Hermenegild Jiřeček, *Korunní Archiv Český: Sbíрка Státních Listin Koruny České z Doby od r. 1306 do r. 1378* (Prague: Moravské Aciové Knihtiskárny v Brně, 1896), 282, #263 (hereafter KAČ) (confirmation of Emperor Frederick I’s 1158 grant to Duke Vladislav). For further examples of confirmations that use the same language, except for very minor spelling changes and the issues noted below, see KAČ, 283, #264 (confirmation of Emperor Frederick II’s 1212 Golden Bull of Sicily), in which he also mentioned the bishop of Wrocław, but otherwise used the exact same language; KAČ, 287, #265 (confirmation of Frederick II’s confirmation of the election of Wenceslas I); KAČ, 289, #266 (King of the Romans Richard of Cornwall’s confirmation of 1262); KAČ, 290, #267 (confirmation of grants from King of the Romans Rudolf I’s confirmation of the king of Bohemia as cupbearer and elector); KAČ, 291-295, #268-271 (confirmations of grants from King of the Romans Rudolf I from 1290), in which #270-271 also include the Bishop of Wrocław; KAČ, 296, #272 (confirmation of King of the Romans Rudolf from 1298); and KAČ, 297, #273 for Charles IV’s own grant of privileges and rights to the kingdom of Bohemia, which also includes the bishop of Wrocław. Ratibor is the German name of the Silesian city known in Polish as Raciborz and in Czech as Ratiboř.

Prague.⁵¹ It also included Charles IV's brother John Henry with the titles he claimed in Carinthia, the Tyrol, and Goricia by right of his estranged wife, as well the duke of Opava, whose daughter John Henry would marry the following year. Alongside the named men, Charles IV lists six categories of men – the prelates, dukes (presumably in Silesia), princes, barons, leading men, and nobles – but no non-nobles, members of the lower nobility, or any of the kingdom's communities.

The grant of the margraviate of Moravia to John Henry by Charles IV eighteen months later provides some additional context. In this grant, Charles IV provides a long list of all of the rights and privileges that he is granting to his brother.⁵² Among the many listed items are descriptions of groups of people: the “barons, vassals, knights, dependents (*clients*), burghers, peasants, and people bound to farms and [people bound to] registered [areas].”⁵³ The

⁵¹ Examples including the Bishop of Wrocław are KAČ, 283, #264; KAČ, 294-295, #270-272; KAČ, 297, #273.

⁵² The following is a complete list of the rights, privileges, and properties included, which for clarity (as not all of the words correspond clearly to English words) has been kept in the original Latin. I have not changed the order of any of the items, but I have segmented the list to group the various types of items in a way that is easier to envision:

Communities: “Cum civitatibus, terris, districtibus, oppidis, villis,”

Religious holdings: “monasteriis, praeposituris” (The latter term could possibly belong in the next category, but it is unclear if it refers to priories or provosts/priors; because this term fits closely with the monasteries regardless of the translation, and does not sit where one might expect in the following list according to precedence, it has been included here.)

Subject people: “baronibus, vasallis, militibus, clientibus, civibus, rusticis, emphiteotis agricolis et censitis,”

Types of land: “et ad glebam astrictis, castris, munitiionibus, praediis, agris cultis et incultis,”

Natural land formations: “montibus, vallibus, planis, silvis, nemoribus, rubetis, virgultis pascuis, pratis,”

Creatures: “venationibus, aucupationibus,”

Places for growing or processing edibles: “piscinis, piscaturis, vineis, aquis aquarumve decursibus, molendinis,”

Mining areas: “montanis auri, argenti, stanui, plumbi vel cuiuscumque alterius generis metallorum,”

Administrative rights: “iurisdictionibus, bailiis, judiciis, dominiis, bernis” (the last is a type of Bohemian tax in Czech, included here within a document that is otherwise in Latin). KAČ, 329, #296.

⁵³ “baronibus, vasallis, militibus, clientibus, civibus, rusticis, emphiteotis agricolis et censitis.” KAČ, 329, #296.

purportedly comprehensive list of people in Moravia provides an opportunity to contrast the groups that are mentioned elsewhere as participants in decision-making with those who were not.

The barons, listed first, held the highest status, and were in some, unspecified way distinct from the other groups. The next group is the vassals – a word rarely used in these documents in Bohemia. We can surmise that it was intended to encompass men not included among the barons, although it is unclear if this was simply for the sake of completeness, or because the barons did not count as vassals. Both of these groups are also distinct in some way from the knights, as well as from the dependents – the former of which at least would come to be included in the larger group allowed to participate in the assemblies. This list gives some indication that the barons might refer to the upper nobility, and significant indication that they did not include the knights or squires. Burghers are listed next, with no differentiation between different types of burghers, unless those tied to registered people or places (other than farmers) count in this regard. This list ranges from peasants, as well as unfree people tied to farmers – essentially the lowest categories – to the highest groups, such as the barons.

Indeed, the term *barones* is again used inclusively in the list of witnesses at the end of the document. The various high-born ecclesiastical and secular imperial witnesses are described as princes, while the Bohemian witnesses are described as nobles and the Moravia witnesses are described as barons (*barones*).⁵⁴ Yet, this distinction is muddled when we consider that in the documents declaring John Henry's acceptance of Charles IV's grant of Moravia, he describes the Bohemian witnesses as "the noble men ... barons of the kingdom of Bohemia" and the Moravian

⁵⁴ KAČ, 337, #296.

witnesses as “the nobles ... our dear barons and faithful men.”⁵⁵ It appears from this usage as if perhaps rather than being distinct, the barons and the nobles might be synonymous.

To learn more about these terms, we will have to turn to later generations, when participation in the assemblies expands. During the first fifteen years of his reign, neither of Charles IV’s first two wives produced a son who lived to adolescence. Thus, when the 45-year-old was presented by his third wife with a healthy son who lived past his first birthday, Charles IV quickly arranged for the boy, Wenceslas IV, to be crowned king of Bohemia when he was only 2 1/2 years old. After Charles IV’s death in 1378, Wenceslas IV remained king until his own death in 1419. During this period, he faced rebellion from his nobles on two occasions (1394 and 1402-1403), and was deposed from being King of the Romans in 1400.⁵⁶ In both of these instances, the leading men (in Bohemia the *panská jednota* – League of Lords – and in the Empire the electors) exercised their authority to challenge the authority of a monarch who they found to be not upholding the institution of the monarchy and working for the common good as they believed befitted the position.⁵⁷

The magnates in these cases found themselves with the authority to challenge the exercise of power by the king. Like his contemporary and brother-in-law Richard II of England, who was himself deposed in 1399, Wenceslas IV was accused of not acting for the common

⁵⁵ “nobilibus viris ... regni Boemiae baronibus;” “nobilibus ... baronibus et fidelibus nostris dilectis.” KAČ, 346, #297.

⁵⁶ Hoensch, *Die Luxemburger*, 207-222.

⁵⁷ The *panská jednota* formed to oppose King Wenceslas IV and his rule. At various points, the king’s cousin Jošt (Margrave of Moravia and briefly King of the Romans in 1410) and brother Emperor Sigismund (also king of Hungary) joined in the rebellion. For treatment of the *panská jednota*, see Hoensch, *Die Luxemburger*, 209-212; Martin Nejedlý, “Václav IV. a pansy jednota. Část první, Barvy všecky,” *Historický obzor* 10:11/12 (1999), 242-249; Martin Nejedlý, “Václav IV. a pansy jednota. Část druhá - Králová koruna krásná jest věc, ale těžká,” *Historický obzor* 11:1/2 (2000), 8-15; Martin Nejedlý, “Václav IV. a pansy jednota. Část třetí - “Račiž, králi, poslouchati—,” *Historický obzor* 11:3/4 (2000), 68-75; Jaroslav Čechura, *České země v letech 1378-1437 II. Lucemburkové na českém trůně II* (Prague: Libri, 2000), 38-40, 49-57; Bobková, *Velké dějiny*, 350-361; Čornej, *Velké dějiny*, 72-79. For brief treatment of Wenceslas IV’s deposition as King of the Romans, see Hoensch, *Die Luxemburger*, 215-216; Čechura, *České země v letech 1378-1437 II*, 40-49.

good.⁵⁸ This idea of working for the common good and upholding peace appears as central throughout the fifteenth century. Considering the upheaval and the legitimate and specific claims also mentioned, it would be wrong to dismiss these appeals as types. Instead, we need to consider the ideals that the estates put forward for how their kingdom should operate as what they would have liked to see enacted, even if for individuals the desire for both the personal and the common good may have conflicted.

The Estates in the Fifteenth Century

During the first half of the fifteenth century, the people addressed by and the people who participated in the creation of the above types of documents changed. In September 1415, the “noble lords and nobility of the most Christian Bohemian kingdom and the brightest Margraviate of Moravia,” dozens of whom were named, wrote to those gathered at the Council of Constance to protest the execution of Jan Hus.⁵⁹ The following March, Emperor Sigismund wrote to three key Bohemian and Moravian noblemen, along with “all the other lords and squires in the Bohemian lands and Moravia” who took communion in both kinds (Utraquists).⁶⁰ A few days later, he addressed the group taking communion in one kind (following Rome), specifically the archbishop of Prague, the bishop of Litomyšl, three named lords, “and the other lords, knights, and squires from your side.”⁶¹ It appears that at this time, the heir-apparent to the throne

⁵⁸ For an example of the analysis of the reasons for which Richard II was deposed, see Anthony Tuck, *Richard II and the English Nobility* (London: Butler and Tanner Ltd, 1973), 103, 220.

⁵⁹ “Urození páni a šlechtici najkřest’anštějšího králowstwie Českého a najjasnějšieho markrabstwie Maráwského.” AČ III, 190, #6.

⁶⁰ “A všem jiným pánóm a panošiem w Čechách a w Morawě,” František Palacký, *Archiv Český vol. I* (Prague, 1840), 6, #2 (hereafter AČ I).

⁶¹ “A jiným pánóm, rytieřiem i panošiem s wašie strany,” AČ I, 7.

addressed himself to the upper and lower nobility of the kingdom, but that the cities were not included.⁶²

The terms that Emperor Sigismund and the Bohemians employ here need clarification. While all three documents use the term lord (*pán*), it is used in three different descriptive phrases: the “lords and nobility” (*páni* and *šlechtice*), “lords and squires” (*páni* and *panoše*), and “lords, knights, and squires” (*páni*, *rytíře*, and *panoše*). These Czech terms are used frequently throughout the century, and only occasionally are Latin terms used in clear enough parallel for the terms to be matched. Yet, their meaning is critically important for determining who was and who was not included in the estates, and who could participate in the assemblies.

Pán is still used today to denote lords, and it can very simply be understood as the upper nobility.⁶³ Because titles did not enter the Bohemian and Moravian context until the seventeenth century, it is not possible to describe this group with the array of titles customary in other kingdoms. Yet, the families that were included in this designation were commonly agreed upon, and their status and their lands were recorded in the land rolls.⁶⁴ The term *šlechta* (or *šlechtice*) appears far more rarely in the documents examined in this dissertation, and can be translated directly as nobility.⁶⁵ Although both the terms *šlechta* and *pán* may refer to members of the upper nobility, they denote the nobility in different ways. *Páni* refers to the lords as individual, countable men, while *šlechta* (or *šlechtice*) refers to the nobility as a group. The term *pánstvo*

⁶² For a short summary of this period, highlighting the role of Prague in the early years, see František Šmahel, “The Hussite Revolution (1419-1471),” in *A History of the Czech Lands*, Pánek et al, eds., 158-160.

⁶³ *Pán* is translated into Latin as *domines*, although it seems in the fifteenth century to be denoted in documents by the Latin *magnatibus*, as well as the German *herren*.

⁶⁴ For further explanation and a comparison between the use of titles in Bohemia, Austria, and other parts of the Empire, see Petr Mat’ a, *Svět české aristokracie, 1500-1700* (Prague: Nákladatelství Lidové noviny, 2004), 60-62. Until 1500, the list of *páni* in the land rolls remained open, but after that point membership was limited to the existing families (until after the Battle of White Mountain in 1620). Mat’ a, *Svět české aristokracie*, 53.

⁶⁵ The equivalent is *Adel* in German.

also exists to refer to the upper nobility in particular, and although it comes up rarely, when it does appear I have translated it as peerage.⁶⁶ The *páni* always retained the right to participate in assemblies, and are easily recognized as the highest estate.⁶⁷

The terms knights (*rytíře*) and squires (*panoše*) present different problems. While the term *rytíře* can be readily translated as knights, the diminutive form of the word lord (*pán*), *panoše*, presents more issues.⁶⁸ The defining characteristic of the *panoše* is that they possessed noble status – visible in the right to use the adjectives “noble” (*urozený*) and “renowned” (*slovutný*) – and possessed the means and standing to develop military and clerical skills.⁶⁹ Although they were not often capable of supporting their family from their personal property – if they were, they might have been called *zemané* as well – they supported themselves in service to wealthier noblemen, cities, the court, or as mercenaries.⁷⁰ By the later fifteenth century, they served according to negotiated contracts, and could move on to a different position when the term of the contract was complete.⁷¹ Although they may also have taken up businesses in the cities and towns, as long as they retained their wealth and freedom they retained their status.⁷²

The knights (*rytíře*) were the highest group within the lower nobility. The estate eventually became eponymous with this group, and the term knightage (*rytířstvo*) developed as

⁶⁶ I have chosen the term peerage to reflect the close relationship between *pán* and *pánstvo*, and to reflect the aspect of the Czech meaning indicating that the group forms a single body. The English term has a fifteenth century origin, and is appropriate here. *Dictionary.com unabridged*, based on *The Random House Unabridged Dictionary* (Random House, 2018), “peerage,” accessed August 4, 2018, <https://www.dictionary.com/browse/peerage?s=t>.

⁶⁷ Čornej, *Velké Dějiny vol. 5*, 52.

⁶⁸ *Rytíř* is related to the German word *ritter*. František Šimek, *Slovníček staré češtiny* (Prague: Orbis, 1947).

⁶⁹ Macek, *Jagellonský věk vol. 2*, 68.

⁷⁰ Macek, *Jagellonský věk vol. 2*, 70.

⁷¹ Macek, *Jagellonský věk vol. 2*, 72.

⁷² Macek, *Jagellonský věk vol. 2*, 74.

an umbrella term.⁷³ In general, they were wealthier than the squires, and did not necessarily earn their living strictly in service to others. Yet, there could be tremendous variation within this group. The knights performed a range of services in the kingdom, from serving as *hejtmany* of the various regions and castles, to working as a royal chamberlain or secretary, to performing similar tasks for lords or wealthier knights.⁷⁴ Yet, despite this variation, they formed a group due to the shared privileges that they had been granted by the king or margrave, and the ceremonial and symbolic functions that they were thus entitled to perform.⁷⁵ Essentially, the knights' social function was similar to that of knights elsewhere in Europe, with the caveat that they explicitly had the right to participate in their assembly.⁷⁶

Returning to Emperor Sigismund's letter from 1415, we see that he addressed not only the lords, but also members of the lower nobility, and that the lords and nobles (as a more inclusive category) acted together in important or attention-grabbing matters, such as protesting Jan Hus's execution. The terms knightage, nobility, knight, and squire recur frequently in documents throughout the century.

The evolution of the expected participation of these groups in decisions can be seen in the Diet of Časláv that took place a few years later. While the cities of Prague held a position above the other cities of the kingdom and had been occasionally included even in deliberations in the

⁷³ The term *pánstvo* also emerged, but does not appear in any documents examined here. "Pánstvo," *Staročeský slovník* (Prague: Academic, 1968-2008), accessed August 4, 2018, <http://vokabular.ujc.cas.cz/hledani.aspx>, and "rytířstvo," *Staročeský slovník* (Prague: Academic, 1968-2008), accessed August 4, 2018, <http://vokabular.ujc.cas.cz/hledani.aspx>.

⁷⁴ Macek, *Jagellonský věk* vol. 2, 56-57. See Introduction for discussion of the term *hejtman*.

⁷⁵ Macek, *Jagellonský věk* vol. 2, 50-58, provides numerous examples of the activities of the knights.

⁷⁶ For treatment of the knights in the sixteenth century, see Václav Bůžek et al, *Společnost českých zemí v ran novověku: Structure, identity, konflikty* (České Budějovice: Nakladatelství lidové noviny, 2010); Robert Šimůnek, *Reprezentace české středověké šlechty* (Prague: Argo, 2013); Václav Bůžek, Josef Hrdlička, Pavel Král, Zdeněk Vybíral, *Věk urozených: Šlechta v českých zemích na prahu novověku* (Prague: Paseka, 2002). For the most part, these works do not differentiate between the various groups that are present in the lower nobility in the fifteenth century.

early fourteenth century, the proceedings of the Diet of Časláv reflect a new prominence for the cities. This diet was called in 1421 in order to provide for a temporary government during the transition to a new king, which the participants expected to happen later that year.⁷⁷ It was attended by both Utraquists and Catholics, included representatives from all of the groups that were beginning to form the “estates,” and specifically rejected Emperor Sigismund as a candidate for king. The document begins “we the mayors, councilmen, and communities of the Old and New [Cities of] Prague, Konrad [of Vechta], by the grace of God archbishop of the church in Prague and legate of the papal see,” and then launches into a list of noblemen, knights, and representatives of specific towns or town interests, “together with the other lords, knights, squires, cities and communities (*obcemi*).”⁷⁸ This represented one of the few times that the archbishop of Prague is mentioned among the signatories of the estates. The deposition of Konrád of Vechta as archbishop in this very year, because he had sided with the Utraquists at this assembly, and the inability to consecrate a replacement until 1561, cannot be overlooked in the disappearance of the archbishop of Prague from later documents.

The proceedings of the Diet of Časláv are also one of the first key examples of including a wider array of Bohemians in the key decisions of the kingdom. The most prominent city represented was Prague, and indeed during this period Prague was able to exert considerable

⁷⁷ It actually took a further fifteen years.

⁷⁸ “My purkmistři konšelé i obce Welikého a Nowého měst Pražskýchů Konrad, boží milostí arcibiskup kostela Pražského a papežské stolice legat,” “s jinými pány, rytieři, panošemi, městy i obcemi.” AČ III, 226-227. The following translations from this document are based upon the translations in Thomas Fudge, ed. *The Crusade against Heretics in Bohemia, 1418-1437* (Burlington, VT: Ashgate Publishing Company, 2002), 118-119, but I have generally retranslated much of the document from the original. I follow Fudge in translating *obec* as community, although this term has a different valence in Czech than in English. *Obec* means community in the sense of a commune or corporate body, recognized in some form, but not necessarily given formal status. The version of the document cited as the source of Blažena Rynešová, *Listář a Listinář Oldřicha z Rožmberka vol. I: 1418-1437* (Prague, 1929), 38, #55, is *Historica Třeboň* sign. 230a, which is a contemporary copy of the original, and as such has no seals. The *Archiv Český* version cites a copy from the mss. of the duke of Lubkovitz, and I am unable to verify its seals.

influence, but other “cities and communities,” as well as multiple noble groups, were specifically included as well.⁷⁹ It is important here to differentiate between the various communities that are often included in these documents. In the proceedings here, the terms city (*město*) and community (*obec*) are used, but the term town (*městečko*) also comes up occasionally.

On one level, these three different types of community can be differentiated by recognized status. A city received that designation after it had been granted a charter and specific rights by the king.⁸⁰ To be termed a royal city – the highest possible status for a city and the type of city that appears by name in conjunction with the assembly – a city needed to have been granted the right to be subject to no one but the king (or in Moravia, the margrave).⁸¹ By around the year 1500, there were 32-36 royal cities in Bohemia (lists vary), while at this time there were six margravian cities in Moravia.⁸² There were also “subject cities” (*poddanská města*) which were subordinated to various lords, as well as towns (*městečka*), which had also been granted official status, but not all of the privileges of a city.⁸³ When these urban communities appear in relation to the estates and the assemblies, they can appear in a variety of forms. If the list goes beyond the three basic categories (lords, knights, and cities), it will often also include towns and communities (*obci*). The term *obec* applies to communities such as Tábor before it achieved the status of a royal city, and is used to refer to the communities of

⁷⁹ František Šmahel, "The Hussite Revolution (1419-1471)," in Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands*, 147-169.158-160; AČ III, 226-230, #24; Fudge, *Crusade Against Heretics*, 118-119 (my translation).

⁸⁰ By the fifteenth century, these rights included a seal, privileges concerning markets, the right to use red wax, and, most importantly, the designation as a royal city free from any intermediate authority.

⁸¹ A discussion of the 32-40 royal cities in Bohemia as of 1502 can be found in *Josef Macek, Jagellonský věk v českých zemích, 1471-1526, vol. 3: Města* (Prague: Academia, 1998), 21-22. Different contemporary writers included different cities on their lists, as Macek explains. A list of the six royal cities in Moravia as of 1517 can be found in *Macek, Jagellonský věk vol. 3*, 23, where he points out that some Moravian cities had been royal cities that had become subject to lords during the fifteenth century.

⁸² *Macek, Jagellonský věk vol. 3*, 21-23.

⁸³ Estimates of the number of subject cities and towns ca. 1500 vary widely, from 110 total (51 subject cities and 59 subject towns) to as many as 380 total subject cities and towns. *Macek, Jagellonský věk vol. 3*, 24.

Prague instead of or in addition to referring to the three individual cities of Prague. All of these formulations can be seen in some form in the proceedings of the Diet of Časláv.

The temporary government set up by the Diet of Časláv was intended to rule until “September 28 immediately following,” or sooner if a new king were found earlier, a mere three and one-half months after the assembly took place – or sooner if a new king were found earlier, although in reality it was another fifteen years until a king was agreed upon.⁸⁴ This government was made up of twenty men: five were drawn from among the lords, four represented the city of Prague, and eleven were listed by name without specifying any social group from whence they came, although none of the names indicate that they came from particularly prominent families.⁸⁵ These men included Utraquists, both moderate and radical, as well as Catholics, and two priests were appointed as mediators.⁸⁶ This formulation relied on a specific understanding of who constituted a specific group, whether or not there was a term for it, and how they ought to participate in the administration of the kingdom. It is also worth noting that on the twenty-man ruling council that made up this government, the various groups were expected to come together “for the management, establishment, and for all of the affairs of the crown and the Bohemian kingdom.”⁸⁷ Thus, they were to jointly form a government.

In a separate section, the proceedings of this diet also explicitly referred to the different groups whose participation was necessary for the election of a king – essentially the highest task which any group or assembly could be asked to undertake. The participants vowed not to accept Emperor Sigismund as king unless:

⁸⁴ AČ III, 226-230, #24; Fudge, *Crusade Against Heretics*, 119-120.

⁸⁵ AČ III, 228, #24; Fudge, *Crusade Against Heretics*, 119.

⁸⁶ Although both priests were Utraquists, they represented opposite ends of the spectrum. AČ III, 228, #24; Fudge, *Crusade Against Heretics*, 119. They are in no way referred to among the estates in the document.

⁸⁷ “K zprávé, k zřiezní a k všelikaké způsobě koruna a králowstwie Českého.” AČ III, 228, #24.

If God should allow it, the will and voice of the renowned city of Prague, the lords of Bohemia, the community of Tábor, the knights, the squires, the cities, and the other communities of Bohemia (which already did accept and will continue to accept the truth of the articles noted above), should first [be known] in this.⁸⁸

The participants are thus confirmed as 1) the lords of Bohemia, 2) the knights and the squires, and 3) the city of Prague and the community of Tábor (a main radical Utraquist center not yet awarded city status), and the other cities and communities willing to accept the Four Articles of Prague. These participants could have been Utraquist or Catholic in their practice, so long as they accepted the validity of the Four Articles of Prague.⁸⁹

I have here categorized these different groups in a way that reflects the three groups that formed the ruling council. The first that was named was the city of Prague; while its participation was particularly important, it still ought to be grouped with the other cities. The lords of Bohemia were listed next as a specific group, separated in the list from the lower nobility (the knights and the squires) by the “community of Tábor.” The specific mention of the community of Tábor is unusual, but may have been done in part to emphasize the participation of radical Utraquists, and because the very recently founded community was not yet a city.⁹⁰ This marks the knights and the squires as two groups similar in status to each other and different from the lords. Like the unnamed cities, they are placed at the end of the list, marking them as lower in precedence. Yet, they are grouped together, indicating that they shared some common standing.

⁸⁸ “Lečby pán buoh ráčil, a wuole i hlas najprwé byli k tomu slawného města Pražského, pánuow Českých, obce Tábořské, rytieřów, panoši, měst i jiných obcí Českých kteříž a kteréž sú již přistupili a ještě přistúpie ku prawdám artikuluow swrchupsaných.” AČ III, 228, #24; Fudge, *Crusade Against Heretics*, 119 contains a poorer translation.

⁸⁹ See the explanation of the Four Articles of Prague in Chapter 1.

⁹⁰ Tábor was made a city by Emperor Sigismund in 1437.

The proceedings also called for an assembly of Bohemian priests in order to correct the problems within the Church, and demanded that all preachers in Bohemia must adhere to the commands of the assembly and the Four Articles of Prague, but did not mention priests as a specific group that could participate in the election of a king or whose agreement to that election was necessary.⁹¹ Indeed, no bishop or archbishop was included in the group electing the king, even though the bishop of Prague was a signatory of the document. We can surmise that to some extent, this is a reflection of the third article of Prague, which sought a reduced role for priests in worldly affairs.⁹²

Later assemblies required that this vision of social organization be confirmed by every ruler of Bohemia until the seventeenth century, because they required these rulers to agree to uphold the Basel Compacts (which embodied the Four Articles of Prague). While many rulers upheld the Basel Compacts only grudgingly, and a portion of the inhabitants of Bohemia and Moravia preferred to follow Roman doctrine, the sentiments that they embodied were ever present in the discourse, and were reinforced by the diminution of ecclesiastical power that stemmed from the absence of an archbishop in Prague for 140 years (which itself was primarily caused by disagreement over the Basel Compacts). Here, we can see a direct impact of the vacancy at the head of the Church in Bohemia on the development of the other institutions in the kingdom – particularly the estates, the assembly, and the monarchy.

⁹¹ AČ III, 229, #24; Fudge, *Crusade Against Heretics*, 120.

⁹² For further examples from this period, see Figure 2. The Third Article of Prague, as related in the proceedings of the Diet of Čáslav prior to this list of signatories, stipulated that “inasmuch as many priests and monks rule over temporal property with secular power, against the commandment of Christ and in defiance of their priestly office and to the detriment of the secular state, we insist that such improper domination be taken away from the priests and the practice stopped.” Fudge, *Crusade Against Heretics*, 118.

Although the 1421 Diet of Čáslav had intended to create the appropriate circumstances for the election of a new king, no new king was elected that decade. Emperor Sigismund was finally given conditions for his election by the Valentine's Day assembly in Jihlava in 1435, but the editions of neither these conditions nor Emperor Sigismund's reply to them give us insight into who participated in their issuance.⁹³ However, Emperor Sigismund was more specific when calling a new assembly in December 1436, to be convened in the new year. Emperor Sigismund specifically addressed his letter to his "dear noble loyal men!" asserting that he did so "at the request of all of the lords, *zemané*, and communities (*obci*) of our Bohemian kingdom coming here into the land."⁹⁴ He here recognized the three main groups of people concerned with the convocation of an assembly, and also requested, as king, that this assembly "be proclaimed in the markets throughout the cities and towns."⁹⁵

It is important to discuss here what Emperor Sigismund meant by the *zemané*, a term that is extremely common throughout the century. Čornej states that from the fourteenth century, the term could be applied to anyone who held lands registered in the land rolls.⁹⁶ This definition could apply equally to the highest nobility, and to families whose properties were barely enough to support them. Indeed, in the fourteenth century, both the term *zeman* and the term *vladyka* – a term uncommon in the fifteenth century documents related to the assembly, but which denoted a status characterized by the possession of a heraldic sign – could also be used to describe lords and the peerage (*pánstvo*).⁹⁷ By the fifteenth century, however, with the increasing use of the

⁹³ František Palacký, *Urkundliche Beiträge*, vol. 2 (Prague: Bei Friedrich Tempsky, 1873), 440-441, #940, 445-448, #946.

⁹⁴ "Urozený věrný milý! K žádosti všech pánów, zeman a obcí králowstwie našeho Českého sem do země přijewše." AČ I, 45, #55.

⁹⁵ AČ I, 46 #55.

⁹⁶ Čornej, *Velké Dějiny vol. 5*, 54.

⁹⁷ Macek, *Jagellonský věk vol. 2*, 58, 64.

written vernacular, *zeman* began to be used for a particular type of person who was noble by birth, possessed a heraldic emblem, and was defined by his possession of land, but who was lower in status than the knight (who had been knighted and carried additional privileges).⁹⁸ This status was particularly common in Moravia, but appears frequently in Bohemia as well.

The *zemané* even expressed their role in the *sněm* as they understood it in 1437.⁹⁹ A copy of the document housed in Třeboň indicates that it represented “the request of the *zemané* to [his] Grace the Emperor.”¹⁰⁰ The *zemané* began by asserting “that we beseech you, dear lords, to deign to be a help to us, so that we might remain in the freedoms and rights of this land.”¹⁰¹ In addition to expressing concerns over taxes and military service, the *zemané* also expressed concern with their ability to receive justice and the different burdens that participation in assemblies and justice placed on those of lesser means. They wrote:

To your Grace and to you lords: could this *sněm*, could this *sjezd*, about these land matters be called to order at the intended time, as then there would be no delay for this called *sněm*. [This should happen] because some *zemané* cannot further remain through a delay of the scheduled *sněm* on account of need and the cost of living, and they must leave. [The assembly] was called for all the lands, but with only a few people remaining from the regions, indeed [the proceedings] cannot be [undertaken] by the will of all.¹⁰²

The *zemané* were concerned that the failure of the upper nobility to observe their promised appearances created hardships. This letter shows that the lower nobility actually attended assemblies, and that their attendance was expected. Indeed, the *zemané* imply that their

⁹⁸ Macek, *Jagellonský věk* vol. 2, 64-65.

⁹⁹ The terms *sněm* and *sjezd* are used to describe the assembly in this period. As these terms have taken on different connotations in modern Czech (*sněm* means assembly and is the root of the word for parliament, *sněmovna*, while *sjezd* refers to a congress or convention), I have retained the original words.

¹⁰⁰ AČ III, 445, #27; HT sign. 404a.

¹⁰¹ “Milí páni, žádáme, abyste nám ráčili pomocní býti, abychme zuostaweni byli při těch swobodách i řádech této země.” AČ III, 455, #27.

¹⁰² “JMt i wás pánów, kdyžby měl býti který sněm o zemské které věci, aby sjezd prowolán byl k určenému času, a tím sněmem swolaným aby nebylo dleno. Neb skrze to prodléwáníe uloženého sněmu pro potreby a pro ztrawu mnozi zemené nemohu dlúho zuostati a musejí odjeti; a tak potom niekoľiko osob z krajów zuostanúce, i swolé na wšicku zemi, ano wsech wuole nebude. To také račte opatřiti, aťby se to nedálo.” AČ III, 455, #27.

participation was required in order for any decisions made to include the consent of the local leaders, which they further imply was necessary. Complaints about delays would become more common after Emperor Sigismund's death in December 1437, but at the time this letter was sent, the king bore much of the responsibility for administering the kingdom, so the delay is not discussed as affecting the stability of the kingdom, but only as a hardship for those attending the assembly.

The edited version of the conditions sent to King Albrecht for his election in late 1437 also bears no information about the senders (although the editors gloss them as the estates), and his reply was simply addressed to the agents of the Bohemian kingdom.¹⁰³ However, when finalizing negotiations for his election and coronation in June 1438, King Albrecht stated:

We profess publicly before all who would see, read, or hear it, that as the noble, brave, illustrious, and prudent lords, knights, squires, cities, and all the communities of our Bohemian kingdom, observing and clearly finding our rights and just due, both of which we have according to [these] our documents, treaties, and commitments, we have the rightful and natural inheritance of this above named kingdom; and also all *the lords, zemané, and cities of this our kingdom of our ancestors elected and chose us* as one of them, as did our most enlightened duchess and lady, lady Elizabeth our wife, in one voice for their and this kingdom as the rightful and powerful lord king.¹⁰⁴ (My italics)

He clearly considers these groups – the lords, the knights, the squires, the cities, and the communities – to have a share in the administration of the kingdom, and in assuring his succession. He indeed shortened this description to the “lords, *zemané*, and cities,” later in the document, implying that the other mentioned groups all fell into these three categories.

¹⁰³ AČ III, 459-461, #30-31.

¹⁰⁴ “Wyznáváme tiemto listem obecne přede všemi, ktož jej uzříe nebo čtúce slyšeti budú, ž jakož urození, stateční, slowútní a opatrní, páni, rytieři, panoše, města i všecka obec králowstwie našeho Českého, znamenawše a zřetedlně shledawše práwa a sprawedlnosti naše, kteráž a kteréžto my po zápisiech, zámľuwách i zawázaních našich i také všech pánuow, zeman a měst tějož králowstwie našeho předkuow.” František Palacký, *Archiv Český vol. VI* (Prague, 1872), 449, #48.

King Albrecht presents a tripartite division that is different from the “three orders.” In this formulation, we again see the terms knights and squires grouped, and being subsumed within the term *zemané*. The various umbrella terms used to describe the lower nobility in this period continued to shift. As *zemané* had traditionally been used to describe someone whose lands were registered in the land rolls, it functions here as both an umbrella term, and as a means of clarifying that anyone whose lands were recorded in the land rolls could participate.

When announcing a *sněm* for the election of a king in 1440 (although at that moment no elected king accepted the position), the participants in the *sněm* in Prague were very specific about who they were; they were “the lords, knights, *zemané*, squires, [and] cities of the Bohemian kingdom.”¹⁰⁵ This formulation was used four times in this four hundred and fifty word document, without variation. It shows some differences from the list included in the proceedings of the Diet of Časláv nineteen years earlier, notably the absence of named cities or communities and the inclusion of the *zemané*. Yet, these changes do not affect the fundamental understanding of the groups involved in administering the kingdom and electing the king: the lords, the lower nobility, and the cities of the kingdom.

As there was no king throughout the 1440s, these groups were able to assert their role without royal opposition. From the 1440s forward, the inclusion of these groups, either by listing the three shorter forms or by enumerating their various sub groups, became standard in Bohemia. One new development that does occur after 1440 is the transition to the new term

¹⁰⁵ “I jiní páni, rytieři, zemané, panoše a města králowstwie Českého.”
AČ I, 263-264, #4.

knighthood (*rytířstvo*) for describing the lower nobility, which appears more often in documents from later in the century.¹⁰⁶

Why did this expansion take place, and why were they the groups that became included? The Hussite Wars certainly played a role, primarily as they created the environment for some redistribution of lands away from the Church, the assertions of greater authority by the cities, and the weakening of the monarchy and ecclesiastical structures. Yet, this environment does not on its own explain why participation in assemblies became more wide-spread. It is clear that in this new environment, the participation of these groups and their consent was important for legitimizing decisions. In the absence of leadership from the two traditional pillars of authority in a Christian kingdom, leadership fell to the upper nobility, and they sought support from men from the cities and the lower nobility.

A Comparison of the Estates in Bohemia and Moravia

Most of the above calls for participation concern only Bohemia. In each of the other crown lands – Moravia, Silesia, and both Lusatias – the groups that constituted the estates were recognized differently. In this dissertation I do not examine Silesia and Lusatia except in passing, but the distinctive developments in Moravia deserve some attention. One of the most important differences between how the estates were defined in Bohemia and how they were

¹⁰⁶ Out of the twenty-seven documents examined in Figure 2, the *zemané* appear six times, in AČ III, 209-210, #15; AČ III, 256-259, #36; AČ III, 264-267, #39; AČ III, 395, #1; AČ III, 455, #27 and Historica Třeboň 404a; AČ I, 263-264, #4. The squires appear ten times, in AČ III, 225-226, #23; AČ III, 259-261, #37; AČ III, 264-267, #39; AČ III, 267-268, #40; AČ VI, 421-422, #25; AČ III, 295, #1; AČ VI, 33, #46; AČ III, 455, #27; AČ VI, 449, #48; AČ I, 263-264, #4. The knights (*rytiři*) appear seven times, in AČ III, 225-226, #23; AČ VI, 421-422, #25; AČ III, 395, #1; AČ I, 45, #55; AČ VI, 444, #46; AČ VI, 449, #48; AČ I, 262-264, #4. The term *rytiři* more often appears with the squires than with the *zemané*, and fewer than half of the times the squires appear are they alongside the *zemané*. Examples discussed in Chapters 5 and 6 include AČ X, 276, #29 (1464); AČ X, 303, #65 (1490); AČ IV, 488, #22 (1478); Aktová Sběrka Archiv Města Kutné Hoře, kart. 1, #147, Státní Okresní Archiv Kutná Hora (hereafter Aktová Sběrka AMKH) (1478); Aktová Sběrka AMKH kart. 2, #167 (1481); Aktová Sběrka AMKH kart. 2 #183 (1482); Aktová Sběrka AMKH kart. 2 #297/1 (1499); Aktová Sběrka AMKH kart. 2 #297/2 (1500).

defined in Moravia is that Bohemia was an elective monarchy, while Moravia was not. Thus, while the estates gathering at assemblies in Bohemia had pressing reasons to determine who could participate in elections, those gathering in Moravia did not. The estates in Moravia also held many assemblies, but attendance was less clearly defined than it was in Bohemia.

During the 1410s and 1420s, documents issued by Moravia alone often included fewer groups from the lower nobility or the cities than did documents issued by Bohemia alone or the two principalities together.¹⁰⁷ For example, the Diet of Časláv met in Bohemia in 1421 and issued its proceedings from named representatives, followed by “together with the other lords, knights, squires, cities and communities.”¹⁰⁸ In this same year, a land peace agreement was issued in Moravia by Emperor Sigismund (presumably as margrave of Moravia, although the title seems not to have been employed), the bishop of Olomouc, the duke of Opava, the *hauptman* of Moravia, the burgrave of Magdeburg, and many other named members of the nobility.¹⁰⁹ This document was not issued by the estates or assembly of Moravia by name, but it is an indication of the key people necessary to secure a general peace. Included prominently among these were the bishop of Olomouc and other key figures recognized by their titles, as well as members of the upper nobility, but no designated representative of a city within Moravia. The proceedings of the Diet of Časláv also included the archbishop of Prague (before he was deposed) and the bishop of Litomyšl, but had specifically designated a government that included

¹⁰⁷ AČ III, 184-185, #4; AČ III, 187-193, #6; AČ III, 193-195, #7. Examples include AČ III, 182-183, #2 (1415); AČ III, 183-184, #3 (1415); AČ III, 234-237, #27 (1421); AČ X, 246-247, #5 (1421); AČ VI, 414, #19 (1425).

¹⁰⁸ AČ III, 227; Fudge, *The Crusade Against Heretics*, 118-119.

¹⁰⁹ AČ X, 244-245, #5.

representatives of Prague, the upper nobility, and the lower nobility, and the assembly also included the participation of other cities and communities.¹¹⁰

Land Peace Agreements such as this were set up in order to ensure order and provide for mutual protection when traditional governing structures were lacking.¹¹¹ Both Bohemia and Moravia tried to restore order in 1421, but in very different ways. In Bohemia, an assembly was called that specifically disavowed rule by the crowned king of Bohemia, Emperor Sigismund, and set up a ruling body comprised of men specifically drawn from the lords, the city of Prague, and leading men not described as lords. The proceedings were issued by the two bishops of the kingdom, the leading officials, and the key men and cities, who in doing so arrogated power to themselves.¹¹² The land peace agreement issued in Moravia, however, was different in many ways. It was specifically issued by Emperor Sigismund, alongside the *hauptmann* of Moravia, the bishop of Olomouc, the duke of Opava, and the burgrave of Magdeburg, but it makes no mention of being issued from an assembly, nor did it include any representatives of the cities or

¹¹⁰ AČ III, 227; Fudge, *The Crusade Against Heretics*, 118-119.

¹¹¹ Brunner discusses land peace agreements on a number of occasions. Echoing and challenging J. Gernhuber, he describes them as “the first ‘laws’ of the medieval state, hence an essential step towards the modern state and the ‘formation of an unarmed, peaceful society.’ But just as with other written laws of the Middle Ages, one must ask whether they were more than a program, and whether their provisions were really put into force.” (Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, trans. and intro. Howard Kaminsky and James Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1984), 15-16; Joachim Gernhuber, *Die Landfriedensbewegung in Deutschland bis zum Mainzer Landfrieden von 1235* (Bonn, 1952)) Clearly, the land peace agreements in Moravia reflect the “relapse into self-help” that Brunner describes, but Brunner’s distinctions between these agreements on the imperial vs. territorial level do not fully apply. His dichotomy of options – either the feud or the court – to redress grievances does not seem to apply in Bohemia either, where the *sněm* often resolved grievances, and land peace agreements provided for redress of grievance should a signatory not uphold their agreements, and when the court was often in abeyance. (Brunner, *Land and Lordship*, 28) Additionally, the land peace agreements in Moravia seem to have gone far beyond simply limiting feuds by appropriating the rights to confirm privileges. For further examination of the role of the land peace agreement in Bohemia and Moravia, see Zdeněk Beran, *Landfrýdní hnutí v zemích české koruny: Snahy o zajištění veřejného pořádku a bezpečnosti ve středověké společnosti* (Hradec Králové: Veduta, 2014), specifically *Landfrýdní hnutí*, 13-29, as well as Zdeněk Beran, *Boleslavský Landfrýd 1440-1453: Krajský landfrýdní spolek v pohusitských Čechách* (Hradec Králové: Veduta, 2011).

¹¹² AČ III, 228, #24; Fudge, *Crusade Against Heretics*, 118-119.

the lower nobility. These documents indicate that in 1421, the participation of different groups was required to secure peace in Bohemia and Moravia.

Even in 1434, when another land peace agreement was drawn up in Moravia at the end of the Hussite Wars, the classifications we saw in Bohemia in 1435 were not in use.¹¹³ The key signatories to this treaty included King Albrecht (made margrave of Moravia by Emperor Sigismund in 1423), the bishop of Olomouc, the duke of Opava, the *hauptman* of Moravia, and many named lords and members of the lower nobility, but again no representatives of the cities.¹¹⁴ Similarly, the issuers of the record of the February 1437 *sněm* in Brno are specific about those participating. They describe themselves as “the lords and *zemané* of the margraviate of Moravia, chosen among themselves; the reverend in God, father priest Pavel, Bishop of Olomouc; lord Vaněk of Boskovic, *hejtman* of the margraviate of Moravia; twelve lords and twelve *zemané*, as the below agenda names.”¹¹⁵ Although no Moravian cities participated, it is evident that the *sněm* had come to include the *zemané*, and that in choosing a smaller representative body, the *sněm* selected an equal number of lords and *zemané*. Still, this shows a marked departure from developments in Bohemia, where by the late 1430s the cities and communities, often led by Prague, were consistently included as well.¹¹⁶

¹¹³ For examples of documents issued from Moravia in the 1430s and 1440s, see Figure 4. Examples include: AČ X, 250-254, #6; AČ X, 254-256, #11; AČ X, 256-258, #12; AČ X, 262, #15; AČ X, 263, #16; AČ X, 263, #17.

¹¹⁴ AČ X, 250-251, #6. Albrecht of Habsburg became king only after the death of Emperor Sigismund, but for clarity he is consistently referred to as King Albrecht.

¹¹⁵ “Páni a zemané margkrabství Moravského na sněmu obecním Brněnským vydali jsou z sebe zůstojného v Buoze otce kněze Pavla biskupa Olomuckého, pana Vaňka z Boskovic, hajtmána margkrabství Moravského, dvanadete pánův a XII zeman, jakož se duole pořad jmenují,” AČ X, 254, #11.

¹¹⁶ For examples of documents issued by both Moravia and Bohemia in the 1430s and 1440s, see Figure 3. Examples include: AČ III, 397-398, #3 (1433); AČ III, 398-413, #4 (1433); AČ III, 427-431, #12 (1433); AČ III, 434-436, #14 (1433); AČ III, 445-446, #20 (1436); AČ III, 446-449, #21 (1436); AČ X, 258-261, #11 (1446).

Yet, despite the exclusion of the cities from these groups in purely Moravian matters, when a dispute needed to be settled by arbiters and representatives of both Bohemia and Moravia in 1440, the cities were acknowledged among the Moravian participants. Named among those on the “Moravian side” are

Father and lord, priest Pavel, Bishop of Olomouc, and the noble lords, lord Jan of Cimburk and of Tovačov, *hauptman* of the Moravian Margraviate, and other lords, knights, squires, cities, and all the prelates of the Moravian land with all their servants and subjects [both] spiritual and worldly.¹¹⁷

This formulation closely mirrors that seen contemporaneously in Bohemia, except for the key addition of the prelates. In the same document, the Bohemian participants are described as

The noble lords, Lord Hynek of Perkštejn and of Polné, Lord Percholt of Lipé, highest marshall of the Bohemian kingdom, Lord George of Kunštát and Poděbrad, Lord Bohuš of Postupic and Litomyšl, Pardus of Vratkov and Rychmburk, priest Bedřich of Strážnice, and the cities Poličko [sic] and Mýto, also with all their servants and subjects, both spiritual and worldly.¹¹⁸

Both descriptions include named lords and the highest officials in the kingdom, but the similarities end there. The Bohemian list does not, in this context, extend to “others” not present. Additionally, while the Bishop of Olomouc led the Moravian list, the only priest included in the Bohemian list is a Hussite priest of Moravian origin, while the Moravian list also incorporated other prelates in its general provision. This represents the Moravian side a nod to the participants incorporated in Bohemian documents, but without specifying any actual interested parties of lesser standing. On the Bohemian side, only those interested in this matter, who nonetheless include members of all three groups, were included.

¹¹⁷ “Otec a pan kněz Pavel biskup Olomucký, a urození páni, pan Jan z Cimburga a z Thovačova hauptman markrabstvie Moravského, a jiní páni, rytieři, panošě, města a všichni prelátové země Moravskej se všemi jich služebníky a poddanými duchovními i světskými,” AČ X, 258, #13.

¹¹⁸ “A urození páni, pan Hynce z Pírgšteina a z Polné, pan Pericholt z Lippé najvyššie maršálek královstvie Českého, pan Jiřík z Kunstatu a z Poděbrad, pan Bohuše z Postupic a z Lithomyšle, Pardus z Vratkova a Richenburga, kněz Bedřich z Strážnice, a města Poličko [sic] a Mýto, také se všemi svými služebníky a poddanými, duchovními a světskými.” AČ X, 258, #13.

After 1421, the prelates are rarely as visible in Bohemia as in other parts of Europe, but they were more visible in Moravia. The bishop of Olomouc retained significant power in the margraviate, and was a witness and participant in many of the key land peace agreements and proclamations in the principality. Yet, the prelates seem to have appeared in documents primarily from the 1440s, and although they were included, they were almost never named.¹¹⁹ It is not clear from these documents who comprised this group. While a few prominent monasteries existed in Moravia, their abbots did not have substantial power outside their local communities.¹²⁰ Thus, although the prelates were included separately among those participating in the assemblies, and clearly held a distinct status, it is not clear that their group encompassed a large number of participants even in Moravia.¹²¹ Despite the small number of prelates, however, the continued presence of the bishop of Olomouc, whose reach increased as the office assumed some of the administrative functions of the archbishop of Prague, also affected the participation of ecclesiastical figures. The bishop of Olomouc features prominently – often alongside the margrave of Moravia or the *hauptman* of Moravia – in documents issued throughout the century.¹²²

¹¹⁹ The exception is the land peace agreement issued by the Brno *sněm* in 1496, which included two named abbots and one named provost. AČ X, 320-325, #76.

¹²⁰ Indeed, under no dynasty did any abbey obtain the status of the official royal, or margravian, burying place.

¹²¹ For occasions when the prelates were included, see AČ III, 434-436, #14 (1435 – “prelates” was used when the estates in Prague wrote to the Council of Basel); AČ X, 254-255, #11 (1437 – “prelates” used in the Moravian portion of a set of signatories to a document issued to settle a dispute between Bohemia and Moravia); AČ X, 256-258, #12 (1440 – a Land Peace agreement from the Brno *obecní sněm*, which mentions both abbots and prelates); AČ X, 263, #17; AČ X, 265-266, #19; AČ X, 271, #24; AČ X, 276, #29; AČ X, 279-280, #37; AČ X, 296-297, #59; AČ X, 303, #65. The bishop of Olomouc is mentioned in AČ X, 256-258, #12, as well as AČ III, 234-237, #27; AČ X, 246-247, #5; AČ X, 250-254, #6; AČ X, 263, #26; AČ X, 269-271, #23; AČ X, 278, #34; AČ X, 301-302, #63.

¹²² The bishop of Olomouc appears in AČ III, 234-237, #27; AČ X, 246-247, #5; AČ X, 250-254, #6; AČ X, 256-258, #12; AČ X, 263, #16; AČ X, 265-266, #19; AČ X, 269-271, #23; AČ X, 278, #34; AČ X, 279-280, #37; AČ X, 301-302, #63. He appears alongside the *hejtman* of Moravia in AČ X, 278, #34.

Indeed, even after 1440, the Moravian estates were not confirmed in a four-part division. In the 1440s, leadership of the kingdom and the margraviate were still disputed. Yet, by 1453 King Ladislaus had been fully instituted as king, and had visited both realms. Upon leaving Bohemia and Moravia to return to Austria in 1455, King Ladislaus appointed *hejtmany* to govern as his deputies in his absence. When granting this position to Jan of Cimburk and a council in Moravia, he

Command[ed] all the prelates, lords, knights, squires, and cities of our already named Margraviate, the religious [men] and our dear loyal men, that the above-named Jan of Cimburk, *hejtman*, and our previously mentioned council, each according to his status, that they be absolutely and completely obeyed in that which relates to the above-written matters, regulations, rights, and freedoms, until the previously mentioned time, preserving our grace.¹²³

This formulation clearly included all of the groups included in Bohemia, as well as the prelates. In commanding obedience from his people, these are the categories of person that King Ladislaus considered worth addressing.¹²⁴

Despite King Ladislaus's inclusivity, these four groups were not completely established in Moravia at this time. Although the role of the lords and for the most part the lower nobility stabilized, the role of the prelates and the cities continued to fluctuate through the 1480s.¹²⁵

To some extent, who was included among the estates depended upon who was issuing the document and the purpose for which it was being issued – further indicating that membership in

¹²³ “Přihazujem všm prelátóm, pánóm, rytieřóm, panošem i městóm již psaného našeho markrabství, nábožným a věrným našim milým, aby nadepsaného Jana z Cimburka hajtmána a radd mašich již psaných každý vedle svého řádu aby poslušni byli ovšem a úplně, což se svrchu psaných věcí, řádu, práv a svobod dotýče, do času již řečeného pod zachováním sašie milosti,” AČ X, 266, #19.

¹²⁴ For more examples from the 1450s and 1460s, see Figure 4. Examples include AČ X, 265-266, #19 (1455); AČ X, 269-271, #23 (1456); AČ X, 271, #24 (1456); AČ X, 274-275, #28 (1464); AČ X, 276, #29 (1464).

¹²⁵ For examples from the 1450s, see Figure 4, including AČ X, 265-266, #19 (1455); AČ 269-271, #23 (1456); AČ 271, #24 (1456). For examples from the 1470s and 1480s, also see Table 4, including AČ X, 278, #34 (1473); 278-279, #36 (1477); AČ X, 279-280, #37 (1477); AČ X, 284-286, #49 (1484); AČ X, 296-297, #59 (1487); AČ X, 301-302, #63 (1489); AČ X, 303, #65 (1490); AČ X, 320-325, #76 (1496).

the estates was not yet completely established. While one might be led to suggest that when a topic was understood to affect the entire margraviate, all four estates were included, as we see with George of Poděbrad's 1464 document concerning the *berní* (tax) issued at the Brno *sněm*, there are counterexamples as well.¹²⁶ For example, when issuing a similar document even twenty-five years later in 1489, King Matthias addressed only the bishop of Olomouc, the lords, and the knightage.¹²⁷

For the most part, however, this understanding does hold, if not perfectly, from at least the 1470s. Peace agreements from the 1470s, 1480s, and 1490s, both those with and those without the monarch, generally include all four estates.¹²⁸ The documents issued after 1487 more consistently addressed a carefully described group of four estates: the lords, the knights, the prelates, and the cities, often headed by the bishop of Olomouc, sometimes accompanied or replaced by the *hejtman* of Moravia.¹²⁹

While the groups considered to be participants in the great affairs of the kingdom were generally recognized, the presence of a particular group in a particular situation was less so. Even before the Hussite Wars, the lords were involved in almost all decisions and decision-making bodies, but the presence of the lower nobility, as well as cities and prelates, was not yet so clear. After the 1430s, the formulation does not seem to vary significantly in Bohemia (until it was challenged by the establishment of the Vladislav Land Ordinances in 1500), but in Moravia the participation of the various groups was less consistent until nearly the end of the century.

¹²⁶ AČ X, 276, #29.

¹²⁷ AČ X, 301-302, #63.

¹²⁸ AČ X, 279-280, #37 (1477); AČ X, 296-297, #59 (1487); AČ X, 320-325, #76 (1496). See Figure 4.

¹²⁹ See AČ X, 301, #63 and 303, #65, for examples.

In both Bohemia and Moravia, the upper nobility, the lower nobility, and the cities came to form key, distinct groups in the estates. Yet, these changes did not happen at the same time. In both principalities, the Hussite Wars challenged the existing social order. Yet, the prominence of Prague and the greater number of free royal cities in Bohemia contributed to a quicker (informal) recognition of the cities as an estate with the right to participate in assemblies.

At the same time, the absence of an archbishop in Prague or a bishop in Litomyšl, nor any strong abbots in Bohemia, led to the disappearance of the clergy as a separate estate in Bohemia. In contrast, the presence of a strong bishop of Olomouc in Moravia led, haphazardly, to the inclusion of the bishop and eventually other prelates as a separate estate in Moravia. The variations in participants and in how long it took for participation to become established reflected the slightly different power structures in the two principalities, and how those power structures affected the course of institutional development.

Conclusions

The role of the various estates changed over time, and yet their distinctiveness and participation were clearly recognized during the fifteenth century. To the traditional participation of the lords was added the distinct groups of the lower nobility and the cities, and in Moravia the prelates. By the fifteenth century, decisions were no longer influenced by one group collectively known as the barons, but by multiple groups, sometimes recognized according to seven or eight distinct classifications, and sometimes recognized by three distinct supergroups: the lords, the knights, and the cities. After the participation of these groups was established in the first half of the fifteenth century – even if it varied occasionally in Moravia – it was commonplace for the rest of the century.

The roles played by various institutions in societies, and indeed the specific machinations of those institutions, can be easily overlooked as long as obligations continue to be performed normally. Yet, when those functions are interrupted – as when an episcopal see is vacant for 140 years or no head of state is recognized as legitimate – the way in which the institutions that underpin and organize how societies function is also disrupted and altered, and often brought to the notice of those who would otherwise have had no reason to acknowledge the institutions explicitly.

This chapter shows the interconnectedness of the various institutions that structured society in fifteenth century Bohemia and examines how the estates evolved as the functions of the Church and the monarchy ceased to operate normally. In this context, the participants in the estates changed, and as a collective they not only began to ensure the succession of leaders in the other institutions, but indeed ensured the functions of those institutions as well.

The estates were not collectively called by this name except by later commentators, but they were clearly recognized by each other according to the names given to each estate – the lords, the knights, the cities, and (in Moravia) the prelates. They banded together in administrative units, ruling councils, and through land peace agreements, and, as will be seen in the following chapters, they reformed the administration of the kingdom to allow it to continue in the changed situation. In this way, they continuously reasserted their authority and their collective power. This power often supported the other institutions in turmoil, but could also be used to resist the changes brought on by that turmoil.

CHAPTER 3
**“Into the Power of the Bohemians”:
The Role of the Bohemian Assembly in Electing the King**

Succession in a kingdom is not always cut and dried, even when it progresses by primogeniture. Yet, the potential for dispute increases considerably when the new king must be elected. When election is not accomplished in the previous king’s lifetime, the period between kings can lead to a power vacuum as multiple parties vie for power. In later medieval central Europe, the arbiters of this power vacuum were often a pre-determined group meeting in an assembly. These assemblies varied considerably in time, place, and purpose, and also in those who participated therein.

Examining succession practices in an elective monarchy gives historians a window into who was considered a great stakeholder in the society. By examining the allocation of electoral privilege by status and geography, and how these privileges were codified, we can assess at least one perspective on the valuation of participation in the institutions of governance. For comparison, by the later thirteenth and fourteenth centuries the imperial electors were established as seven of the greatest ecclesiastical and secular lords in the Empire, including the king of Bohemia.¹ In Bohemia, participation in elections followed participation in the assemblies, and thus mirrored the expansion of the estates examined in Chapter 2. While the leading men and the city of Prague undoubtedly had disproportionate influence, a much wider array of men and communities participated in the election of the king, and in other matters related to the “common

¹ The Golden Bull of 1356 identified the electors as the Archbishop of Mainz, Archbishop of Trier, Archbishop of Cologne, King of Bohemia, Count-Palatine of the Rhine, Duke of Saxony, and Margrave of Brandenburg. Charles IV, “The Golden Bull,” in *Readings in Medieval History*, 3rd ed., ed. Patrick Geary (Orchard Park, NY: Broadview Press, 2003), 663-685, and E. F. Henderson, *Select Historical Documents* (London: George Bell, 1894), 225-257. As I show in Chapter 1, these electors (except for the king of Bohemia) had all been identified in the mid-thirteenth century *Sachsenspiegel* as well, and the king of Bohemia’s electoral privileges had been confirmed by grants in the last decade of the thirteenth century.

good” of the kingdom. We see evidence of this participation and the negotiations involved in electing a king in the conditions sent to kings for their election in the century between the death of Wenceslas IV and the first years of Ferdinand of Habsburg’s rule in the sixteenth century.

The Bohemian barons had a long history of electing first their duke, and later their king. The 1216 election of Wenceslas I as his father’s heir introduced primogeniture as the basis for succession, but it also cemented the role of the barons in consenting to that succession through an election process.² This was seen also with the election of Wenceslas I’s heir Přemysl Otakar II later in the century, although the circumstances of the untimely deaths without adult heirs of Přemysl Otakar II and his son and grandson Wenceslas II and III precluded the formal preparation of considered election assemblies for the rest of the century.³

It is clear, however, that although election was not exercised explicitly in the later thirteenth century, the right was maintained. It was reasserted by the barons in 1306 after the assassination of Wenceslas III, and exercised freely over the following four years as three candidates vied for the Bohemian throne.⁴ This principle is also evident when King John settled the succession of his various territories in 1341, presenting his son Charles IV as his heir before an assembly gathered in Prague. While this was not quite an election, it carried with it the consent of the estates gathered at the assembly, and so functioned similarly.⁵ The electoral

² Antonius Boczek, *Codex Diplomaticus et Epistolaris Moraviae II* (Olomouc, 1839), 88-89, #71 (hereafter CDM II).

³ Josef Žemlička, “The Czech State in the Era of Přemyslid Princes and Kings (from the Beginning of the 11th Century to 1306),” in *A History of the Czech Lands*, ed. Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands* (Prague: Charles University in Prague Karolinum Press, 2014), 107-108. Přemysl Otakar died in battle when Wenceslas II was almost seven years old, and Wenceslas II died when his son was not quite sixteen years old. Wenceslas III was assassinated one year later.

⁴ Hermenegildus Jireček, *Codex Juris Bohemici II/1* (Prague, 1896), 9-10, #1 (hereafter CJB II/1).

⁵ CJB II/1, 117, #105; Charles IV, “Charles IV of Luxembourg *Autobiography*,” in *Readings in Medieval History*, 3rd ed., ed. Patrick Geary (Orchard Park, NY: Broadview Press, 2003), 659; CJB II/1, 199, #81. I use the term estates here because of the wide array of people included, as discussed in Chapter 2.

principle was also maintained and codified by Charles IV in his Golden Bull of 1356, as was recalled by Charles IV's granddaughter in the attempts to have her son elected in the early 1440s.⁶

The participation of a wide array of people in the assemblies that elected Bohemian kings had a significant impact on the conditions that were submitted to candidates for the throne, and thus on what these candidates were expected to prioritize as king. These conditions reflected various religious and economic motivations, as well as concerns for good governance and stability. In this chapter, I argue that the assembly provided the opportunity for participants to maintain and expand their rights by submitting conditions for election to candidates for the Bohemian throne. The various sets of conditions submitted between 1435 and 1526 show remarkable similarities in their key provisions, with minor provisions changing as circumstances changed throughout the century. The purpose of these conditions was to confirm the rights of various groups within the kingdom, and most important to assure good order in the kingdom.

Conditions of Succession

The untimely deaths of many kings and intermittent warfare in fifteenth century Bohemia make it an ideal time and place to examine the issues associated with succession in an elective monarchy. Over the course of the century, five kings were elected and crowned in Prague, accompanied by 29 years of outright civil war and nineteen years when either a viable alternative candidate held significant support, or a minor was king or heir presumptive. This does not

⁶ In October 1355, Charles IV and his brother John Henry did confirm that the throne would pass to John Henry's line if Charles IV died without issue. This was agreed in return for the king ceasing efforts to pass the *Maiestas Carolinae* law code. B. Mendl, *Regesta Diplomatica nec non Epistolaria Bohemiae et Moraviae* vol. 6, fasc. 1 (Prague, 1928), 82-87, #143-148 (hereafter RBM VI); CIB II/1, 409-110, #475-476; Petr Kreuz and Ivan Martinovský, eds., *Vladislavské Zřízení Zemské: a navazující prameny (Svatováclavská smlouva a Zřízení o ručnicích) Edice*, Jana Vojtíšková, language revision (Prague: Scriptorium, 2007), 18-22 and 473.

include the first nineteen years of the century, when King Wenceslas IV, having been deposed as king of the Romans in 1400, faced significant turmoil, rebellion, and occasional imprisonment in Bohemia as well.⁷ Nor does this count the twelve years when the king of Hungary, although not ruling Bohemia, was awarded the title King of Bohemia and was heir presumptive, pending election (until he predeceased the other king of Bohemia). The coronation of each new king in the century (1435, 1438, 1453, 1458, and 1471) was punctuated by civil war, and half of them were accompanied by periods of interregnum.⁸

Following his brother Wenceslas IV's death in 1419, succession laws favored electing Emperor Sigismund, also king of Hungary, as king of Bohemia. Yet, his reaction to Utraquism had alienated many, and kept him from attaining universal consent to his rule for nearly two decades, until representatives from Bohemia forged agreements with the Council of Basel and Emperor Sigismund, which were then memorialized in Emperor Sigismund's election as king of Bohemia in 1436.⁹

The three elections conducted between 1435 and 1440, two of which resulted in a king accepting the throne, indicate the most important concerns of the estates, as well as the issues on which they hoped to be able to bind the king's decisions. For each of the elections, the electing assembly presented conditions to which the prospective king was required to agree before he would be officially elected. The conditions were set for Emperor Sigismund at the 1435

⁷ Martin Nejedlý, "Václav IV. a pansy jednota. Část první, Barvy všecky," *Historický obzor* 10:11/12 (1999), 242-249; Martin Nejedlý, "Václav IV. a pansy jednota. Část druhá - Králová koruna krásná jest věc, ale těžká," *Historický obzor* 11:1/2 (2000), 8-15; Martin Nejedlý, "Václav IV. a pansy jednota. Část třetí - "Račiž, králi, poslušati—," *Historický obzor* 11:3/4 (2000), 68-75; Jaroslav Čechura, *České země v letech 1378-1437 II. Lucemburkové na českém trůně II* (Prague: Libri, 2000), 38-40, 49-57; Lenka Bobková and Milena Bartlová, *Velké dějiny zemí koruny české, volume 4b: 1310-1402* (Prague: Paseka, 2003), 350-361; Petr Čornej, *Velké Dějiny Zemí Koruny České, volume 5: 1402-1437* (Prague: Paseka, 2010), 72-79.

⁸ See Figure 5 for the reigns of each king alongside the disorders of their reigns or accompanying interregna.

⁹ See Chapter 1 for further details.

Valentine's Day Diet, nearly eighteen months before negotiations for his accession were completed.¹⁰ His son-in-law, King Albrecht, was sent conditions in December 1437, immediately following Emperor Sigismund's death, and replied shortly thereafter, but he was not able to take the throne until June 1438.¹¹ After King Albrecht's unexpected death in October 1439, Duke Albrecht of Bavaria–Meissen was offered the throne with a set of conditions in the summer of 1440, and he responded shortly thereafter, accepting many conditions but rejecting the throne.

While the conditions sent to each king varied in minor ways, they all addressed a number of key points. These key points included 1) the Four Articles of Prague and the Basel Compacts (concerning religious practice); 2) the consecration of an archbishop in Prague, since the seat had been vacant since 1421; 3) the status of Moravia; 4) the privileges and properties that had changed hands in the Hussite Wars; 5) the appointment of officers in the kingdom; 6) and the role of the Bohemians as advisors.

The first and most important demand sent to each candidate was agreement to the Four Articles of Prague in accordance with the Basel Compacts, including the demand that members of the estates not be compelled to abandon the Four Articles of Prague. The conditions the assembly initially sent to Emperor Sigismund went further. They demanded that “the emperor with his officials shall take communion *sub utraque specie*,” essentially asking him to convert to

¹⁰ See Thomas Fudge, ed. *The Crusade against Heretics in Bohemia, 1418-1437* (Burlington, VT: Ashgate Publishing Company, 2002), 384-385, for an English translation. See František Palacký, *Urkundliche Beiträge zur Geschichte des Hussitenkrieges in den Jahren 1419-1436*, vol. II (Prague: Friedrich Tempsky, 1873), 440-441, #940, for the Latin original.

¹¹ Emperor Sigismund died on December 7, 1437, only sixteen months after he began to rule in Bohemia. His son-in-law, King Albrecht, was his chosen successor, but the transition was not smooth. King Albrecht had been quickly crowned in Hungary on January 1, 1438, and his election as Holy Roman Emperor followed on March 18, 1438, yet his election in Bohemia took much longer. Petr Čornej and Milena Bartlová, *Velké Dějiny Zemí Koruny České*, vol. 6: 1437-1536 (Prague: Paseka, 2007), 40, 42.

Utraquism, and that “whoever does not take communion *sub utraque specie* shall be compelled by the emperor to do so.”¹² Emperor Sigismund could not agree to that, but he could agree that

In addition, as regards the kingdom and the margraviate, those who often take communion in one kind (*sub una specie*) will not be restrained against their own will and freedoms, lest a confused mixing follow, but communion in both kinds (*duplicas specie*) will be maintained in those places where it was not preserved in the past.¹³

He refused to expel Catholics from towns, but did say that communion in one kind (*sub una*) would not be promoted in Utraquist strongholds, and promised to protect Utraquist practice more widely. The negotiated response to this condition formed the basis for conditions sent to later candidates for the throne.

When electing King Albrecht a few years later, the assembly only demanded adherence to the Compacts of Basel and protection against compulsion towards or away from either religion.¹⁴ King Albrecht agreed, adding that the archbishop of Prague should be a man

Who would also ordain both [kinds of] disciples, who would then be so kind as to give out the body and blood of God, and [would] also [give communion out] in one kind, according to the compacts; whatever the compacts and treaties made between the Basel council and the Bohemian kingdom and Moravian margraviate attest and hold, either about the four articles or about anything else, these things will be held and protected and defended by us.¹⁵

Essentially, his agreement to this condition laid the groundwork for the institutionalization of Utraquist practice in Bohemia, and his promises reinforced the idea that both Utraquists and

¹² Fudge, *The Crusades Against Heretics*, 385.

¹³ “In super communicantes sub una specie in saepe tactis regno et marchionatu, ne confusa sequatur permixtio, contra proprias illorum voluntates et libertates non sustinebuntur, sed dumtaxat in locos, in quibus commnio duplicas speciei temporibus retroactis non servabatur, sustinebuntur.” Palacký, *Urkundliche Beiträge*, vol. II, 445-448, #946. For a different published English translation, see Fudge, *The Crusades Against Heretics*, 384, for the estates’s demands, and Fudge, *The Crusades Against Heretics*, 386, for Sigismund’s response.

¹⁴ František Palacký, *Archiv Český, volume III* (Prague: Kommissí u Kronbergra I Řiwnáče, 1844), 459-460, #30 (hereafter AČ III).

¹⁵ “Kterýžby také žáky oboje světil, ježtoby tělo a krew boží vydávali, i také pod jednu způsobú, wedle kompaktat, Cožkoli kompaktata a smlúvy mezi zbořem Basilejským a kráľowstwím českým a markrabstwím morawským učinění swědčí a držíe, budto o ty čtyři artikule neb o které jiné, že to má držáno a od nás bráněno a hájeno býti.” AČ III, 460-461, #31.

followers of Rome could live together, as agreed, and be protected by royal institutions.

Unfortunately, his death the following year affected the institutionalization of this process, and a perceived lack of respect for the parity promised here would form a key basis for the factionalization of the various parties in the kingdom a decade later.¹⁶

We can see the results of the negotiations represented in the conditions and replies. Each time they submitted conditions, the estates refined their demands slightly, even though these conditions were submitted only a few years apart. In 1440 the estates asked Duke Albrecht

that His Grace would deign to maintain for us what is provided for us by the Compacts of the Council of Basel, that we would cleave to these [compacts and] if [some]one wanted to compel us from these [compacts], that Your Grace would protect and defend us so that we would not be compelled.¹⁷

Duke Albrecht acquiesced, citing that he would follow the Council of Basel, declaring “Indeed, we want graciously to preserve and to protect and to defend it [the Basel Compacts] [with the power] proceeding from our noble status.”¹⁸ He thus promised that he would uphold the agreements, but notably promised to do so with the power of his noble and not his presumptive royal status. This shows a careful calculation on his part: he neither alienated the Bohemian estates by refusing to protect their rights, nor did he alienate Emperor Frederick III or the infant heir-presumptive Ladislaus Posthumous by presuming a higher status than he held.

A shift in the tone of the demand is also clear by 1440. When writing to Emperor Sigismund in February 1435, the estates had asked that he support Utraquism at the expense of Catholicism. By December 1437, when demands were sent to King Albrecht, this had been

¹⁶ See Chapter 4 for a detailed examination of this breakdown.

¹⁷ “Aby JMt, což z kompaktat má nám od konciliu Basilejského jíti, o to státi ráčil, aby nám to šlo, a my abychme w tom zachováni byli; a jestližeby nás kto od toho tisknuti chtěl, aby nás JMt hájila a bránila, abychme ot toho tištěni nebyli.” “a všem jiným pánóm a panošiem w Čechách a w Morawě,” František Palacký, *Archiv Český vol. I* (Prague, 1840), 266, #7 (hereafter AČ I).

¹⁸ “Przitom chceme ge milostiwie zachowati a ohraniowati y hagiti wedle wsseho nasseho urozenie.” *Historica Třeboň*, sign. 490b, Státní Oblastí Archiv Třeboň (hereafter HT).

significantly tempered and included the provision that Utraquists not be forcibly converted to Roman doctrine, a far cry from attempting the legal conversion of all Bohemians to Utraquist practice. The condition submitted to Emperor Sigismund concerning conversion to Utraquism would not recur in any future election negotiations. Instead, the assembly simply requested a confirmation of the Basel Compacts, summarizing briefly the disputes that had caused and continued the seventeen year civil war. This continued to be a key demand put before each king until the defeat of Bohemian forces at the Battle of White Mountain in 1620.¹⁹

Another of the conditions put before these candidates for the throne was the confirmation and consecration of Rokycana as archbishop of Prague. He was elected in 1435 after the archdiocese in Prague had been vacant for fourteen years. Thus, his consecration was not yet an issue when the estates laid their conditions before Emperor Sigismund, but by 1437 his consecration had become an important obstacle in the way of the proper administration of the Church in Bohemia.²⁰ King Albrecht promised to help, saying “we want to be of assistance to him in this” by helping him be consecrated, so that he would ordain both Roman and Utraquist priests.²¹ The main way in which King Albrecht planned to do this was by sending Rokycana before the Council of Basel to defend himself and to be consecrated there.²² Yet, King Albrecht was not able to follow through, and Rokycana was never consecrated, nor was any other archbishop of Prague until 1561.

¹⁹ Examples through 1526 are discussed in this chapter. For later sixteenth century agreements to similar provisions, see the “Gentlemen’s Agreement” of 1575 and Rudolf II’s 1609 Letter of Majesty. Maximilian Lanzinner, “Das konfessionelle Zeitalter, 1555-1618,” in *Gebhardt Handbuch der deutsche Geschichte*, volume 10, edition by Rolf Höfele (Stuttgart: Letter Cetta, 2011), 94-95; Jiri Just, *9.7.1609 Rudolfův Majestát Světla a stíny Naboženské Svobody* (Prague: Havana, 2009)

²⁰ AČ III, 459-460, #30.

²¹ “Chceme spilností o to state pomocní býti.” AČ III, 460, #31.

²² “Indeed also we leave him be and we want to be of assistance to him in this.” “Przitom take geho nechame a gemu w tom chczme pomoczim byti.” HT sign. 490b.

The other key conditions related to worldly rather than spiritual matters. The first of these was the legacy of the civil war as it concerned Moravia. Emperor Sigismund's decision to grant Moravia to King Albrecht in 1423 had alienated Moravia from the Bohemian crown by placing it under the authority of someone other than the accepted king or his close dynastic relative.²³ The estates at the Valentine's Day Diet demanded of Emperor Sigismund that "Moravia should be restored to the Kingdom of Bohemia," implying that its alienation was more permanent than simply an early bestowal on an heir.²⁴ Emperor Sigismund did not address this demand in particular, but rather throughout his response wrote of the "Kingdom of Bohemia and the Margraviate of Moravia," asserting his authority over both, yet never directly addressing their separation.²⁵ Kings of Bohemia since Přemysl Otakar I had retained their authority over Moravia even while it rested in the hands of family members, but the writers of these conditions clearly indicate that restoration went beyond rule of the same suzerain.

One of the reasons that King Albrecht's election was so contentious in 1438 was his earlier acceptance of the margraviate of Moravia and his related participation in wars against the Utraquists. The Bohemian estates demanded of him: "[concerning] Moravia, that the documents and obligations that [Your Grace] has for Moravia should be released and should be returned to the Bohemian crown, and those documents that [His Grace] has for Moravia should be given

²³ František Šmahel, "The Hussite Revolution (1419-1471)," in Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands*, 159; Čornej and Bartlová, *Velké Dějiny*, vol. 6, 40-41. Moravia and Bohemia had been united since the eleventh century, when a system was set up whereby younger members of the ruling dynasty would be given lordship over one of the major Moravian regions, and would then stand in line for the throne according to seniority succession. Sigismund made use of an analogous practice to bestow Moravia upon King Albrecht. See Dušan Třeštík, "The Czech State in the Era of Přemyslid Princes and Kings (from the Beginning of the 11th Century to 1306)," in Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands*, 84-85; Lisa Wolverton, *Hastening Toward Prague: Power and Society in the Medieval Czech Lands* (Philadelphia: University of Pennsylvania Press, 2001), 186-187. I discuss the relationship between Bohemia and Moravia and the status of Moravia in the fifteenth century in detail in Chapter 5.

²⁴ Fudge, *The Crusade Against Heretics*, 384.

²⁵ Fudge, *The Crusade Against Heretics*, 385-387.

back.”²⁶ In this condition, the Bohemians clearly express their affinity for Moravia, and their desire to have the margraviate under Bohemian control – marking that control as different from the authority vested in the king. They also emphasize the importance of the physical documents granting King Albrecht authority in Moravia, reflecting an understanding of the value of possession of these physical objects as well as their symbolic role in giving title to the property under dispute.²⁷

King Albrecht agreed to return Moravia to the Bohemian crown, but only in a manner that would safeguard his authority. He submitted

Our answer, [concerning] this land: that although we made howsoever many great and measureless expenses for the preservation of these lands and lost a good many people, that because of honor and entreaty and their request, we want to take with us the principal document and edict (*majestát*) that we have for this land. Upon our coronation, we willingly give it into the power of the Bohemians to join the other documents and privileges of the Bohemian kingdom, so that in this way they may experience the love and affection that we have for this crown.²⁸

By promising to return Moravia only upon his coronation, symbolized by possession of the document that functioned as a deed to the land, King Albrecht assured that his coronation would take place promptly. The physical grant bestowing possession of the territory clearly had a symbolic power of its own. By retaining possession of this document, King Albrecht retained possession of Moravia separately from his title to Bohemia. By returning the document, he would reunite them. This fifteen-year alienation of Moravia from Bohemia was only one such

²⁶ “Morawa swých zápisuow a zawázání aby prázdna byla a k koruně České nawrácena, i ti listowé zase dáni, kteréž na Morawu má.” AČ III, 459-460, #30.

²⁷ This concept would recur in agreements concerning Moravia later in the century as well. See Chapter 5 for details.

²⁸ “Odpověď naše, že zemi té ke cti a ku prosbě a žádosti jich, ač sme koliwěk weliké a nesmierné náklady pro zachowání té země učinili a mnoho dobrých lidí ztratili, chcme list hlavní a majestát, kterýž máme na tu zemi, s sebou wzieti, a při korunowání našem k jiným listóm a privilegím králowstwí Českého dobrowolne w moc Českú položiti, aby tudy naši lásku a přichylnost, kteréž máme k té koruně, poznati mohli.” AČ III, 460-461, #31.

period in the fifteenth century, and we will see in Chapter 5 how possession of Moravia became a tool for asserting authority in the region.

The estates gathered at these assemblies were also concerned about the properties and privileges that had changed hands since 1419. During the Hussite Wars, a great deal of property changed hands, privileges were granted and altered, and debts were taken out. The estates asked King Albrecht to recognize the real and symbolic power of these lands and castles removed from Church and royal control, and to return to the kingdom those that belonged to it.²⁹ In his response, King Albrecht promised to uphold debts and to confirm oral promises, and he also specifically promised that

Concerning the other castles that were alienated from the crown, we care about their return, etc. We would like to do this with your help and advice, since we understand well that in [doing] this we are doing good, that we contribute to ourselves, and also to the land and to the [general] benefit and good.³⁰

He does not promise to restore the *status quo antebellum* with regard to the many possessions that had changed hands locally, as indeed returning these properties to their pre-1419 owners was contrary to the economic interests of most of the members of the estates.³¹ Instead, he promised to return to local control those possessions that had been assumed by non-locals.

King Albrecht also makes mention here of the good of the land. One of the key concerns of both those submitting and those receiving conditions was the common good and the welfare of

²⁹ “That he deign to keep all the debts and records in the land of Emperor Charles, King Wenceslas, and Emperor Sigismund, of famed memory, which Your Grace issued either for the kingdom or for the Church, which were published with your knowledge and will; that you would deign to uphold [these] as [the documents] attest, [the documents] which His Grace wrote either on behalf of the kingdom or the clergy,” “wšecky dluhy a zápisy w této zemi slawné paměti ciesaře Karla, krále Wáclawa i ciesaře Sigmunda, kteréž JMt zapsal buďto na králowství neb na duchowenstwie, ježto sú s jeho swědomím a wuolí wyšly, ty aby ráčil držeti, jakož swědčí.” AČ III, 459-460, #30.

³⁰ “O jiné zámky, jakož sú od koruny odtrženy, abychom o jich nawrácení stáli etc. to chcme s waší radú a pomoci rádi učiniti; neb dobře rozumieme, co w tom dobrého učiníme, že sobě i té zemi k užitku a k dobrému přispoříme.” AČ III, 461, #31.

³¹ Čornej, *Velké Dějiny* 5, 658-659; František Palacký, *Archiv Český VI* (Prague: Kommissí knihkupec Fridrich Tempský, 1872), 449-450, #48 (hereafter AČ VI).

the kingdom. Although it's obvious that none of these people could simply eschew the common good and claim outright that their actions were instead focused on their private good, this emphasis nonetheless seems to be much more than a trope. One of the few things that all of the sides could agree on was that they were acting for the common good – even if each side had a very different understanding of the best way to do so. We see this idea of the common good in the widest possible sense, as well as in a more narrow sense, in these conditions. In such an unstable period, every major action should have the common good in mind, but each group was also concerned with that they perceived to be the common good for their group.

One of the key logistical issues for the estates was the appointment of officers and castellans within the crown lands. Like many of their conditions, the estates worded this demand most strongly when writing to Emperor Sigismund. The estates demanded that “No German ought to be received in any city or in any office, [but] it is permitted if they first took communion in both kinds (*sub utraque specie.*)”³² This request was not acceptable to Emperor Sigismund, nor could the estates have genuinely expected that it would be. Indeed, like many of the 1435 demands, it excluded followers of Rome from participation. However, Emperor Sigismund did concede that “benefices in the Kingdom of Bohemia and the Margraviate of Moravia ought not be conferred upon foreigners, but in response to this, in general the *jus collationis* ought to apply to the Bohemian king and to the inhabitants of the kingdom of Bohemia and the margraviate of Moravia by perpetual right.”³³ This compromise reflected the concerns of both religious groups,

³² “Nullus Teotonicus ad aliquam civitatem aut ad aliquod officium recipiatur, licet prius communicaverit sub utraque specie.” Palacký, *Urkundliche Beiträge*, vol. II, 440, #940. An alternate translation is published in Fudge, *The Crusade Against Heretics*, 384.

³³ “Beneficia non conferantur per extraneos in regno Bohemiae et in marchionatu Moraviae, sed omnino jus collationis eo respondet (sic) ad reges Boemos incolasque regni Boemiae et marchionatus moraviae jure perpetuo debet pertinere.” Palacký, *Urkundliche Beiträge*, vol. 2, 446, #946. An alternate translation is published in Fudge, *The Crusade Against Heretics*, 384, 386. The *jus collationis* refers to appointments made conjointly. Generally, it

and formed the basis for later conditions for other candidates, although he did not define foreigner.

The inhabitants of Bohemia and Moravia had recently been the target of considerable German forces led by Emperor Sigismund, leading them to oppose the elevation of Germans or other foreigners (such as Hungarians) to high office in Bohemia and Moravia. The provision that those Germans who took communion in both kinds could attain office is telling. While obviously religious practice was one concern here, it was not the only concern. Those taking communion in both kinds had clearly integrated into the Bohemian community, and thus were no longer foreigners. Therefore, these men were appropriate candidates for offices in the kingdom. Thus, the estates requested this condition out of concern for the common good, to ensure that the officers in the land would be concerned with local matters.

The estates similarly demanded of King Albrecht that foreigners not be appointed to Bohemian offices and castles.³⁴ King Albrecht agreed:

[Concerning the request] that we should entrust the offices and castles to the Bohemians who please us: Our response [is] that a foreigner should not be [appointed] to an office in the Bohemian lands, only a Bohemian [should be appointed], but that it should be held in the other lands attached to the crown as Emperor Charles and the other Bohemian kings, our ancestors, established, according to the documents and privileges given to them.³⁵

Unlike the demand sent to Sigismund, in which the estates' demand concerned "Germans," the conditions sent to King Albrecht concerned "foreigners," a distinction that further illuminates the

would apply to the appointment of bishops (invoking the Cathedral chapter and another authority), but in this case it seems to indicate that the appointment of officers would be done by agreement between the king of Bohemia and the inhabitants of Bohemia and Moravia.

³⁴ AČ III, 459-460, #30.

³⁵ "Abychom úřady a zámky Čechóm, kteřížby se nám líbili, poručili. Odpověď naše, aby cizozemec w Čechách na úřadě nebyl nežli Čech, ale w jiných zemích k koruně příslušejících aby bylo držáno, jakž jest ciesař Karel i jiní králowé Čestí předci naši to ustanowili, podlé listów a privilegií na to daných." AČ III, 460-461, #31.

meaning behind the word choice, as do both men's responses.³⁶ The goal was not to keep out Germans per se, and certainly not to keep out speakers of German, but rather to ensure that local people were appointed to local offices. Language does not seem to have been a concern at all, but rather how men of foreign origin would treat Bohemians and Moravians, particularly those following Utraquist practice.

Both Emperor Sigismund and King Albrecht ruled territories outside Bohemia, and both had led troops from those other territories in battle against Bohemians during the Hussite Wars, primarily to claim the throne for Emperor Sigismund. Thus, the estates asked both Emperor Sigismund and King Albrecht not to appoint men whose interests would likely align with the territories with which they had been associated far longer, rather than with the interests of the Bohemian kingdom. As both men agreed to this condition, saving where it affected their rights, this indicated that they understood that the most important part of the condition was that they not place people unfamiliar with Bohemia into positions of authority within the kingdom.

Duke Albrecht received a similar condition from the estates: "concerning the offices and castles that [Your Grace] has in this land, Your Grace might deign to appoint no one but Bohemians, who should please and seem appropriate to Your Grace; and [the same goes] for [Your Grace's] court as well."³⁷ They were primarily concerned that he would import his own

³⁶ They asked of King Albrecht that "[concerning] the offices and castles which His Grace has in this land, that he might deign to appoint them with no one but Czechs who will please and be fitting to His Grace;" "JMt kteréž úřady a zámky w této zemi má, aby neráčil na ty saditi jiných než Čechy, kteříž se JMti líbiti budú a zdáti," AČ III, 459-460, #30. "Y. Nullus Teutonicus ad aliquam civitatem aut ad aliquod officium recipatur, licet prius communicaverit sub utraque specie," Palacký, *Urkundliche Beiträge* vol. 2, 440-441, #940. Thomas Fudge translates the passage in Fudge, *The Crusade Against Heretics*, 384, but the translation is imprecise.

³⁷ "JMt kteréž úřady a zámky w této zemi má, aby neráčil na ty saditi jiných než Čechy, kteříž se JMti líbiti budú a zdáti; a na swém dvoře též." AČ I, 266-267, #7.

Bavarian administrators.³⁸ Duke Albrecht's reply to this condition was very brief, but also very clearly affirmative: "concerning the castles and offices: it would be pleasing to us to place Bohemians in them, that we would love to do this as well."³⁹ As each of these elections shows, the Bohemian estates were very willing to elect "foreign" kings, but wanted to ensure that their particular privileges and agreements would not be upset, nor would local opportunities for advancement and patronage be disrupted.

The estates made their concerns for their own privileges clear as well. They routinely asked that everything related to Bohemia be undertaken with the help and advice of its inhabitants.⁴⁰ King Albrecht responded by promising

that which in any way touches the Bohemian crown: we would love to take actions in this land with the counsel of the Bohemians, and we believe you that you will counsel and help us attentively, which will be for our honor and good and also for [the good of] this land,

and also by promising that

should we need to depart from the land to meet some obligation, we want to act and provide for this land according to your counsel. Should this happen, then we intend to take Bohemians with us as well, and to have [them] with us at court, and to show them our love and favor, as those whom we love.⁴¹

This was not a small promise from someone who had been fighting against many members of the Bohemian estates for fifteen years, and it represents an acknowledgement of their concerns.

This condition also reflects the principle enshrined in Charles IV's Golden Bull of 1356 that no

³⁸ Čornej, *Velké Dějiny* 5, 67-70; Bernd Rill, *Friedrich III. Habsburgs europäischer Durchbruch* (Graz, Verlag Styria, 1987), 41.

³⁹ "It. o zamky urzady Czechy osaditi kterziz by se nam k tomu libili ze to chcme take radi ucziniti." HT sign. 490b.

⁴⁰ This was not included in the conditions of the St. Valentine's Day assembly sent to Emperor Sigismund.

⁴¹ "Cožby se koliwěk této koruny České dotýkalo, to chcme rádi s radú Česku té zemi učiniti, a věříme wám, že nám s pilností raditi a pomáhati budete, což našeho i té země počestného a dobrého bude," and "ačbychom z země pro které potřeby odjeti musili, chcme podlé wašie rady jednati a tu zemi opatřiti. A pak, kdyžby se tak udalo, mienilibychom i Čechy s sebu wěsti, i při sobě na dvoře mieti, a jim milost a přiezeň naši jakož těm, kteréž milujem, okazovat." AČ III, 460-461, #31.

foreign prince could interfere with or be appealed to in order to resolve internal Bohemian matters.⁴²

The estates also set the same condition before Duke Albrecht. They asked “that Your Grace undertake everything related to this land with the counsel of the Bohemians.”⁴³ Of the three princes discussed in this period, he was the only one without a strong family claim to the throne. Duke Albrecht agreed to the demand, but with reservations. “As it should concern the crown, whether in worldly or spiritual matters we shall proceed with the counsel of the Bohemians in these lands, and we would love to do this, as long as we are able to do it according to the law and God.”⁴⁴ Thus, on the surface he acquiesced; however, he reserved the right to follow his own conscience or other counsel if he determined that the Bohemians’ advice was contrary to God. As he followed Roman religious practice and many Bohemians were Utraquists, the situation was likely to arise where he could claim that taking the advice of certain Bohemian men would be contrary to God, and he would then be able to act upon the counsel of men from outside Bohemia. Had Duke Albrecht accepted the throne, this would undoubtedly have been a concern.

These conditions were intended to ensure the peaceful functioning of the institutions of the kingdom of Bohemia under a new head. None of these conditions specifically addressed the role of the assembly or the estates therein. Yet, by accepting the right of the assembly to lay

⁴² “So, henceforth, no prince, baron, noble, knights, follower, citizen, burgher, or rustic – in short no person or inhabitant of the oft-mentioned kingdom of Bohemia, whatever be his standing, pre-eminence, dignity, or condition – may be allowed to appeal to any other tribunal from any proceedings, provisional or final sentences, or ordinances of the king of Bohemia or of his judges, instituted or promulgated, or henceforth to be instituted or promulgated against him, in the royal court or before tribunals of the king, the kingdom or the aforesaid judges.” Charles IV, “The Golden Bull,” 672-673.

⁴³ “Aby JMt ráčila o ty všecy věci s radú Čechuow země této učiniti.” AČ III, 459-460, #30.

⁴⁴ “It. czozby Coruny dotykalo, budto w swiedskych neb v duchownich wieczeh abychme to gednali s radu Czesku tee zemie ze to chceme radi ucziniti tak daleko czoz muozem wedle prawa a boha ucziniti.” HT sign. 490b.

conditions for election before them, these three candidates confirmed this privilege and further cemented the role of the assembly. Additionally, the confirmation of all of their previously granted privileges, while vague, lent the assembly further power. These conditions formed the basis upon which the estates worked with the king, and also upon which they could assure their own position. By securing the right to practice their religion, their exclusive hold upon offices, and their rights to advise and consent on Bohemian matters, the estates reinforced their positions.

Electing Ladislaus

Although the conditions set before candidates for the throne were created by the participants in the assembly to protect these participants' interests, the assemblies that produced them and that carried on the business of the kingdom were often contentious. Although the power dynamics of the assemblies of the 1440s and 1450s are discussed in detail in Chapter 4, it is important to introduce the key personalities here. A few men – Oldřich of Rožmberk, Menhart of Hradec, and Aleš of Šternberk, along with the increasingly prominent George of Poděbrad – dominated the political landscape during the 1440s.

Oldřich of Rožmberk (1403-1461) was one of the most important landowners in the kingdom, and had been the leading Catholic lord in Bohemia during the Hussite Wars. He was close to both Emperor Sigismund and King Albrecht, and had (with short exceptions in the 1420s) campaigned for their elections. He was also appointed as a *hejtman* of the kingdom under King Albrecht in 1439.⁴⁵ Oldřich of Rožmberk continued to play a key political role in the 1440s, but after George of Poděbrad's rise to prominence in the late 1440s, he resigned his role as head of his family in favor of his son Jindřich in 1451.

⁴⁵ AČ III, 463-464, #34.

Menhart of Hradec (1398-1449) was an Utraquist lord who nonetheless had worked as mediator between Emperor Sigismund and the Utraquists during the later years of the Hussite Wars, and he was rewarded with appointment as the Highest Burgrave of Prague (the highest office in the kingdom) by Emperor Sigismund in 1437.⁴⁶ He was also named a *hejtman* of the kingdom alongside Oldřich of Rožmberk by King Albrecht in 1439. He was removed from office by George of Poděbrad when that party took over in 1448, and he died shortly thereafter.⁴⁷ Although Menhart of Hradec was an Utraquist, his son and nephews became leading Catholics in the 1450s and 1460s.

During the first phase of the Hussite Wars, Aleš of Šternberk (1392/1394-1455) remained a Catholic, serving alongside Oldřich of Rožmberk on numerous occasions, and was one of the men, along with Menhart of Hradec, who urged the end of hostilities in 1434 before the Battle of Lipany.⁴⁸ Sometime in 1432, Aleš of Šternberk had converted to Utraquism, but he still maintained many of his earlier personal connections to Catholic nobles.⁴⁹ Along with a very young George of Poděbrad, he opposed the election of King Albrecht in 1438, but ultimately gave up his active opposition by the summer of 1439. He was extremely involved in the various assemblies of the 1440s, and supported George of Poděbrad's rise to power after Hynek Ptáček of Pirkštejn's death in 1444. He was also highest chamberlain of the Bohemian kingdom from

⁴⁶ Anna Kubíková, *Oldřich II. z Rožmberka* (České Budějovice: Vedita, 2004), 87. In Martin Šandera, *Hynce Ptáček z Píkrštejna – opomíjený vítěz husitské revoluce* (Praha: Vyšehrad, 2011), 23, Šandera notes that older scholarship calls Menhart of Hradec Catholic.

⁴⁷ Kubíková, *Oldřich II*, 121. See Chapter 4 for a detailed analysis of the ramifications of his death.

⁴⁸ Vít Koula, "Aleš Holický ze Šternberka. Šlechta a politik polipanské doby" Master's Thesis (Charles University, 2015), 19-21.

⁴⁹ Koula, "Aleš Holický ze Šternberka," 31; Kubíková, *Oldřicha II*, 85.

1437 (appointed by Emperor Sigismund) until his death in March 1455, after King Ladislaus had finally been crowned.⁵⁰

George of Poděbrad (1420-1471) was a generation younger than these other men – born after the Hussite Wars had begun. He participated in the Battle of Lipany at age fourteen, and at age eighteen opposed King Albrecht’s election as king of Bohemia. When Hynek Ptáček of Pirkštejn died in 1444, George of Poděbrad became the leader of the Utraquist party.⁵¹ As the election of a new king dragged on and the political tensions worsened throughout the 1440s, George of Poděbrad increased in power, taking Prague in late 1448.⁵² By the time King Ladislaus finally came to Prague and was crowned in 1453, George of Poděbrad had already been recognized as administrator (regent) of Bohemia by Emperor Frederick III, and he continued to serve as regent until King Ladislaus’s death in 1457, after which he was himself elected king.⁵³

When an assembly to elect a new king was again required after King Albrecht’s death, the leaders of the various groups, particularly Aleš of Šternberk and Oldřich of Rožmberk, carefully contained their disagreements and joined together in their call for unity with regards to choosing the king. Indeed, after informing Oldřich of Rožmberk that he and his party had heard about King Albrecht’s death, Aleš of Šternberk emphasized the need for the Bohemian estates to call an assembly as soon as possible, and specifically suggested that “everyone should be of the

⁵⁰ Kubíková, *Oldřicha II*, 115.

⁵¹ See Chapter 4 for further detail.

⁵² Čornej and Bartlová, *Velké Dějiny* vol. 6, 100.

⁵³ Otakar Odložilík, *The Hussite King: Bohemia in European Affairs, 1440-1471* (New Brunswick, NJ: Rutgers University Press, 1965), 60. George of Poděbrad died as king in 1471.

same mind.”⁵⁴ Aleš of Šternberk highlighted two important points: first, that the estates must again elect a king; and second, that this time, unlike with King Albrecht’s election, that king must be chosen by the different parties in concert.⁵⁵ His comment acknowledged that this unity might not come easily, but also emphasized its necessity.

The election of a new king would take more years than either Aleš of Šternberk or Oldřich of Rožmberk could have expected, particularly when candidates from outside Bohemia proved reluctant to take the throne instead of letting it pass to King Albrecht’s son Ladislaus. Although both Emperor Sigismund and King Albrecht had tried to take charge of Bohemian affairs, their limited tenure and many other responsibilities, coupled with the long fight for succession, had made that difficult. Twenty years after the outbreak of civil war, there was a strong desire to quickly choose a new king and stabilize the kingdom.

To this end, Oldřich of Rožmberk brusquely informed Aleš of Šternberk on November 20, 1439, that “it is not a secret to you that I was just now in [Jindřichův] Hradec with lord Ptáček and with the other lords who were here. Here, we agreed to a general *sněm* in the Bohemian lands for the first Sunday three weeks after this Sunday, [for which] we would be in Prague and your party would be in Mělník.”⁵⁶ The last clause highlights an important development. From this point forward, the emerging parties would often meet separately and only rarely resolved conflicts sufficiently to meet as a united group.⁵⁷ A joint assembly, however, was necessary to elect a king, and however divided the participants may have been, a

⁵⁴ “To všichni tomu zespolka srozuměji.” Blažena Rynešová, *Listář a Listinář Oldřicha z Rožmberka vol. II: 1438-1444* (Prague: Ministerstvo Školství a Národní osvěta, státní tiskárny v Praze, 1932), 46, #59. Literally this translates to “all understand this the same way,” but the meaning in Czech is much stronger than in English.

⁵⁵ Rynešová, *Listář a Listinář*, vol. II, 46, #59.

⁵⁶ “Tajno tebe nebud’, žet’ sem nynie v Hradci byl se panem Ptáčkem a s jinými pány, kteříž tu byli. Tu sme se svolili o obecný sněm v České země o této neděle najprv příští ve třech nedělích, abychme my v Praze a vaše strana byla v Mělnice.” Rynešová, *Listář a Listinář*, vol. II, 48, #62.

⁵⁷ I examine this development in detail in Chapter 4. Mělník is approximately 36 km north of Prague.

joint assembly was called to elect both Emperor Sigismund and King Albrecht – even if civil war accompanied both elections. In his reply to Oldřich of Rožmberk, Aleš of Šternberk warned him that in calling for an assembly three weeks away, he and his party were allowing too much time to elapse.⁵⁸

When Oldřich of Rožmberk had not yet arrived on the first day of the December 13 *sněm*, he was issued a safe conduct (*plný glejt a celě bezpečenství*) to ease his arrival, at the end of which the author, Jan Sekretář, lamented the delay that Oldřich of Rožmberk had just caused in the convocation of the *sněm*.⁵⁹ At that time, Oldřich of Rožmberk was one of the royally-designated *hejtmany* in the king's absence, so his absence meant the absence of the greatest land owner and one of the kingdom's governors from the proceedings.⁶⁰ He did eventually make his way to Prague, likely arriving during the last days of December 1439.⁶¹

This *sněm* that waited for his arrival was critical for establishing the elements that allowed for the administration of the kingdom until a king was elected.⁶² By January 29, 1440, this *sněm* had made and published a number of important agreements, with Oldřich of Rožmberk and Menhart of Hradec at the top of the list of signatories.⁶³ The articles they issued concerned the internal administration of the kingdom during the interregnum, and the most far-reaching and unique of these treated the disposal of offices. “Because we do not have a king, we come

⁵⁸ Rynešová, *Listář a Listinář*, vol. II, 46, #63.

⁵⁹ Rynešová, *Listář a Listinář*, vol. II, 50, #65. Oldřich of Rožmberk was in negotiations with unfriendly groups located between his home, Český Krumlov, and Prague at this time. Rynešová, *Listář a Listinář*, vol. II, 51, #66. This safe conduct lasted for three weeks, far more than the time necessary to come to Prague. It also provided protection for “from 100 to 200 horses or fewer, and as many people, and also all those who ride with him and alongside him in this count.” “Od jednoho až do dvou stů koní nebo níže a tolikéž osobám i těm všem, ktož s nim a vedle něho v tom počta pojedá.” Rynešová, *Listář a Listinář*, vol. II, 50, #65.

⁶⁰ AČ III, 463-464, #34.

⁶¹ Oldřich of Rožmberk's next extant letter does not respond to Jan Sekretář, but it is a peace negotiation with the Táborites, likely allowing for his travel. Rynešová, *Listář a Listinář*, vol. II, 50-51, #66, nt.1.

⁶² Rynešová, *Listář a Listinář*, vol. II, 50, nt.1.

⁶³ AČ I, 245, #1.

together to establish and institute the offices that are associated with the land rolls until [we have] a future lord and king or until general agreement.”⁶⁴ This article both appropriated power to the body capable of expressing general wishes, the united *sněm*, and placed a check upon those powers by emphasizing the role of the yet-to-be-named king.⁶⁵ It also asserted a continuation of past practices, realized differently due to unavoidable circumstances.

After King Albrecht’s posthumous son Ladislaus was born in February 1440, another *sněm* was called, although now with a more contentious task before it – electing a king – was repeatedly postponed. On May 1, 1440, Oldřich of Rožmberk informed Aleš of Šternberk that he had many things to discuss with him that ought to wait for the *sněm*, which had already been postponed to May 26.⁶⁶ On the same day, Queen Elizabeth wrote to Oldřich of Rožmberk begging him to postpone the *sněm* yet again until June 24, when her representative could attend.⁶⁷ Aleš of Šternberk responded to Oldřich of Rožmberk on May 5, 1440, that the assembly could not be postponed.

Therefore, dear lord, understand this: that through postponing the *sněm* you may fall into the revulsion and enmity of the people; do not stoop to perpetrate this, but rather be so kind as to preserve your good name and the love of the people; please do hurry your

⁶⁴ “Úřady, kteříž jsou u desk zemských, poňawadž krále nemáme, ty také ze spolka stawujem a zdwiháme, až do pána a krále budúcieho, anebo obecnieho o to swolenie.” AČ I, 245, #1. A number of the articles relate to specific, immediate concerns in light of the war that had taken place during King Albrecht’s first year on the throne. Another group of articles had to do with arrangements for Queen Elizabeth’s arrival in Bohemia. Another provision, which was commonly found in requests after war, concerned the release of prisoners. Additionally, the estates together promised to uphold treaties, specifically those contracted in Jihlava (upon Sigismund’s election), which included upholding the Basel Compacts and having Rokycana ordained as archbishop.

⁶⁵ This assembly set up a system of regional administrators who functioned in an administrative capacity throughout the 1440s and 1450s. Rudolf Urbánek, *České Dějiny*, vol. 3 pt. 1, *Věk Poděbradský* (Prague: Nákladem Jana Laichter na Král. Vinohradech, 1915), 490-494. Čornej and Bartlová, *Velké Dějiny* 6, 66-70.

⁶⁶ Rynešová, *Listář a Listinář*, vol. II, 58-59, #80.

⁶⁷ This letter pleaded with Oldřich of Rožmberk to postpone the assembly and also discussed negotiations related to princes in Saxony and Poland and the situation in Hungary, presumably part of why she wanted the Bohemian assembly postponed. This document, unlike many of her letters, was written in German, and the original is contained in the archive in Třeboň. Rynešová, *Listář a Listinář*, vol. II, 59, #81 (abstract); Josef Kalousek, ed., *Archiv Český*, vol. XXI (Prague: Ed. Ed. Gregor and son, 1903), 297, #39 (hereafter AČ XXI); HT sign. 478; Jörg K. Hoensch, *Matthias Corvinus: Diplomat, Feldherr und Mäzen* (Graz: Verlag Styria, 1998), 15-16; 28-29.

arrival to the *sněm*. And when you come to the *sněm*, if it will then be necessary to postpone the *sněm*, regardless it will happen from the common will; let us make a decision quickly, and then you will be without antipathy for you from the whole land.⁶⁸

Aleš of Šternberk did not mince words when confronting Oldřich of Rožmberk about the damage that delay caused. Delay hurt the reputation of Oldřich of Rožmberk, *hejtman* of the kingdom, and it created dissension among the people, in addition to postponing the opportunity to handle the important affairs of state. In light of the negative effects of the delays, Aleš of Šternberk clearly implied that it would be inadvisable to agree to Queen Elizabeth's request for postponement of the assembly for six weeks. As people were already in Prague for the assembly, and the expense to the lower estates was a considerable hardship, the assembly needed to take place immediately.⁶⁹ Indeed, Aleš of Šternberk implied that Oldřich of Rožmberk was being blamed for the delays, and that the other members of the estates simply wished him to arrive as soon as possible so that a king could be elected and the participants in the assembly could move on to other matters.⁷⁰

The estates did eventually meet that summer in a united assembly to vote on a new king.

They issued a statement on June 15, 1440

thanking the lord God, we, all the lords, knights, *zemané*, squires, and also the cities of the above-written kingdom, appointed and elected jointly and in union, that we must all together elect a future king for ourselves, without wrong-doing or offense to each and every one of our laws and freedoms.⁷¹

⁶⁸ “Protož, milý pane, rozuměje tomu, že skrze odtahování sněmu muožeš v padnutí lidem v obyzdú a v mrzkost, nerač se toho dopuštěti a rač zachovati raději od lidí dobré slovo a lásku a rač pospiešeti s svú příjezdú na sněm. A když na sněm přijedeš, bude-lit’ potřebie proč odtáhnuti sněmu, jedno at’ se to z jedné vuole děje; spiešet’ v to uhozeno bude a budet’ bez nechuti tobě ode vši země.” Rynešová, *Listář a Listinář*, vol. II, 60, #82.

⁶⁹ See AČ III, 455, #27, written in 1437, for how this delay was a hardship on the knights.

⁷⁰ Oldřich of Rožmberk's reputation was suffering due to the delay, as rumor had it that “it is all through this that the *sněm* is postponed; since the people are saying that it is through you[r doing].” “To je vše skrze to, že sněm se odtahuje; neb lidé pravi, že skrze vás.” Rynešová, *Listář a Listinář*, vol. II, 60, #82.

⁷¹ “Pánu bohu děkujícíe všichni páni, rytieři, zemane, panoše i města králowstwíe swrchupsaného na tom sme jednostajně a společně ustanowili sie a swolili, že bez úrazu a pohoršenie všehkakého práw a swobod každého z nás, krále a pána budúcieho ze spolka woliti sobě máme.” AČ I, 264, #4.

Two weeks later, the June 29 announcement to Albrecht of Bavaria of his election as king of Bohemia came from this *sněm*.⁷² Yet, as Duke Albrecht soon declined the Bohemian throne, the *sněm*'s duty to elect a king was not yet discharged. Thus, the *sněm* needed to meet again not only to address whatever matters might be laid before it, but also to try again to elect a willing king. As the first compromise candidate had declined the throne, however, and the natural male heir was an infant, the estates were at an impasse.

At this point, Queen Elizabeth's participation increased. Her request to delay the assembly until she could arrive in June, presumably to support her son's claim, had been ignored. This was not the first time she had petitioned the *sněm* on her family's behalf. In a letter to Oldřich of Rožmberk dated December 6, 1439, the seven-month-pregnant Elizabeth laid out the case that she and her children were her husband's and father's heirs. She asserted to Oldřich of Rožmberk: "and even yet, with this trust we have singular recourse to your faithfulness, moreover, asking that you would have faith in the negotiation for us and our children and for the legitimate laws that agree with us in the Kingdom of Bohemia," and also clearly stated that she was sending ambassadors to the December 1439 assembly who were authorized to act on behalf of her and her children.⁷³ In another letter written later in 1439, sent "to the noble, magnificent, and prudent men, with all the magnates, nobles, and leading men of our Bohemian kingdom,"

⁷² AČ III, 190, #6. The document reported that two messengers were sent to the duke on behalf of the assembly, declaring that they carried the full faith of the signatories and they brought with them the conditions for Duke Albrecht's election.

⁷³ "Et ea fiducia ad tua fidelitatem eciam singularem habemus recursum, rogando, ut negocia nostra et puerorum nostrorum ac iuris legitimi, quod nobis in regno Bohemie competit, velis habere recommissum," Rynešová, *Listář a Listinář*, vol. II, 49, #64; HT sign. 459; AČ XXI, 295, #35.

she further highlighted the same points that she had voiced in her letter to Oldřich of Rožmberk, emphasizing that she was their queen.⁷⁴

Her case was considerably bolstered when her pregnancy resulted in a son. While her husband's second cousin, Frederick III, was elected king of the Romans in early February 1440, King Albrecht's other lands awaited the birth of her child.⁷⁵ Frederick III became regent in the Austrian territories, but the elections in Bohemia and Hungary were far more difficult.⁷⁶ As both Emperor Sigismund and King Albrecht had ruled as kings of Hungary, Ladislaus Posthumous also had a strong claim to that throne. Because of their kingdom's precarious situation with respect to Ottoman invasions, however, the Hungarian estates had already offered the crown to Vladislav III of Poland.⁷⁷ Although Queen Elizabeth had Ladislaus crowned on May 15, 1440, before he was three months old, the Hungarian estates declared his coronation invalid, elected the Polish king as their king, and on July 17 had him crowned as well.⁷⁸ Civil war soon broke out in Hungary, ending only after the Polish king's death in battle in 1444.⁷⁹

As we have seen, the Bohemian assembly also considered other candidates during Ladislaus's childhood. In a letter from August 27, 1440, Queen Elizabeth chastised the Bohemian estates for ignoring her and her son's hereditary rights and electing Duke Albrecht instead.⁸⁰ She specifically reminded the estates that

⁷⁴ "Nobilibus et magnificis ac prudentibus viris, universis magnatibus, nobilibus et proceribus regni nostri Bohemie," HT sign. 454. At this point, she had given birth to two daughters and was pregnant with her son.

⁷⁵ Rill, *Friedrich III*, 32.

⁷⁶ Rill, *Friedrich III*, 31-34.

⁷⁷ Čornej and Bartlová, *Velké Dějiny* vol. 6, 65-66.

⁷⁸ Hoensch, *Matthias Corvinus*, 15-16; 28-29; Čornej and Bartlová, *Velké Dějiny* vol. 6, 65-66.

⁷⁹ Hoensch, *Matthias Corvinus*, 16.

⁸⁰ On August 27, 1440, she wrote "to Oldřich of Rožmberk, Menhart of Hradec, Hynek of Pirkštejn, Aleš of Šternberk, Jan of Risemberk, Zbyněk Zajiec of Hasenberk, and the other lords, knights, and squires, to the Praguers and the cities and their agents," chastising the Bohemian estates for ignoring her and her son's hereditary rights and electing instead Duke Albrecht of Bavaria. "Oldř. z Rožmberka, Menh. z Hradce, Hynkovi z Pirkšteina,

Because we and our son and our children have, before the lord God, the clear and undoubtable hereditary right, as did our great-grandfathers, grandfathers, father, and our other ancestors, and also according to the ancient laws and golden bulls which established the Bohemian lands; therefore no just election could take place as long as the royal family line remains, and also [this is] particularly [true when compared] with the old records of the Bohemian and Austrian lands, openly affirmed by your ancestors.⁸¹

The last line highlights the role of the consent of the estates in Bohemia, but also reminds the participants in the assembly that their ancestors had already given this consent. Queen Elizabeth highlighted her and her son's hereditary rights, a difficult task in a supposedly elective monarchy, focusing on the privileges and especially the golden bulls that had been issued to the king of Bohemia by previous emperors.

The most important of these were the "Golden Bull of Sicily," issued by Emperor Frederick II in 1212, and the "Golden Bull" issued by Emperor Charles IV in 1356.⁸² In Charles IV's Golden Bull, he addressed the succession of the electors in a variety of circumstances, and specifically addressed the ways in which practices in Bohemia were different than in the territories of the other electors.

Saving always the privileges, rights and customs of our kingdom of Bohemia concerning the election, through its subjects, of a king in case of a vacancy. For they have the right of electing the king of Bohemia; such election is to be made according to the contents of those privileges obtained from the illustrious emperors or kings of the Romans, and according to long observed custom; to which privileges we wish to do no violence by an imperial edict of this kind.⁸³

Alšowi ze Šternberka, Janowi z Risemberka, Zbyněkowi Zajieci z Hasenburka, i jiným pánóm, rytieřóm a panošem, Praženóm a městuóm a jich posluóm," AČ I, 267, #8.

⁸¹ "Poněwadž my i syn náš i děti naše před pánem bohem máme práwo swětlé a nepochybené dědické po pradědiech, dědiech, otcí i jiných předciech našich, také po starodáwních práwiech a zlatých bullách, kterýmiž země Česká wysazena jest; tak že se wolenie žádné sprawedliwé státi nemóž, dokudž které plemeno rodu královského zuostává, a zwláště také proti starým zápisóm České a Rakúské země, od wašich předków slawně utwřchým." AČ I, 267, #8.

⁸² Martin Wihoda, *Die Sizilischen Goldenen Bullen von 1212* (Vienna Böhlau Verlag, 2012), 263-264; Martin Wihoda, *Zlatá bula sicilská: pudivuhodný příběh ve vrstvách paměti* (Prague: Argo, 2005), 225-228.

⁸³ Charles IV, "The Golden Bull," 672.

Following Charles IV's protocol, the question became whether or not the period following King Albrecht was a vacancy. In an effort to elect a king who could more effectively control the situation, the Bohemian estates seem to have argued that it was. However, Queen Elizabeth's repeated demands provide an alternative reading: the throne was empty, but her son's hereditary claim indicated that it was not truly vacant, and his election should be merely *pro forma*.

She had written about the matter to Oldřich of Rožmberk already in June or July 1440, laying out her reasons and concerns in greater detail.⁸⁴ She worried that she could not receive a true response to her request and acceptance of her claim if the parties did not meet in a unified assembly, and she asked that her message be relayed to the attendees if they did.

So that you [Oldřich of Rožmberk] faithfully remember us and our son; so that we are not deprived of what is rightfully due to us (*spravedlnost*), [the *sněm* should] observe the time-honored establishments, traditions, and the records of the golden bulls that this kingdom has, [which] clearly state that no vote should happen for Bohemian lord and king as long as an heir of this land remains or exists, [whether] of the male or female line; and if [the vote] should happen anyway, that it [would] not be valid, as the sheets of these golden bulls extensively testify.⁸⁵

This was the crux of her argument in favor of her son's inheritance. She referred to the golden bull issued by her grandfather, Charles IV, which itself referred to yet older privileges, such as the Golden Bull of Sicily.⁸⁶ Yet, the *sněm* did not quickly handle the matter. No new elected

⁸⁴ Rynešová, *Listář a Listinář*, II, 68, #93; *Historica Třeboň*, sign. 492.

⁸⁵ "Aby na nás a syna našeho věrně pomměl, abychme na naše spravedlnosti ukřácení nebyli, znamenuje starodavné vysazení, obycej a zápisy zlatých bull, kteréž to kralovstvie má, světle oznamujice, že žádné volení pána neb krále českého státi se nemá, dokudž který dědic té země muského neb ženského pokolení zůstává nebo jest; a czožby se přes to stálo, aby to mocno nebylo, jakož pak listové ti zlatých bull to šire světči." Rynešová, *Listář a Listinář*, vol. II, 68, #93; HT sign. 492.

⁸⁶ Charles IV, "The Golden Bull," 672; Wihoda, *Die Sizilischen Goldenen Bullen*, 263-264; Jörg K. Hoensch, *Die Luxemburger: Eine spätmittelalterliche Dynastie gesamteuropäischer Bedeutung 1308-1437* (Berlin: Verlag W. Kohlhammer, 2000), 37-39; Miloslav Polívka, "The Expansion of the Czech State during the Era of the Luxemburges," in Jaroslav Pánek and Oldřich Tůma, eds., *A History of the Czech Lands* (Chicago: University of Chicago Press, 2009), 120-121.

candidates emerged from the *sněm* during 1441, and at the general *sněm* in Prague in January 1442, Queen Elizabeth made a yet more impassioned plea for her son's inheritance.

As long as one person remains alive from the lineage and progeny of the above-stated Emperor Charles, [whether] of the male or female gender, the election of another king should not even be discussed, nor should it be attempted, but such people of both genders should inherit, and for this kingdom, [this practice] should be sustained.⁸⁷

She again cited the golden bulls as the basis for all of her claims, and expressed her dissatisfaction at the delay. She buttressed her claim by reminding the assembly that men such as Oldřich of Rožmberk and Menhart of Hradec had supported her husband, as had many of the cities, lords, and lower nobility in various regions of the attached lands, and that they should thus support his son:

And also our lady [her] Royal Grace would hope and does hope that since you accepted and crowned our lord king Albrecht her husband as king by your good will, who also held and ruled this kingdom and ruled it by every honest manner until death; [this was] done by your good volition, and you ordered His Grace to make proper oaths. Therefore, his son King Ladislaus, according to the right of succession of the above-mentioned father, King Albrecht, should be and is the rightful, natural heir of the male gender of this Bohemian kingdom and its crown.⁸⁸

She pointed out that the estates could have no lawful reason not to elect her son, as they had elected his father, recognizing him as Queen Elizabeth's father's heir, so that Ladislaus was therefore the legitimate son of their most recent king. Her argument was legally sound, but ignored the political reality that the estates were loath to elect or accept an infant as their king.

⁸⁷ “Donížby od napřed praveného ciesaře karla kmene a poštie jediná osoba žiwa zuostala, mužského nebo ženského pohlawie, že wolenie jiného krále nikoli jednáno, ani sie o to pokúšieno nemá býti, ale takowé osoby obojiego pohlawie mají králowstwie české děditi, a při něm zachowáni býti,” AČ I, 269, #9.

⁸⁸ “Ješče paní naše KMt doufalaby i doufá, poněwadž ste pána našeho krále Albrechta manžela jejieho z wašie dobré wuole na krále wašeho byli přijali, korunowali, I přísahy řádné JMti činiti rozkazowali, kterýžto také toto králowstwie všelikým poctiwý způsobem bezewšie prowiny až do smrti řádně držal jest a jim vládl, žeby syn jeho král Ladislaw po nápadu řádném swrchupsaného otce swého krále Albrechta měl býti i jest prawý, přirozený mužského pohlawie dědic králowstwie tohoto Českého a koruny jeho.” AČ I, 271, #9. From the information contained in the editor's notes in the *Archiv Český*, it is not possible to make comments about the language or condition of the original document.

After urging for more than two years, Queen Elizabeth again wrote to Oldřich of Rožmberk to protect her and her sons' interests, asking him for advice, and also bemoaning the challenge to her son's inheritance in Hungary.⁸⁹ The continuous pressure that Queen Elizabeth placed on the estates put Oldřich of Rožmberk in an awkward position, being at once a member of those estates, King Albrecht's designated *hejtman*, and a strong supporter of Queen Elizabeth's husband and father.

Queen Elizabeth was not the only person to write persuasively to Oldřich of Rožmberk and others whose support was needed. The Bohemian lords not in Oldřich of Rožmberk's party wrote to him on October 10, 1442, inviting him to a *sněm* to be held on November 20 of that year.⁹⁰ The *sněm* itself was called by the leading Utraquists, but they asserted that the initiative did not begin with them.⁹¹ The Utraquist estates calling the November 20 *sněm* desired that all of the estates, of whichever party, "remain together, whether or not the deliberations [are] with the Queen and Austrian lords," and asserted that "when our envoys come back, we will have a *sněm*; as [stipulated] in the agreement issued to this effect by the first *sněm*, we have the power to call the *sněm*."⁹² A number of important traits of the *sněm* are revealed in this reminder. First, the assembly included members of multiple parties, whose cooperation was necessary to make

⁸⁹ This letter was written in German, and can be found in HT sign. 561, and Rynešová, *Listář a Listinář*, vol. II, 148-149, #191.

⁹⁰ These included Aleš of Šternberk, Zbyněk of Hazmburk, George of Poděbrad, Hanuš of Kolovrat, Zdeněk of Šternberk, and Jan Smiřic (mayor of Prague). AČ I, 273, #11.

⁹¹ "Here, among the other debates with those with whom we were speaking, the lords, knights, squires, and cities asked to set down a *sněm* of all our land according to the agreement of the first *sněm*." "Tu mezi jinými řečmi w spolurozmlúvaní páni, rytieři, panoše i města na nás jsú žádali, abychom sněm všie země naše položili, a to podlé smlúwy prwnieho sněmu." AČ I, 274, #11.

⁹² "Sme spolu zuostali, bud' nebo nebud' rok s králowú a pány Rakúskými, kdyžby sie naši poslowé zasie wrátili, my abychom sněm měli, jakožto z swolenie prwnieho sněmu my jsme k tomu wydáni, abychom nynie moc měli sněm položiti." AČ I, 273, #11.

decisions.⁹³ Second, it is clear that the assembly was empowered to act with or without the participation of the Queen dowager or the decision makers in her son's other territories; the wider consensus that could be possible with their participation would be a boon, but was not necessary in the same way that consensus among the Bohemian estates was necessary.

This passage also reveals how the *sněm* could be scheduled and called. In this case, the *sněm* was set up by a previous *sněm*, which had clearly asserted the power to do so. The lords did not assert that the first *sněm* (likely meaning the assembly held in December-January 1440) was called by a monarchical authority, or even the Highest Burgrave of Prague or a *hejtman*, but rather that it set up a schedule for future assemblies, or empowered the assembly to do so for itself. It seems that those meeting at the assembly agreed among themselves that this would be the procedure that they would follow.

The document continues, stipulating that “we and many other good people will get together to discuss our needs and those of our comrades,” and asking Oldřich of Rožmberk to please “call the lords and *zemané* sitting with you [on your side]. Also the Silesian dukes and Moravian lords should be notified, and also the other cities and knightage belonging to this crown, so that they were at the *sněm*.”⁹⁴ The goal of this assembly was to make important decisions, most notably touching the succession, but also related to other matters that were relevant to all of the lands attached to the Bohemian Crown; thus the estates of all of these regions were invited and encouraged to attend the assembly. The participation of these groups, or at least the opportunity for these groups to participate, was necessary for the business of the assembly to be legitimately conducted – whether or not members of each group were present in

⁹³ This development is addressed in greater detail in Chapter 4.

⁹⁴ “Pány a zemaný sobě přisedicie k omu obselati. Také kniežata Slezská i páni Morawští jsú obesláni, i jiná města a rytieřstwo této koruny příslušná, aby byli k tomu sněmu.” AČ I, 274, #11.

relatively equal numbers or participated equally. The invitation ended by urging Oldřich of Rožmberk to also attend the assembly for the good of the land, and implicitly suggesting that his presence would help to legitimize any actions that were taken, including the election of a king.⁹⁵

Yet, this assembly too was postponed. On November 6, 1442, Aleš of Šternberk wrote to Oldřich of Rožmberk: “you wrote to us that you will not be able to come to Prague to the *sněm* set for St. Elizabeth’s day because of your obligations, but you [must] delay until the octave of the new year, and that is a good seven weeks.”⁹⁶ The delay was clearly unpalatable; it put off matters of state and increased the burdens on the other attendees. Aleš of Šternberk further chastised Oldřich of Rožmberk “that the most pressing need is to discuss [matters about] the land and general good,” essentially telling Oldřich of Rožmberk to get his priorities in order.⁹⁷ As the kingdom still had no king, a king could only be elected by a joint *sněm*, and any election would not take place without the support of the leading men; thus, Oldřich of Rožmberk’s attendance was vital. We see again here the focus on the general good – implicitly criticizing Oldřich of Rožmberk for putting his personal needs ahead of those of the kingdom.

Finally, after years of delay, a significant correspondence arose between Emperor Frederick II and the Bohemian estates following the December 1442 death of Queen Elizabeth.⁹⁸ One of the key subjects of this correspondence was the negotiation for Ladislaus’s election as king of Bohemia. The Bohemian estates presented their conditions for Ladislaus’s election at the

⁹⁵ AČ I, 274, #11.

⁹⁶ “Odpisuješ nám, že k sněmu na den svatě Alžběty uloženému nebudeš moci přijeti pro své potřeby do Prahy, než odkladáš do ochtávu Nového léta, a to jest od sněmu dobře sedm neděli.” Rynešová, *Listář a Listinář*, vol. II, 206, #221; HT sign. 576; František Palacký, *Archiv Český vol. II* (Prague: Kommissí u Kronbergra I Řiwnáče, 1842), 18, #22. Neither Oldřich of Rožmberk nor Aleš of Šternberk make it clear what those obligations were, or if they were just an excuse.

⁹⁷ “Že najpilnější potřebie jest zemské a obecní dobré jednati.” Rynešová, *Listář a Listinář*, vol. II, 206, #221; AČ II, 18, #22; HT sign. 576.

⁹⁸ While Frederick was not crowned Emperor until 1452, the title will be used throughout for clarity. Rill, *Friedrich III.*, 106. Queen Elizabeth died on December 25, 1442. Hoensch, *Matthias Corvinus*, 31.

deliberations on St. Michael's Day (September 29) in Vienna in 1443.⁹⁹ First on their list was “that His Grace be released to us into our power with all his seigniories (*panství*), with his inheritance, and also with all his household, so that these should be attached to this our crown and never alienated from this kingdom.”¹⁰⁰ The first part of this was a straight-forward demand to bring Ladislaus to Bohemia. The second part, however, is far more ambiguous. It could be a request for a quitclaim on Bohemian territory by anyone other than the elected king, but it could also be read as an effort to attach King Albrecht's other lands (Austria and Hungary) to the Bohemian crown in the same way as Moravia, Silesia, and Lusatia were attached. Emperor Frederick III devoted an entire letter to responding to this single condition.

Emperor Frederick III's response was sent the following day and rested on one key point: that Ladislaus was too young to make any decisions for himself. Emperor Frederick explained that Ladislaus must continue to live with him, “that our relative (*strýc*) King Ladislaus is still too young to administer this kingdom himself, as also because of his youth he himself cannot administer this Austrian land.”¹⁰¹ He then chastised the estates for making such a strong demand of such a young boy – Ladislaus was three years old at the time.¹⁰²

His next letter addressed all of the other conditions set by the estates. As they had asked each other potential candidate to whom they had offered the throne, so the estates also insisted that Ladislaus confirm the Basel Compacts “so that we are preserved in this; and if there are any

⁹⁹ AČ I, 273-277, #13a.

¹⁰⁰ “Aby nám JMt w naši moc byl wydán se všim jeho panstwím, s dědictwím i se všemi jeho příslušnostmi, tak aby to k koruně naše bylo připojeno a nikdy od králowstwie Českého nebylo odtrženo.” AČ I, 275, #13a.

¹⁰¹ “Že náš strýc král Lasislav ješče k tomu mlad jest, to králowstwie sám zprawowati, jakož i této země Rakúské, pro mladost sám zprawowati nemóže.” AČ I, 277, #13b. Today, the word *strýc* means “uncle,” but in the fifteenth century it referred to any male relative on the father's side or a brother-in-law on either side. A similar word, *ujec*, today in use primarily in Moravia and replaced by *strýc* in Bohemia, refers to a male relative on the mother's side.

¹⁰² AČ I, 277-278, #13b.

who want to compel us from this [the Basel Compacts], that His Grace protect and defend us, so that we are not compelled [to convert] to his [religion].”¹⁰³ The estates here were reiterating the protections that the Basel Compacts provided against forced conversion, and also suggesting that the king and his subjects did not need to espouse the same beliefs. Any duke or prince from outside Bohemia whom the estates could elect would not share the religion of many of the people of Bohemia, and this could easily result in the forced conversion that the Pope and others had sought to accomplish with the crusades of the 1420 and 1430s.

Emperor Frederick responded positively. He promised that “concerning the four articles and the other items, including the second article aired in your papers, our answer is [this]: whatever the Basel Council permitted and agreed to about these articles with the Bohemian kingdom and the Moravian margraviate, we will also stand by that.”¹⁰⁴ He is not expansive in his promises, but he does agree to the minimum requirements of upholding the Basel Compacts, and thus permitting Utraquist practice. While not explicit, his promise indicates that he would not attempt to convert anyone – as long as they too abided by the Basel Compacts.

Emperor Frederick also included a similar reply concerning the consecration of an archbishop in Prague. He responded that “whomever the holy church confirms for the archbishopric of Prague, whether it is the one who was named or it is some other fitting person, he will be pleasing to us; and as regards your request, we will promote [his consecration with]

¹⁰³ “Abychom w tom zachowáni byli; a ještližeby nás kto od toho tisknutí chtěl, aby nás JMt hájila a bránila, abychme od toho tištění nebyli.” AČ I, 276, #13a

¹⁰⁴ “O těch čtyřech artikulech i o jiných kusiech, jakož druhý artikul u waši cedule zní, jest naše odpověď: cožkoli jest koncilium Basilejské o těch artikulech králowství Českému a markrabství Morawskému se podwolilo a kompaktaty smluwilo, při tom my to také zuostawujem.” AČ I, 278, #13c.

diligent efforts and labor.”¹⁰⁵ Like previous candidates for the throne, he thus agreed that if the Church wanted to consecrate Rokycana as archbishop, he would support it. Although Emperor Frederick III promised to work diligently for the consecration of an archbishop, his inclusion of the possibility of electing another “fitting” person indicates that he might also work for the consecration of *another* archbishop, as opposed to the one chosen in 1435. He leaves this ambiguous, clearly agreeing in principal with the condition set before him, but also clearly expressing some reservations regarding the archbishop-elect.

Many of the estates’ conditions were similar to those submitted to King Albrecht and Duke Albrecht. They asked that Ladislaus confirm the rights and privileges of the estates in Bohemia as well as the attached lands; that he uphold the debts and records of his predecessors; that he appoint only Bohemians to offices and castles; and that “His Grace deign to undertake all matters which concerned the crown with the counsel of the land.”¹⁰⁶

Emperor Frederick responded positively to most of the conditions proposed by the estates.¹⁰⁷ As had King Albrecht, Emperor Frederick agreed to help return to Bohemia those properties that had been alienated from the kingdom: “concerning the castles severed from the Bohemian crown, it is our intention that with your help and counsel, we want to take great, vigorous interest in this matter; because this is honorable and good for us, for our relative [Ladislaus], for the Bohemian crown, and also for the Austrian house.”¹⁰⁸ His promise clearly agrees that it is worth investing resources in recouping for the kingdom those properties that had

¹⁰⁵ “Kohožkoli cierkew swatá k tomu arcibiskupství Pražskému potvrdí, bud’ toho kterýž jmenován jest, neb jiného jenžby hodný byl, ten se nám dobře líbí, a chcem k tomu také podlé vaše žádosti naši pilnú snažnost i práci přičiniti.” AČ I, 278, #13c.

¹⁰⁶ “Cožby této koruny dotýkalo, aby JMt ráčila o ty o všecy věci s raddú zemskú učiniti.” AČ I, 276, #13a.

¹⁰⁷ AČ I, 276, #13a; 278-279, #13c.

¹⁰⁸ “O zámcích od koruny České odtržených, jest náš úmysl, že my s vaší pomocí a radu chceme rádi o to stáli s pilností; neb to naše, strýce našeho, té koruny České i domu Rakúského čest i dobré jest.” AČ I, 277, #13b.

belonged to it before the Hussite Wars. Here as in other conditions, however, there is no mention made of returning to the Church the many properties that were appropriated from those institutions during the Hussite Wars.

The estates also asked “if for your obligations Your Grace should depart from the land, we ask that [you] deign to provide for this land against all disorder, with the counsel of the land.”¹⁰⁹ This request supported their earlier request that all things touching the land be done with the advice of the community, and it also took into account the fact that for the past generation, Bohemia had not been governed by a present, widely-accepted king.¹¹⁰ Emperor Frederick did not directly address this condition, but because he promised to address Bohemian issues with the advice of its inhabitants, he may have considered it a moot point.¹¹¹ Indeed, after Ladislaus was crowned king a decade later, the young king did appoint *hejtmany* for Moravia when he left the kingdom, and he was represented in Bohemia by his regent, George of Poděbrad.¹¹²

Yet, despite the relative success of these negotiations, Ladislaus remained in Austria with his uncle. As is examined in Chapter 4, following this failure, the different parties in Bohemia factionalized further, and negotiations, both for Ladislaus’s election and for other matters, broke down. In this context, Ladislaus’s election as king became both more vital and more unlikely. After the September 1447 assembly also failed to negotiate successfully for Ladislaus to enter the kingdom, George of Poděbrad invaded Prague at the head of the Utraquist party on September 3, 1448, capturing Menhart of Hradec and forcing him from office as Highest

¹⁰⁹ “Jestližeby JMt pro které své potřeby kdy z země odjeti ráčil, prosíme aby tu zemi pro všechny zmatky ráčil opatřiti s raddú zemskú.” AČ I, 276, #13a.

¹¹⁰ AČ I, 276, #13a, also mentions specific, minor issues, such as specific debts and transgressions.

¹¹¹ AČ I, 278-279, #13c.

¹¹² Josef Kaloušek, *Archiv Český volume X* (Prague: Ed. Gréger, 1890), 266, #19 (hereafter AČ X).

Burgrave of Prague.¹¹³ A series of clashes followed, and were finally settled by a series of assemblies in 1450-1451.¹¹⁴ George of Poděbrad was officially recognized as regent after his election at the April 1452 assembly.¹¹⁵

King Ladislaus was finally received in state in Brno, Moravia, in July 1453, after which the Bohemians quickly negotiated to bring him to Prague, where he was crowned in October 1453, and where he stayed under the guardianship of George of Poděbrad until he returned to Vienna in early 1455.¹¹⁶ In the summer of 1457, George of Poděbrad visited King Ladislaus in Vienna, where they concluded terms for King Ladislaus's return to Prague, which he entered on September 29, 1457.¹¹⁷ Despite expectations that he would then begin his personal rule, the seventeen-year-old king died on November 23, 1457 of leukemia.¹¹⁸

After over a decade of negotiations, the privileges of the various individuals and groups meeting in the assemblies had been confirmed, as had the right of the assembly to act on the kingdom's behalf for the good of the community, but these confirmations had not resulted in the re-establishment of a stable monarchy or the consecration of an archbishop. These two central articles of the conditions had not been met, and so would remain prominent in subsequent conditions set before candidates for the throne. Once the monarchy was re-established, the deliverance of a king into the kingdom became less important, but the conditions concerning Bohemian offices and the Basel Compacts returned to the fore.

¹¹³ Čornej and Bartlová, *Velké Dějiny* vol. 6, 104-105.

¹¹⁴ Odložilík, *The Hussite King*, 35-36, 52-54. These clashes, and particularly the parties and assemblies involved, are discussed in greater detail in Chapter 4. For a few examples of documents related to the assemblies that met in 1450-1451, see AČ II, 267-309, #37-55.

¹¹⁵ The record of this *sněm* can be found in AČ II, 309-313, #56.

¹¹⁶ Odložilík, *The Hussite King*, 73-74, 85.

¹¹⁷ At this time, negotiations were proceeding for his marriage to fifteen year-old Magdalen of Valois. Odložilík, *The Hussite King*, 86; Jaroslav Čechura, *České země v letech 1437-1526*, vol. I (1437-1471) (Prague: Libri, 2010), 85-86.

¹¹⁸ Odložilík, *The Hussite King*, 54-55; Čechura, *České země (1437-1471)* vol. 1, 86-89.

Two New Dynasties

Only two elections took place in the second half of the fifteenth century, each resulting in the accession of a different dynasty. The first dynasty resulted in the rule of only one king, George of Poděbrad, who made provisions for the throne to pass to someone other than his sons. The second of these, the Jagiellon dynasty, yielded two kings: Vladislav Jagiellon (ruled 1471-1516) and his son Louis (ruled 1516-1526).

When King Ladislaus died in 1457, he left no heirs of his body, and his closest heirs were his sisters.¹¹⁹ While the Golden Bulls and other privileges discussed above provided for election if the family died out in both the male and female lines, the election was again complicated because only one infant male heir existed, accompanied by a number of heiresses. King Ladislaus's oldest sister Anne and her husband, William of Saxony, inherited Luxembourg (although the title was disputed by Philip the Good of Burgundy), but they themselves had borne only two daughters, who were still children at the time.¹²⁰ His second sister, Elizabeth, had married King Casimir IV of Poland, but at the time of Ladislaus Posthumous's death she had given birth only to a one-year old son, Vladislav Jagiellon, and a two-month-old daughter.¹²¹

¹¹⁹ Ladislaus was from the House of Habsburg like his father. His distant cousin Frederick III could easily be considered to be his male heir, as in Austria, but since Frederick III was not descended from Charles IV, any claim to the elective kingship in Bohemia was not strong enough to pursue, and neither Bohemia nor Hungary seem to have seriously considered Emperor Frederick III for the throne.

¹²⁰ Odložilik, *The Hussite King*, 89-90. Although the title officially went to King Ladislaus's sister Anne, it continued to be used by kings of Bohemia throughout the fifteenth century. For an example of George of Poděbrad's use of the title in 1464, see Stavovské Listiny #369, Moravský zemský archiv v Brně (also AČ X, 274); for an even more surprising use of the title by those writing on behalf of King Matthias Corvinus in 1478, see František Palacký, *Archiv Český volume V* (Prague, Kommissí u Knihkupce Fridricha Tempského, 1862), 377, #13.

¹²¹ Odložilik, *The Hussite King*, 89-90. Odložilik does not examine these women's claims in any detail and strikes a very nationalist tone: "this would have made a timely and unanimous agreement on the candidate highly unlikely and there was, in fact, among the Czech nobles no inclination to grant equal partnership in the election to the other groups. Traditions, coupled with ethnic antagonism, proved stronger than solidarity in matters of faith." Odložilik, *The Hussite King*, 90. This nationalist reading is unwarranted.

Thus, unless another long minority was acceptable (and we have already seen how the estates attempted to avoid it in King Ladislaus's case), neither these women nor their children were good candidates for the throne, regardless of their legal right to it. This unsuitability, however, did not stop the husbands of Ladislaus's sisters from laying claim to the throne, as did other contenders from France, Austria, and Brandenburg.¹²²

Upon King Ladislaus's death, his regent George of Poděbrad quickly assumed control of the government. Overriding the claims of Ladislaus's older sisters, the Bohemian estates gathered at the assembly in Prague in February 1458 instead chose to elect their new king from beyond Charles IV's descendants.¹²³ George of Poděbrad's proximity to the throne, coupled with the uncertainty that mismanagement of the election would bring, and fiery sermons in his favor by archbishop-elect Jan Rokycana, were powerful factors in his election. The assembly elected George of Poděbrad on March 2, 1458 with minimal dissent, even from the other crown lands.¹²⁴ He was crowned on May 7, 1458, and shortly thereafter was tacitly acknowledged as king of Bohemia by Emperor Frederick III.¹²⁵

Preserved documents do not indicate that George of Poděbrad was given a list of conditions for his accession before his coronation in 1458. One reason for this difference might be that he was already in control of the government. It is also true that between December 1457

¹²² Urbánek, *Věk Poděbradský*, vol. 3 pt. 3, 268-270. Notably, Emperor Frederick III is not mentioned.

¹²³ Odložilík, *The Hussite King*, 89-90; Čechura, *České země (1437-1471)*, 89-92. The assembly that met in December 1457 extended George of Poděbrad's authority as regent by a few months. He then used his position to secure his election at the assembly that began in February 1458, in part by releasing the prominent Hungarian leader Matthias Corvinus to return to Buda. He also betrothed his nine-year-old daughter to Corvinus. Odložilík, *The Hussite King*, 91, 289. I address the relationship between George of Poděbrad and Matthias Corvinus in greater detail in Chapter 5.

¹²⁴ Aeneas Silvius Piccolomini, *Europe (c. 1400-1458)*, trans. Robert Brown, intro. Nancy Bisaha, (Washington, DC: The Catholic University of America Press, 2013), 61. For further information on George of Poděbrad's election, see Zdeněk V. Tobolka, *O volbě a korunování Jiřího z Poděbrad* (Prague: Klub Historický, 1896); Rudolf Urbánek, *O volbě Jiřího z Poděbrad za krále českého 2. března 1458* (Prague: Československé akademie věd, 1958).

¹²⁵ Odložilík, *The Hussite King*, 92-96. Urbánek, *Věk Poděbradský*, vol. 3, pt. 3, 263-265.

and March 1458, George of Poděbrad made significant concessions in order to gain the support of Bohemia as well as Moravia, Silesia, and the Lusatias, and otherwise positioned himself much as he might have done by formally agreeing to conditions for his accession.¹²⁶ Although still sparse, there is more literature on the election of George of Poděbrad than on the other elections examined in this chapter. This attention stems from a few key causes.¹²⁷ Primarily, George of Poděbrad was the only “native” king in this period, at least according to the perspective adopted by the scholarship. He was also, undeniably, the only Utraquist king. These two “facts” have supported a nationalist interpretation of George of Poděbrad’s accession and rule.

Although King George of Poděbrad was not required to agree to conditions before his election, he did grant a set of articles to which he agreed three years later, which took on a similar function.¹²⁸ This grant is shorter than many of the lists of conditions I have discussed, but it still addressed many of the major provisions listed a generation earlier. In particular, George of Poděbrad promised to defend the Four Articles of Prague, to make an effort to work to have Jan Rokycana consecrated, and to uphold the Basel Compacts – all things that he had done throughout the 1440s.¹²⁹

¹²⁶ Urbánek, *Věk Poděbradský*, vol. 3, pt. 3, 250.

¹²⁷ George of Poděbrad and his era have been more thoroughly treated in general than many of the moments examined here, although much of the work on him is biographical. For English language works, see Odložilík, *The Hussite King*; Frederick Heymann, *George of Bohemia, King of Heretics* (Princeton: Princeton University Press, 1965); and John Klassen, *Warring Maidens, Captive Wives, and Hussite Queens: Women and Men at War and at Peace in Fifteenth century Bohemia* (Boulder: East European Monographs, 1999). One of the most cited works on the period in Czech is still Rudolf Urbánek, *Věk poděbradský*. For current survey works covering the period, see Čechura, *České země (1437-1471), vol. 1*; Čornej and Bartlová, *Velké Dějiny vol. 6*. For other works in Czech, see Rudolf Urbánek, *Husitský král* (Prague: Vesmír, 1926); Josef Macek, *Jiří z Poděbrad* (Prague: Svobodné slovo, 1967); Jaroslav Boubin, *Hledání nové Evropy: Projekt krále Jiřího* (Prague: Historický ústav, 2015); and a much older treatment in Ferdinand Schultz, *Jiří z Poděbrad* (Prague, 1868).

¹²⁸ Jaromír Čelakovský, *Codex Juris Municipalis Regni Bohemiae* vol. I (Prague: Tiskem Knihotiskárny Dra. Edv. Grígra, 1886), 731-732, #354a (hereafter CIM I).

¹²⁹ CIM I, 731, #354a. For more detail on his activities in the 1440s, see Chapter 4.

He did not specifically address the status of Moravia in this grant, but Moravia's status was not in dispute at this time.¹³⁰ Although he confirmed the privileges and rights of Bohemia and all of the lands attached to the Bohemian crown, he did not address the appointment of Bohemians to Bohemian offices.¹³¹ This supports the reading that I presented of earlier conditions: kings with foreign territories were asked not to appoint men from those territories to Bohemian offices, while this was not a concern with a king who was from Bohemia and did not have a foreign power base. Thus, this was not a nationalist concern, but one that represented a distrust of those unacquainted with Bohemian politics because of that very lack of unfamiliarity.¹³²

In comparison with the other elections of the fifteenth century, George of Poděbrad ascended to the throne with minimal dissent or bloodshed.¹³³ A brief survey of those accessions is enough to make this point. King Wenceslas IV's death in 1419 came only two weeks after the outbreak of rebellion, and his brother Emperor Sigismund was not elected and accepted as king for nearly two decades. While King Albrecht was arguably the designated successor of his father-in-law Emperor Sigismund, Emperor Sigismund did not live long enough to secure him the throne, and significant portions of the estates rebelled when King Albrecht was elected. King Albrecht's death led to a succession that was disputed for over a decade before King Ladislaus Posthumous was crowned king, and King Ladislaus died before attaining his majority. His

¹³⁰ Stávovské Listiny #369, Moravský Zemský Archiv v Brně. See Chapter 5 for analysis of this document.

¹³¹ Additionally, he agreed to uphold all debts pertaining to the kingdom of Bohemia, and promised "with your advice and help we say and we want to return and to take back the [castles], fortresses, and possessions alienated from the Bohemian crown in an appropriate manner." "[Což hraduov,] zámkuov nebo zbožie od koruny České odtrženo, o jich navrácenie a zase dobytie obyčejí slušnými s jich radú a pomoci řekli sme a chcem [státi]." CIM I, 731, #354a.

¹³² We will see in Chapter 4 that George of Poděbrad was certainly familiar with Bohemian politics and concerns.

¹³³ In Moravia, the city of Jihlava did rebel in support of Albrecht VI of Austria, not Frederick III, but George of Poděbrad quickly put down the revolt. Odložilík, *The Hussite King*, 95.

designated regent was the closest person to being a male heir, leaving aside young or distant relatives, and as such was a natural choice as successor.

At the time of his own death in 1471, George of Poděbrad was also in a tricky situation with respect to the succession. Although he had multiple grown sons, he chose to settle them through marriage and land grants in ways that would not propel them to the Bohemian throne. The succession was further complicated by the fact that, since 1467, King Matthias Corvinus of Hungary had claimed the Bohemian throne, asserting that it became forfeit when George of Poděbrad was declared a heretic by Pope Pius II in 1463.¹³⁴ Negotiations with Poland for King Ladislaus's nephew Vladislav Jagiellon to come to the throne were already underway at George of Poděbrad's death, and were concluded shortly thereafter.¹³⁵

Vladislav Jagiellon's election in 1471, while peaceful (except for the continuing contestation of the throne by Matthias Corvinus), had many of the same features as the elections of the 1430s and 1440s, including a list of conditions. Key among the conditions set before earlier kings was the confirmation of the Basel Compacts. This confirmation was more complicated than it had been in the past because in 1463 Pope Pius II abrogated the agreement and declared King George of Poděbrad, and anyone else following the Basel Compacts, a heretic.¹³⁶ The consecration of an archbishop was also made more complicated because Jan Rokycana, elected archbishop in 1435 but never consecrated, died in February 1471.¹³⁷ Thus, the estates asked Vladislav Jagiellon "to appoint, affirm, and consecrate such an archbishop as

¹³⁴ Odložilik, *The Hussite King*, 156; Josef Macek, "Le mouvement conciliaire, Louis XI et Georges de Poděbrady (en particulier dans la période 1466-1468)," in *Historica: Historical Sciences in Czechoslovakia* 15 (1967): 27-28. See Chapter 5 for examination of this situation in detail.

¹³⁵ Duke Albrecht of Saxony also put himself forward as a candidate for the throne, but withdrew when Vladislav Jagiellon was elected. Odložilik, *The Hussite King*, 267-268.

¹³⁶ Odložilik, *The Hussite King*, 156.

¹³⁷ Šmahel, "The Hussite Revolution," 162.

soon as possible.”¹³⁸ Although neither the Basel Compacts nor the confirmation of an archbishop in Prague appear among the conditions sent by the estates, they are nonetheless Vladislav Jagiellon’s second and third responses.¹³⁹

The estates also asked, as they had done before, “that no foreigners hold any land office,” and Vladislav Jagiellon “pledged not to place any foreigners, whether spiritual or worldly, in land offices, nor in municipal or spiritual offices, nor to settle them in any castle or city of the Bohemian crown, nor to entrust them [these offices] to them [these foreigners].”¹⁴⁰ These promises reflect the fifteen-year-old Vladislav Jagiellon’s strong connections to principalities beyond Bohemia, having been raised and socialized in the kingdom of Poland, and his position as the oldest prince of the Polish ruling family, just as the conditions presented to Emperor Sigismund, King Albrecht, and Duke Albrecht reflected their possession of territories and honors in the Empire, Hungary, Austria, and Bavaria in the 1430s and 1440s.

The specific use of the term “foreigner” by both King Vladislav and the estates also makes it clear that it is the “foreignness,” or unfamiliarity with Bohemian affairs, that was the

¹³⁸ “A takowý arcibiskup, aby brzy zjednán byl, stwrzen a poswěcen.” František Palacký, *Archiv Český volume IV* (Prague: Kommissí u Kronberga i Řiwnače, 1846), 453, #11 (hereafter AČ IV).

¹³⁹ This creates problems for the historian using these documents. The request sent to Vladislav Jagiellon from Kutná Hora in late May 1471 clearly describes itself as “this having been agreed upon at the general *sněm*, when they elected Vladislav as king, and acquiescing about all things should be maintained; and with the agreement of the whole land, everything should be entered down in the chamber in the [Land] Rolls.” Vladislav Jagiellon, however, replied “by His holy grace, the election of our person happened in Kutná Hora by the princes, lords, knightage, the city of Prague and the other cities of the Czech Kingdom and also all the communities.” Neither the formats nor the conditions of these documents match. In light of the difficulty involved in tracking down the originals, for the present chapter I will tentatively assume that, as the beginning of the documents and the editors suggest, they are in mutual conversation. “Toto swoleno na sněmu obecném, když Wladislawa za krále wolili, a powolení kterak wšecy věci mají zachowány býti; a dole w komoře jest wší zemí swoleno, a to wšeccko mělo we dsky zapsáno býti.” AČ IV, 444, #10. “Z milosti jeho swaté stalo se jest wolenie na Horách Kutnách od kniežat, pánuow, rytieřstwa, měst Pražských i jiných měst králowstwie Českého i wšie obce na osobu naši.” AČ IV, 451, #11.

¹⁴⁰ “Aby iżádný cizozemec úraduow zemských žádných nadržal.” AČ IV, 446, #10. “příkcli sme žádných cizozemcuow duchowních ani swětských na úřady zemské, ani městské, ani duchownie nesázeti, ani jimi zámkuow a měst koruny České osazowati a jim jich swěřowati. AČ IV, 453, #11.

main issue, and not some linguistic identity. In King Vladislav's reply, the term "Polish" is only used in reference to his father, the king of Poland, and does not appear at all in the conditions from the estates.¹⁴¹ References to the Empire or "Germans" do not appear at all in King Vladislav's reply, and of all of the lists of conditions, "emperor" only appears in the estates' conditions to describe Emperor Sigismund, while the phrase "Germany" appears only once in discussion of the master of the mint in Kutná Hora, from whence the document was issued, and once with respect to Emperor Sigismund's appointments.¹⁴² It becomes clear that in these conditions, the estates were not concerned with excluding any particular linguistic or ethnic group, but rather with excluding those who were not connected to Bohemia.¹⁴³

After so many years without a strong royal leader, King Vladislav's nearly half century of rule may seem a marked change. Yet, he was elected when he was only fifteen years old, and for the first seven years of his reign his authority was contested by the Pope and King Matthias Corvinus of Hungary.¹⁴⁴ Even after a settlement was reached in 1478, both King Vladislav and King Matthias were allowed to use the title "King of Bohemia."¹⁴⁵ King Vladislav then faced a series of conflicts tied both to his efforts to enforce his authority, and to the unsettled religious situation in the kingdom.¹⁴⁶ The religious situation was resolved with the Diet of Kutná Hora in

¹⁴¹ AČ IV, 444-451, #10; AČ IV, 451, #11.

¹⁴² AČ IV, 447, 449, #10; AČ IV, 451-455, #11. As previously discussed, Germans are also mentioned once in this context in 1435. Fudge, *The Crusade Against Heretics*, 384-385; Palacký, *Urkundliche Beiträge* II, 440-441, #940.

¹⁴³ King Vladislav's reign has received some coverage in the Czech literature, although virtually absent from non-Czech literature. The primary scholar working on this period, who passed away in 1991, was Josef Macek. His most important work is the four volume series, Josef Macek, *Jagellonský věk v českých zemích (1471-1526)*, 4 vols. (Prague: Academia, 1992-1999). See also Petr Čornej, *Český stát v době jagellonské* (Prague, Paseka, 2012).

¹⁴⁴ Jaroslav Boubín, "The Bohemian Crownlands under the Jagiellons (1471-1526), in Jaroslav Pánek and Oldřich Tůma, eds., *A History of the Czech Lands*, 174.

¹⁴⁵ This is discussed in detail in Chapter 5.

¹⁴⁶ Boubín, "The Bohemian Crownlands," 174.

1485, which formally established both Utraquism and Catholicism as permitted confessions.¹⁴⁷

When King Vladislav was elected King of Hungary in 1491, after King Matthias's death the year before, he moved his court to Buda, and the scholarship on the following quarter century claims that his interests were also thereafter focused on Hungary.¹⁴⁸

Despite his long rule, however contentious, King Vladislav met limited success in creating heirs for his kingdoms. He married first at age twenty in 1476, and was married again in 1491 to Beatrice of Naples, the widow of King Matthias, and a third time in 1502.¹⁴⁹ His first marriages were barren, and his final marriage resulted in only two children, a daughter Anne (born 1503), who married Ferdinand of Habsburg, and a son Louis (born 1506) who married Ferdinand's sister Mary. Because Louis was born when his father was fifty years old, King Vladislav was intent on settling the succession as quickly as possible. This resulted in a treaty of mutual succession and marriage between the Austrian Habsburgs and King Vladislav. In 1506, Emperor Maximilian and King Vladislav signed a tentative agreement, formalized in 1515, whereby Emperor Maximilian's grandchildren would marry King Vladislav's children.¹⁵⁰ When King Vladislav died in 1516, ten-year-old Louis inherited both of his crowns. When the twenty-

¹⁴⁷ Boubín, "The Bohemian Crownlands," 181. See Chapter 6 for a detailed discussion of these developments.

¹⁴⁸ This assessment is generally prevalent. For example, see Boubín, "The Bohemian Crownlands," 174. It is less prevalent in discussions of specific topics, such as the Vladislavské Zřízení Zemský, with which King Vladislav Jagiellon was extremely involved. See Chapter 6 for further analysis.

¹⁴⁹ Čornej and Bartlová, *Velké dějiny vol. 6*, 418, 473-474. His first marriage to twelve-year-old Barbara of Brandenburg was unconsummated and the pair never met. For details, see Josef Macek, *Tři ženy Krále Vladislava* (Prague: Mladá Fronta, 1998). His marriage to Beatrice of Naples was one of the conditions of his election as king of Hungary. Because his first marriage was not annulled, his marriage to Beatrice of Naples was declared invalid in 1500. Thus, his first legitimate, consummated marriage took place in 1502 – thirty-one years after he ascended to the Bohemian throne.

¹⁵⁰ Jaroslav Pánek, "The Czech Estates in the Habsburg Monarchy (1526-1620)," in Jaroslav Pánek and Oldřich Tůma, eds., *A History of the Czech Lands*, 192; Čornej and Bartlová, *Velké Dějiny vol. 6*, 590-592. Ferdinand and Anne were married in Linz on May 26, 1521, when they were 17 and 18 years old. Mary was crowned Queen of Hungary in December 1521, and she and Louis were married on January 13, 1522, after which she was crowned Queen of Bohemia on June 1, 1522. Čornej and Bartlová, *Velké dějiny vol. 6*, 676-677.

year-old Louis died at the Battle of Mohács in 1526, he and Mary had not yet borne children.

His closest heir was thus his brother-in-law, who had married his sister Anne in 1521, and whose first daughter was born a few weeks before Louis's death.

Before becoming king, Louis Jagiellon did not agree to a set of conditions per se. Rather, when he was three and one-half years old, King Vladislav confirmed on his behalf many of the privileges of Bohemia and the “attached” lands, and on the same day issued an edict notifying his subjects that his son Louis was his heir in both Bohemia and Hungary, and that Louis’s heir was his sister Anne.¹⁵¹ Louis was crowned king of Bohemia exactly two months later, so we can see that in these documents King Vladislav was understood to be speaking on behalf of his son.

These conditions did not exactly match the format of many of the other sets of election conditions, but the document did cover similar topics. Although noticeably King Vladislav did not mention the Basel Compacts or an archbishop specifically, he did confirm the privileges of the entire kingdom and the attached lands.¹⁵² He also proposed never to alienate any crown lands (a dubious promise); promised for himself and future kings to appoint various regional governors as needed; and promised for himself and future kings not to appoint foreigners to offices.

At the same time, by our power we establish that no foreigners who would not be in residency in this land (starting from the dukes and through any other estate) should create any other association – we will not allow it, nor will the future Bohemian kings. Also, none of our subjects in these lands could give, sell, or pawn to any foreigner (whether to the Roman princes or to another) by any cunning manner, thus and so that through powerful people these already named lands and lordships could never in any way be

¹⁵¹ Zdeněk Veselý, *Dějiny českého státu v dokumentech* (Prague: Epoque, 2003), 118-120. Archiv Koruny České, #1869-1870, Národní Archiv.

¹⁵² Veselý, *Dějiny českého státu*, 118.

detached or alienated from the Bohemian crown and the Bohemian kingdom, from us, or from our future Bohemian kings.¹⁵³

The wording that King Vladislav chose here in his promise not to appoint foreigners to offices makes it clear that once again it was their origin in an area outside the land in which the office existed that was the problem.

Although King Vladislav attained the throne in 1516 upon his father's death, he was only ten years old at the time. At the age of sixteen, when he was in Prague in 1522, he confirmed the promises that his father had made twelve and one-half years earlier. Unfortunately, the original sealed copy of this document housed in Prague is extremely water damaged, and without special equipment the document is barely legible enough to confirm that it was in fact issued by King Louis in Czech.¹⁵⁴ A German-language edition of this document exists, edited from a copy housed in Vienna.¹⁵⁵ While he does confirm his father's grant from 1510 – and an earlier grant from 1499 that his father also confirmed – this document too takes on a format more similar to that of an ordinary confirmation of privileges than an agreement to election conditions.

From the conditions sent to candidates for the throne and confirmations of privileges granted during their rule, we see that the concerns that confronted the kingdom remained relatively consistent throughout the fifteenth century, even if different situations called for their confirmations in different formats. The exercise of authority by the assembly and by the various

¹⁵³ “Při tom také mocí naší ustanovujem, že žádní cizozemci, kteří by v těch zemích bytem nebyli, počnúc od knížat až do všech stavův, nižádných spolků jmíti nemají a jich dopustiti nemáme my ani budoucí králové čeští, ani také aby nižádný z poddaných našich v těch zemiích nic nemohl dáti, prodati, ani zastaviti žádnému cizozemci, bud' knížatům říšských aneb jiným, nižádným vymyšleným obyčejem, tak a proto, aby skrze mocné lidi ty země a knížetství napřed jmenovaná od koruny České a království Českého od nás i od budoucích našich králův českých odtržena a odcizena nikterakž býti nemohla.” Veselý, *Dějiny českého státu*, #119.

¹⁵⁴ Archiv Koruny České, #1947, Národní Archiv. Inexplicably, the seal on this document is nearly perfectly preserved. The editor in Antonín Haas, *Archiv České Koruny 1158-1935: inventář* (Prague: Archivní správa ministerstva vnitra, 1961), 206, #431, provides an abstract of this document.

¹⁵⁵ Colman Grünhagen and Hermann Markgraf, *Lehns- und Besitzurkunden Schlesiens und seiner einzelnen Fürstenthümer im Mittelalter*, vol. 2 (Leipzig, 1881-1883), 363-365, #70.

estates participating therein confirmed the institutionalization of their privileges. Yet, it could be suggested that the long rule of King Vladislav and the settlement of religious disputes in the Peace of Kutná Hora in 1485, as well as the introduction of the Vladislav Land Ordinances in 1500 and its emendation with the St. Vaclav's Treaty in 1517, changed the political situation significantly.¹⁵⁶ This argument could be used to assert that the Bohemian assembly and crown faced a remarkably changed set of concerns on the eve of the accession of the Habsburg dynasty. The evidence present in conditions for King Ferdinand's election, however, disagrees.

A "Seminal" Election

The election of Ferdinand of Habsburg in 1526 is often considered one of the major turning points in Bohemian history. While in retrospect one may see this election as "fateful," particularly given later nationalist developments, this was scarcely true at the time. We have seen elections of new dynasties after the death of Bohemian rulers from multiple houses: the Luxembourgs were succeeded by the Habsburgs in 1437, who were succeeded by the Poděbrad house in 1457, and then the Jagiellons in 1471. Indeed, King Frederick's election in 1526 made him the third Habsburg ruler, albeit the first from his branch of the family, to rule in Bohemia.

King Ferdinand's election bore many similarities to the others we have seen. Like King Albrecht, he was married to the female heir of the previous dynasty. Like King Ladislaus and the other potential heirs in 1439-1440, he became a candidate for the throne when its previous ruler died on campaign against the Ottomans. Like many of the other candidates, he was given a

¹⁵⁶ These developments are discussed in detail in Chapter 6.

list of conditions that he and the estates negotiated, both trying both to win the upper hand and preserve for themselves as much power as possible.¹⁵⁷

The conditions to which King Ferdinand agreed actually correspond far more to conditions submitted and agreed to forty or more years earlier than they do to those concerning King Louis. This should not be too surprising, as once again he was being elected and crowned after the death of his predecessor.¹⁵⁸ As with all of the fifteenth century conditions, King Ferdinand's first promises were to uphold the Basel Compacts and to assist in the consecration of a new archbishop of Prague. He would finally accomplish this latter promise, albeit after a further thirty-five years.

He was not asked to confirm the status of Moravia, but as Moravia was asserting its own status, and accepted King Ferdinand separately, this was likely unnecessary.¹⁵⁹ He did promise to uphold the privileges of each of the estates, and keep all of the grants made by his predecessors. Like all of the rulers who also held territories outside the Bohemian crown lands, King Ferdinand promised not to appoint foreigners to temporal or spiritual offices, and to make all appointments with the advice of the estates to whom he was writing.¹⁶⁰ He also promised, like King Louis, not to alienate any crown lands or possessions (earlier monarchs had been asked to regain those that had been lost).

¹⁵⁷ The documents associated with the 1526 *sněm* were printed in František Dvorský, *Sněmy české od leta 1526 až po naši dobu*, volume 1: 1526-1545 (Prague, 1877). Of particular interest are documents #18, #21, #23, #24, and #117-119.

¹⁵⁸ Koruny Archiv České, #1971, Národní Archiv; Veselý, *Dějiny českého státu*, 131.

¹⁵⁹ Dvorský, *Sněmy české*, 89-90, #42-43. See Chapter 5 for further details.

¹⁶⁰ “*Item* we promise not to set anyone foreign born rather than Bohemians into any spiritual or secular office, whether royal, courtly, municipal, or spiritual, nor to entrust to them the Castles or Cities [of the Bohemian crown], not to entrust these to them, and we will be bound to act with the advice [of the Bohemians].” “*Item* promisimus nemine[m] Alienigenaru[m] tam spiritualiumq[ue] seculariu[m] ad officina Regni Curie ciuitatu[m] nel spiritualium que Boemos preficere neq[ue] illis Castra aut Ciuitates concredere Qeis illa co[m]mittere que etiam cu[m] Consilio facere debemus.” Koruny Archiv České, #1971, Národní Archiv.

Thus, we see that the promises made by King Ferdinand were very much in line with those exacted from previous candidates for the throne. While not every condition to which he agreed had been placed before every candidate, not every condition was placed before every candidate more generally. Yet, the main points that the estates wanted confirmed were more or less the same as they had been in 1435, as was the method that the estates employed: submission of a list of articles to the candidate for the throne, to which he must agree as a condition of his election.

One of the ways in which King Ferdinand's election has been described as special is by the divisions it created within the kingdom. Yet, Bohemia seen divisions of many kinds, and the second half of this dissertation will discuss them in greater detail. Although King Vladislav Jagiellon's election in 1471 took place when the kingdom was claimed and subsequently divided by another king, one of the outstanding features of King Ferdinand's accession pointed to by scholars is that he was elected by the estates at the assembly in Bohemia, but accepted by the assemblies in the other lands (Moravia, Silesia, and Lusatia).¹⁶¹ Yet, these territories played no role in earlier elections either. In fact, in King Ferdinand's case, the Moravian estates stated that they accepted King Ferdinand after his election by Bohemia.¹⁶²

The "acceptance" of Ferdinand as king by the other lands has been seen as a means by which they asserted their separateness from Bohemia; this assumes that they had any other option. In Chapter 1, the accessions of many margraves of Moravia were examined, but in none

¹⁶¹ For just a few English-language examples, see Pánek, "The Czech Estates," 192-193 and Kenneth Dillon, *The King and Estates in the Bohemian Lands, 1526-1564* (Bruxelles: Editions de la librairie encyclopédique, 1976), 27-29, 39.

¹⁶² Dvorský, *Sněmy české*, 90, #43.

of these instances was the margrave elected.¹⁶³ Thus, there is no precedent for the assembly in Moravia to elect their margrave – they were bound to accept the ruler designated for them by the king of Bohemia. As I examine in Chapter 5, the estates in Moravia and the rulers of Moravia had established the rights and privileges of the land, including the right to self-protection, but the right to elect their margrave was never among them.

At first glance, it might seem that Ferdinand's election was at least unique in its finality, since from that time forward Bohemia was ruled by the Habsburgs until the end of World War I. Yet, while true, this is simplistic. Ferdinand's son and three grandsons were each elected king, and these elections were all accompanied by negotiations, and by rebellions and rivalry in 1609-1611 and 1618 that were similar to those seen in the fifteenth century.¹⁶⁴ Habsburg rule in Bohemia did not cease to be subject to election until the Renewed Land Ordinances of 1627, a century after Ferdinand's "momentous" accession.

Conclusions

One of the key purposes of the assembly was to elect a new king. In this chapter, I have shown that during the successions of the fifteenth century, the power of the assembly to elect the king became more entrenched with the repeated civil wars and political turmoil. These assemblies generally submitted conditions to the would-be king before he was chosen or crowned, and these conditions often worked to preserve the status of the estates meeting in the assemblies. Conditions were tied to nearly every election and every new king, in part because

¹⁶³ See Dillon, *The King and Estates*, 27 for an example of a scholar deriving great significance from Moravia's acceptance of King Ferdinand as margrave. Dillon does not provide citations for his sources, but many can be found in Dvorský, *Sněmy české*, vol. 1.

¹⁶⁴ These rulers were Emperor Maximilian II, Emperor Rudolf II, Emperor Matthias, and Emperor Ferdinand II.

only one of the successions between 1419 and 1526 was a straight-forward, dynastic affair – and that resulted in a ten-year-old king. The delays that accompanied many of these elections gave the assemblies and the estates the opportunity to assert their own authority, independent of the king, and to accrue new privileges and freedoms. These elections, and the frequent need to hold deliberations related to them, helped to cement the power of the assembly as an institution and the rights and privileges of those who participated in these assemblies.

Although there were some variations in the more minor articles of these conditions, they were remarkably similar throughout this period. These continuities show that a consistent set of concerns faced the kingdom, and that even during the disputed elections and turmoil, a consistent set of expectations for the relationship between the king, the estates, and the kingdom persisted. Central was the confirmation of existing privileges, particularly with respect to religious practice and the distribution of offices. These concerns directly affected the members of the estates participating in the assemblies, and also affected limits on the authority of the monarch.

Two central themes frequently reiterated throughout the documents concerning the election of a new ruler were the promotion of the general good and the preservation of the rights and privileges already established in the kingdom. From the perspective of the estates settling these conditions, these two themes were essential to good governance and to the stability in the kingdom. The emphasis on the promotion of the general good and order in the kingdom extended not just to the king, but to members of the estates as well. This good order was made possible by the establishment and continued support of institutions, as was emphasized in discussion of these institutions in the conditions submitted to candidates for the throne, by one of these very institutions.

CHAPTER 4
**“We do not want to be any longer without a king and lord”:
Assemblies and Party Divisions During the Interregnum**

Party politics is something that we often take for granted now, something that we have tried to create systems to control – even if these systems sometimes fail. Yet, when parties come to an impasse so great that it cannot be overcome, either because of in-fighting or because of external pressures, those parties become a liability. The systems for controlling party politics in fifteenth century Bohemia were not yet institutionalized. Although these systems provided a way by which the members of the parties themselves could eventually put an end to the complete factional strife that had overwhelmed the kingdom, they could not stop that strife from happening.

Two goals took precedence over all others in the 1440s: securing Ladislaus Posthumous as king and having Jan Rokycana consecrated as archbishop. Achieving these goals required the support of the emperor and the Pope, but this support was difficult to achieve in practice, even if promises of dubious sincerity were made. The lack of progress in achieving these goals increased party tensions within Bohemia, even though they nominally wanted to achieve the same ends.

The period between October 1439 and the summer of 1453 is generally known as the Interregnum because, despite frequent efforts at negotiation, the Bohemian assembly was unable to secure the coronation of the young Ladislaus Posthumous. In addition to the absence of a ruler on the Bohemian throne, there was also no ecclesiastical leader taking the seat as archbishop of Prague. While administrators and the bishop of Olomouc could undertake many of the necessary duties in the archbishopric, it was not the same as having a true, consecrated

archbishop – for example, the ordination of priests was made far more difficult – and the leading men and cities in Bohemia made sure to point this out whenever possible. Without a king, these leading men collectively took the reins of temporal power in the kingdom.

This chapter is primarily concerned with the issues that divided and united the nobility and the cities, and the mechanisms by which they hoped their divided and united assemblies would effect their desired goals. Each of these groups had as their leaders the key men of the kingdom. One group was led initially by Hynek Ptáček of Pirkštejn, and after his death in 1444 it was taken over by George of Podebrad. The other party was led by Oldřich of Rožmberk until his retirement from public life in 1451.¹ This chapter focuses on the assemblies that these parties called, either together or separately, between these years. While relations between the parties and their assemblies were cordial until 1444, by 1448 relations had broken down so completely that they were rarely able to meet in the same location.² These assemblies took place throughout much of central and southern Bohemia, and this chapter will show that the political distance between the different party assemblies is an indicator of the sincerity of negotiation attempts, and of the general stability of the kingdom.

To some extent, the locations of the assemblies corresponded to the locations of the territories occupied by the leaders of the various parties.³ We can see in these locations the basic outlines and allegiances of the parties between 1444 and 1451. Yet, the true significance of these locations can be discerned only when we examine these assemblies more closely. These

¹ Oldřich of Rožmberk stepped down as leader of his family on November 13, 1451. Blažena Rynešová and Josef Pelikán, *Listář a Listinář Oldřicha z Rožmberka vol. IV: 1449-1462* (Prague: Státní Pedagogické Nakladatelství, 1954), 325; Anna Kubíková, *Oldřich II. z Rožmberka* (České Budějovice: Veduta, 2004), 129-130.

² See Figure 6.

³ See Figure 7 for a map of assembly locations, 1444-1451, and Figure 8 for the locations of assemblies with identifying information.

assemblies focused on the two most important issues facing the estates at this time: the election and enthronement of a king and the consecration of an archbishop. The negotiations for these two necessary events could not – or at least did not – take place without the consent and participation of the assemblies. Yet, the lack of success also exacerbated tensions within the parties and led them to fracture further.

Choosing a location for an assembly is never unimportant, but in this period, when everyone was likely to read ulterior motives into every decision, the choice of location symbolized how deep tensions ran, who agreed with whom, and how successful negotiations might be. From November 1444 through the installation of George of Podebrad as regent in 1452, the assembly routinely met as two distinct, individual parties who held their assemblies in separate locations.⁴ Each of these parties recognized the other as a legitimate political force, even if that recognition sometimes came grudgingly. While recognizing the right of the parties to meet separately and the utility of these meetings, the members of the parties nonetheless insisted that a united assembly was necessary to affirm important decisions, no matter how difficult it might be to meet in this way. In the process of asserting the inviolable authority of the joint assembly, and the deliberative power of party assemblies, the estates reinforced the power and legitimacy of the assembly as a means of protecting the common good, particularly when royal authority was lacking.

Party Participants and Party Locations

After negotiations for Ladislaus Posthumous to assume the throne finished unsuccessfully in 1443, the joint assembly of all parties broke down and the parties began to meet instead in

⁴ See Figure 6. I have identified sixteen assemblies, two related meetings, and two cancelled assemblies.

assemblies organized for the individual parties. By early 1452, the political scene had changed substantially. Hynek Ptáček of Pirkštejn and Menhart of Hradec were dead, Oldřich of Rožmberk had retired, George of Poděbrad was recognized as regent, and negotiations for Ladislaus Posthumous's entry into Bohemia and Moravia appeared promising. Even without the consecration of an archbishop, these developments helped to reestablish stability in the kingdom. Understanding who the key men were, what role they played, and their relationship to the locations of assemblies is critical to understanding how and why parties developed during this interregnum.⁵

We might expect assemblies to take place in Prague by default, but this was not the case in the 1440s. Although both party and joint assemblies did take place in Prague, it was just one of many cities to host such assemblies. Prague hosted general assemblies in November 1446 and November 1450, but also hosted the party assembly of Oldřich of Rožmberk (described as an assembly in Český Brod) in October-November 1444, and a party assembly of George of Poděbrad in June 1449.

The assemblies of the party of Oldřich of Rožmberk and Menhart of Hradec (before his death in February 1449) primarily took place in cities that reflect individual power bases. Although he was a moderate Utraquist, Menhart of Hradec was leader of this party alongside the Catholic Oldřich of Rožmberk, and his participation was reflected in the choice of holding an assembly in his city of Jindřichův Hradec as well as in Prague while he was Highest Burgrave of Prague. This party was also led by Oldřich of Rožmberk, although notably the only meeting or assembly that took place in his lands specifically was a 1450 meeting of *ubrmané* (leaders) in his castle of

⁵ A brief biography of the leading figures – Oldřich of Rožmberk, Menhart of Hradec, Aleš of Šternberk, and George of Poděbrad – was given in Chapter 3, so this chapter will focus on the biographies of other players.

Zvíkov. Instead, they met in two free cities: Plzeň and Strakonice, both of which were ardently Catholic – the later becoming the location of the eponymous *jednota* formed against George of Poděbrad in early 1449.

The Poděbrad party met in locations that carried similar significance. In addition to meeting in Prague, this party also met in three other cities: Nymburk, Kutná Hora, and Pelhřimov. Kutná Hora (an extremely Utraquist city) housed the most party assemblies – one each in 1445, 1446, and 1448 – while Nymburk hosted one in 1444. Both of these cities were in the same region as George of Poděbrad’s territories, and the association is clear. Pelhřimov presents a more interesting case. It was held by Nicholas Trčka of Lípa, an Utraquist nobleman who rose to prominence during the Hussite Wars. He made this city available for a general assembly in 1446, and again in July-August 1450. In between, he opened Pelhřimov as the location for assemblies for George of Poděbrad’s party – of which he was a part – twice in 1449 and once in February-March 1450.

Nicholas Trčka of Lípa is the least known of the figures and families that feature prominently in the party assemblies of this period. We do not know when Nicholas Trčka of Lípa was born, but he was the founder of his dynasty and he was already very involved in Bohemian politics and the Hussite Wars by the mid-1420s.⁶ By this point, he had begun to accumulate new properties – first through simple means such as buying a house in Kutná Hora in 1428, and later by taking advantage of Emperor Sigismund’s sale of former church properties in 1436-1437.⁷ He was

⁶ Lenka Dvořáková, “Trčkové z Lípa na přeloma 15. a 16. století,” *Acta Universitatis Carolinae Philosophica et Historica* 5 (1976), 114-115.

⁷ Dvořáková, “Trčkové z Lípa,” 114-115. Dvořáková notes that it is difficult to determine the exact year when Nicholas bought the city of Pelhřimov. Having purchased his house in Kutná Hora and thus become a householder in the Čáslav region, when administrative units were created in 1440 he was one of the advising counsellors for the Čáslav region. Petr Čornej and Milena Bartlová, *Velké Dějiny Zemí Koruny České*, volume 6: 1437-1526 (Prague: Paseka, 2007), 62.

himself an Utraquist, and even tended toward the more radical branches of Utraquism.⁸ Yet, because he was also able to maintain a friendship with Oldřich of Rožmberk, the leading Catholic, he was actually well positioned to intercede between the various parties, and eventually to offer his property as a meeting space for both parties.⁹

Nicholas Trčka of Lípa seems to feature in both the scholarship and the extant evidence primarily in passing – generally as a witness or sealer of a document, but with little additional information about him.¹⁰ Yet, his relationship to other leading men and the use of his property by those men for assemblies clearly indicates a much larger influence than is generally recognized. He was listed among those participating in the June 1440 election of a king, marking both his rise to prominence and his participation in the key political events and assemblies of the era.¹¹ At this time, he is described as a member of Hynek Ptáček of Pirkštejn's party (*strana*), who were in favor of electing a Polish prince over King Albrecht's dynastic heir.¹² Hynek Ptáček of Pirkštejn led what is typically described in the literature as the Utraquist

⁸ For example, the Táborites and the Bohemian Brethren.

⁹ Petr Čornej, *Velké Dějiny Zemí Koruny České*, volume 5: 1402-1437 (Prague: Paseka, 2010), 502, makes mention of Nicholas Trčka of Lípa as an Utraquist, and Čornej, *Velké Dějiny* vol. 5, 609, associates him with the Táborites and Orphans (another radical group). Čornej, *Velké Dějiny* vol. 5, 657, associates Nicholas Trčka of Lípa with the group of more radical Utraquists who Emperor Sigismund wanted to bring into his orbit in the aftermath of the Hussite Wars. By 1438, he owned four castles and was counted among only sixteen Bohemian men who owned three or more castles. Čornej, *Velké Dějiny* vol. 5, 659.

¹⁰ Indeed, very little literature exists on Nicholas Trčka of Lípa at all. He is a passive figure in surveys such as volume 5 of the *Velké Dějiny* series and in Jaroslav Čechura's survey series, but Dvořáková's short article on his family, "Trčkové z Lípa," is one of the only works to deal with Nicholas Trčka of Lípa specifically. Literature searches reveal no monographs of any size on Nicholas Trčka of Lípa.

¹¹ In this election, Duke Albert of Bavaria was elected and then declined the throne. Čornej, *Velké Dějiny* vol. 6, 68, differentiates between the upper and lower nobility who participated, placing Nicholas Trčka of Lípa in the lower nobility, but the document itself makes no such explicit distinction, except that which can be inferred from the order of the names listed. František Palacký, ed., *Archiv Český*, volume I (Prague: V Kommissi u Kronberga i Řivnáče, 1840), 263, #4 (hereafter AČ I).

¹² Martin Šandera, *Hynce Ptáček z Pirkštejna – opomíjený vítěz husitské revoluce* (Praha: Vyšehrad, 2011), 47-48. Hynek Ptáček of Pirkštejn was born in the early fifteenth century, some time around 1404 (his mother died in 1406). He appears to have entered the political arena in 1420, at which point it seems that he joined his father in supporting Emperor Sigismund. He switched his allegiance from Emperor Sigismund and became an Utraquist some time before 1427, but it is unclear exactly when. By 1434, he joined Menhart of Hradec and Aleš of Šternberk

party in the first half of the 1440s, and it was his death in 1444 that opened the way for George of Poděbrad's rise as leader of his own party.¹³

The 1440s and 1450s saw the introduction of a new generation of leaders. George of Poděbrad was most prominent among them, but also Menhart of Hradec's son Oldřich of Hradec and Oldřich of Rožmberk's son Jindřich of Rožmberk.¹⁴ In addition to these Bohemian noblemen, archbishop-elect Jan Rokycana also became an important figure. Although he does not feature as an author of documents that I will discuss in this chapter, he is a recurring topic within those documents.¹⁵

Jan Rokycana (ca.1396-1471) was of the same generation as the other leading young men of the Hussite Wars – Oldřich of Rožmberk, Menhart of Hradec, and King Albrecht – and similarly played a role in those wars. Like Menhart of Hradec, although an Utraquist, he was a moderate,

as an Utraquist member of the coalition aligned against the radical Utraquists. He continued to play this middle role – as an Utraquist who was a key part of the administration run by a follower of Rome – throughout Emperor Sigismund's reign. Šandera, *Hynce Ptáček*, 12, 14, 18-19; Čornej, *Velké Dějiny* vol. 5, 609-614. Although Hynek Ptáček of Pirkštejn had supported Emperor Sigismund and participated in his election, he was not initially a supporter of King Albrecht, and instead supported the Polish candidate until peace was made with King Albrecht in summer 1438. When the January 1440 assembly created administrative units for the kingdom, he was made the *hejtman* for the Kouřim region, which lay between Prague and Kutná Hora. Hynek Ptáček of Pirkštejn's death on August 27, 1444 more or less coincided with the break down of the assemblies into parties in 1444. Following Pirkštejn's death, George of Poděbrad was elected to lead what had been Pirkštejn's party. Čornej, *Velké Dějiny* vol. 6, 62, 90.

¹³ Hynek Ptáček of Pirkštejn appears slightly more prominently in the scholarship than does Nicholas Trčka of Lípa, notably because of Šandera's recent biography. Šandera, *Hynce Ptáček*. Indeed, despite appearing as a forerunner of George of Poděbrad's in most texts, including English-language biographies of George of Poděbrad. Frederick Heymann, *George of Bohemia, King of Heretics* (Princeton: Princeton University Press, 1965), 26-28; Otakar Odložilík, *The Hussite King: Bohemia in European Affairs, 1440-1471* (New Brunswick, NJ: Rutgers University Press, 1965), 33. Literature searches reveal no other monographs on Hynek Ptáček of Pirkštejn.

¹⁴ See Chapter 3 for more information about George of Poděbrad, Menhart of Hradec, and Oldřich of Rožmberk, as well as Aleš of Šternberk.

¹⁵ Despite the importance of Jan Rokycana, he has been treated only sparingly in scholarship. He appears as a background figure in a variety of works (much as he does in this dissertation), such as Thomas Fudge, *Jerome of Prague and the Foundations of the Hussite Movement* (New York: Oxford University Press, 2016), and Jaroslav Boubín, *Petr Chelčický: Myslitel a reformátor* (Prague: Vyšehrad, 2005), and his work have been edited or introduced in older volumes, such as F. Šimek, *Učení M. Jana Rokycany* (Prague: Nákladem české akademie věda umění, 1938) and František Bartoš, *Litařní činnost M. Jana Rokycany, M. Jana Příbrama, M. Petra Payna* (Prague: Nákladem české akademie věda umění, 1928). A very short, nineteen page biography exists in Kamil Krofta, *Mistr Jana Rokycana* (Rokycany, Czech Republic, 1911).

and he opposed even some of the most prominent leaders in the Hussite Wars – such as Jan Želivský’ and Jan Žižka – because they were too radical.¹⁶ Rokycana was elected archbishop in 1435, but he was never consecrated by the Pope. He continued as archbishop-elect, alongside episcopal administrators (without the right to ordain new clergy) until at least 1466, when he had a stroke, if not until his death in 1471.¹⁷

A few key figures residing outside Bohemia also play a major role in this period. Emperor Frederick III (1415-1493) was a second cousin of King Albrecht and essentially his closest adult male relative in the Habsburg line.¹⁸ Emperor Frederick III became guardian of King Albrecht’s lands in 1439-1440, and guardian for Ladislaus Posthumous after the boy’s mother died in 1442.¹⁹ As Ladislaus Posthumous’s guardian, he negotiated with the Bohemian assembly concerning the boy’s accession and rights in the kingdom. He lived and served as Emperor until 1492, and would continue to be involved in Bohemian affairs long past Ladislaus Posthumous’s death in 1457. As the party disputes largely surrounded the conditions necessary to bring Ladislaus Posthumous to Bohemia, to consecrate an archbishop, and how the Basel Compacts would be observed, his participation was critical.

One of Emperor Frederick III’s ambassadors in 1451 was Aeneas Silvius Piccolomini (1405-1464). He was roughly the same age as most of the principal players in Bohemia and had similarly experienced the vicissitudes of the Hussite Wars, albeit from afar – including participation in the Council of Basel, where religious detente was reached. His acquaintance

¹⁶ Krofta, *Mistr Jana Rokycany*, 4-6.

¹⁷ Krofta, *Mistr Jana Rokycany*, 16-17.

¹⁸ King Albrecht and Emperor Frederick III were both great grandsons of Albrecht II of Austria (1298-1358).

¹⁹ He was elected King of the Romans in his own right by the imperial electors on February 2, 1440.

with the kingdom would affect Bohemia's relationship with the Papacy in far-reaching ways after he was elected Pope Pius II in 1458.²⁰

These men and their associations with various locations would have profound effects on assemblies between 1444 and 1453. Two major parties formed during this period, one led by George of Poděbrad, and one led by Oldřich of Rožmberk (along with Menhart of Hradec and later his son Oldřich of Hradec). These parties generally tried to work together, but not always in good faith. The degree to which they were able to work together will be visible in their choice locations for their assemblies, as much as in the rhetoric used by participants in the assemblies.

1444-1446: Separate Assemblies Seeking Unity

The practice of meeting in separate assemblies began to become normalized in October and November of 1444. The articles nominally issued from the general *sněm* in Český Brod indicate that the parties were actually gathered in two groups, one meeting in Prague and the other meeting in Nymburk, 45 km away.²¹ The extant documents do not clearly list the participants, but a few inferences can be made. The group meeting in Prague seems to have included Oldřich of Rožmberk and Ales of Šternberk, and quite possibly Menhart of Hradec, while the group meeting in Nymburk revolved around George of Poděbrad, who had just taken over the leadership of what is traditionally described – too simplistically – as the Utraquist party.

The next “assembly” was a set of separate assemblies that met in June 1445. These assemblies were not accompanied by a corresponding general assembly, but rather met as two

²⁰ See Chapter 5 for further detail.

²¹ AČ I, 283-191, #16, #17a, #17b.

completely separate assemblies in Kutná Hora and Plzeň.²² The choices of location for the meetings tells us something about the relations between the groups. The previous assembly had taken place in both Nymburk and Prague, but was described as taking place in Český Brod, which was about eighteen kilometers from Nymburk and thirty kilometers from Prague.²³ By contrast, Kutná Hora and Plzeň were 138 kilometers apart, and it would almost unquestionably have taken a minimum of two days to travel between the cities. As the cities of Kutná Hora and Plzeň were also two of the most staunch supporters of Utraquism and Roman doctrine, respectively, the distance and character of the cities in which the assemblies took place suggests a degradation in the relationship between the two parties. Indeed, these assemblies needed to meet separately in these locations twice before they could agree on a joint assembly in Pelhřimov.

These assemblies focused on the election and enthronement of a king and the consecration of an archbishop, and these two key issues continued to be the main focus of assemblies for the rest of the decade. In order to consecrate an archbishop, the estates required the agreement of the Pope, and this agreement seems to have been the focus of the party meeting in Plzeň. They sent a message to Pope Eugene that focused on his actions – or rather inaction – with regard to his refusal to consecrate Rokycana as archbishop of Prague.²⁴ Notably, this letter supporting the consecration of an Utraquist archbishop was issued by the party more closely affiliated with Rome.

²² Blažena Rynešová, *Listář a Listinář Oldřicha z Rožmberka vol. III: 1445-1448* (Prague: Ministerstvo Školství a Národní osvěta, státní tiskárny v Praze, 1937), 24-26, #30 and #32; AČ I, 291, #18.

²³ See Figure 9 for their locations.

²⁴ Rynešová, *Listář a Listinář* vol. 3, 24-25, #30; Historica Třeboň, Státní Oblastní Archiv Třeboň, sign. 751a (hereafter HT).

The party meeting in Kutná Hora took a slightly different tact, although the core issues were the same. The articles to which “the lords, knights, squires, cities, and *zemané* of the sundry regions of the Bohemian lands” gathered in Kutná Hora consented focused on the Basel Compacts and the coronation of a king, rather than the consecration of the archbishop.²⁵ The articles first included an affirmation of the Basel Compacts to “help to attain peace” in the kingdom.²⁶ They then included an effort to correct a “slanderous” rumor that the party meeting in Kutná Hora did not want to elect a king.²⁷ The articles ended with an agreement to a general *sněm* to be held on St. Bartholomew’s Day (August 24, 1445), but asserted that they “do not want to go to Prague for it on account of the many reasons about which [they] had previously sent word.”²⁸

We can see that the parties were already divided about their priorities, although surprisingly it was the party with fewer Utraquists that sought the consecration as archbishop of the Utraquist Jan Rokycana. The party led by an Utraquist focused on affirming their desire to elect a king – even though that king was a (child) follower of Rome. While this was in addition to their affirmation of the Basel Compacts, it still shows a surprising disconnect between what we might stereotypically expect and the issues on which the individuals parties actually focused. Yet, they still had trouble coming together.

Because of the breakdown in relations between these parties, the planned assembly does not seem to have taken place. Indeed, it was repeatedly postponed, and new, separate assemblies

²⁵ “Od pánuow, rytieřuow, panoři, měst, zeman krajuow rozličných země České o artikule dolepsané.” AČ I, 291, #18. Unfortunately, these documents do not list the assembly participants individually.

²⁶ “Pomoc k dojití pokoje.” AČ I, 291, #18.

²⁷ AČ I, 291, #18.

²⁸ “Ale do Prahy k němu jeti nechceme pro příčiny hodné, kteréž sme před sím na podzim ... wzkázali.” This document is a copy of the articles decided upon at the assembly, and is currently held in Třeboň. AČ I, 291, #18. HT, sign. 750, inv. #976.

were set instead. It is clear that by August 2 arrangements had yet to be made, since on that day Oldřich of Rožmberk told Nicholas Trčka of Lípa that some people would like him to announce a general *sjezd* of both parties.²⁹ Although there is no indication that this took place immediately, calls for a general assembly continued throughout the fall, and by Christmas it seems to have become clear that the parties would meet separately first.³⁰

These separate assemblies met in April 1446, and this time truly seemed to be in preparation for a joint assembly in June of that year. Nonetheless, from their assembly in Kutná Hora the Poděbrad party lashed out at Oldřich of Rožmberk and his party meeting in Plzeň, accusing the party in Plzeň of slandering them by alleging that they did not want to accomplish the same goals for the improvement of the kingdom. The Poděbrad party presented its goals as:

So that according to the agreements and writings that were made in [Český] Brod, let it be carried through and enacted in reality for the general good and praise of God, and particularly about the king it was agreed in [Český] Brod that at a particular time he would be delivered into our land so that we could then accept him together with you, from one will, according to other laws and the order of the Bohemian kingdom, as our ancestors had from antiquity accepted kings from other lands. Also, we want to provide for him regardless of our estates, so that with us he would be and remain and he would have something to rule, and proceed from the general good of our land and crown. And as for the election of the archbishop, without whom the order of the church cannot remain good, that this would be done in fact, and his confirmation and consecration [would be] according to the agreements made with [his] Grace the Emperor [and] according to the agreements for the whole land that were just written in the peace document, which is to say, made and authorized and written.³¹

²⁹ Rynešová, *Listář a Listinář* vol. 3, 29-30, #36.

³⁰ Correspondence concerning the preparations can be found in Rynešová, *Listář a Listinář* vol. 3, 53-54, #72; 55-56, #75; 57, #78; 65-66, #87.

³¹ “Aby podlé toho svolenie a sepsanie v Brodě učiněného bylo to obecné dobré k chvále božie tak jednáno a vsutku konáno, a zvláště o krále tudiež v Brodě bylo zuostáno, aby nám byl v času jmenovitém do země vydán a my abychom jej tak přijali spolu s vámi z jedné vuole podlé práv a řáduov země české, jakož sú předkové naši od staradávna z jiných zemí krále přimjímali, i také jej opatřiti chtiece, svých statkuov v tom nelitujíce, tak aby s námi mohl býti a zuostati a aby měl nač kralovati a obecné dobré země naše a coruny české jednati, také o arcibiskupa voleného, bez něhož rád duchovní dobře státi nemuož, aby bylo k skutku přivedeno, a o jeho potvrzenie a svěcenie podlé úmluv s ciesařovú Mti učiněných a podlé svolenie všie země v mírném listu zapsaného bylo jest hned tudiež umluveno a svoleno i sepsáno.” Rynešová, *Listář a Listinář* vol. 3, 86, #125.

The rest of the letter continues to focus on these themes. The party in Kutná Hora made explicit reference to earlier agreements concerning 1) the general good of the land, 2) the enthronement of Ladislaus Posthumous, and 3) the consecration of an archbishop. The first point was the main focus, while the second and third were the most important steps in working towards the general good of the land. Indeed, they reiterated that in order to work towards that good, both parties would need to come together.

While it is clear why it would be in the best interest of the party in Kutná Hora to frame all of their actions as being for the general good, this phrase is also carefully chosen, and it is clear that this goal actually did underpin their efforts. They describe both the efforts to have Rokycana consecrated and the purpose of meeting together to unanimously choose the next king as being for the general good. They also imply that pursuing these goals independently, rather than in a unified manner, would not be in the interests of the larger community. Thus, if the other party urged a different kind of action, it would not have the general good as its foremost goal.

Yet, it was just as easy for Oldřich of Rožmberk's party to express similar concerns. When writing to the papal legate in early May 1446, Oldřich of Rožmberk described the Poděbrad party as "the rival party now having met in the *rok* in [Kutná] Hora."³² Here, he identifies the Poděbrad party as a party, and clearly indicates that their meeting was something in which Oldřich of Rožmberk was not included.³³ He also describes the meeting as a *rok*, a word that often seems to be utilized when describing a summit or other important meeting that was official, and yet a precursor to a meeting in which decisions could be made.³⁴ In contrast, the letter sent

³² "Nynie strana odporná rok měla u Hory," Rynešová, *Listář a Listinář* vol. 3, 91, #128.

³³ He also told the papal legate that he was not informed enough about the proceedings in Kutná Hora to pass that information along. Rynešová, *Listář a Listinář* vol. 3, 91, #128.

³⁴ See Chapter 5 for another example.

from the Podebrad party to Oldřich of Rožmberk had described itself as “given at the *sněm* in Kutná Hora.”³⁵ As the term *rok* is only rarely used in this context, we can understand the difference in terms here to indicate that the different parties understood the assembly in Kutná Hora in different ways, or at least wanted to present the assembly differently – with Oldřich of Rožmberk seeing it as less official.

Both parties seem to have been able to come together at an assembly in Pelhřimov. A copy of a letter written by Menhart of Hradec and George of Poděbrad on May 14, 1446 indicates that while some participants from both parties had arrived in Pelhřimov by mid-May, others still needed encouragement.³⁶ Although the assembly may not have been in full swing until early June, the general assembly in Pelhřimov seems to have concluded by the middle of June, after a record of the proceedings was released on June 12, 1446.³⁷

³⁵ “Dán u Hory Cutny na sněmu.” Rynešová, *Listář a Listinář* vol. 3, 87, #125.

³⁶ HT sign. 821a, #1075. The letter was sent to Jan of Hradec (and Telč), a cousin of Menhart of Hradec whose son would inherit Menhart of Hradec’s patrimony after Menhart of Hradec’s son’s death in the early 1450s. This letter urged Jan of Hradec to join them, but most importantly it represents a joint effort by prominent members of both parties. On May 28, Oldřich of Rožmberk wrote from his seat in Český Krumlov to request that the city of České Budějovice send agents to the assembly in Pelhřimov, and the following day the mayor and counsellors of the city replied that they were sending their representatives, and that the city of Soběslav (between České Budějovice and Prague) would follow suit the following week. Rynešová, *Listář a Listinář* vol. 3, 100, #143, and 101, #145. Oldřich of Rožmberk also wrote to Jan of Smiřic that he would love to discuss a specific matter at the Pelhřimov *sněm*. Rynešová, *Listář* vol. 3, 100, #144. The letter sent by George of Poděbrad and Menhart of Hradec laid out the goal of the joint assembly for “all the inhabitants of the Bohemian kingdom” to come and discuss together all of the issues affecting the kingdom, and to resolve them “for peace and for the general good.” “wssech obyvateluow Cralowstwie Czeskeho,” and “ku pokogi a k dobre[m]u obecnemu.” HT, sign. 821a, #1075.

³⁷ AČ I, 294-296, #20, also HT, sign. 830, #1090. The version of this document housed in the SOA Třeboň includes the remnants of nineteen seals (nine red, nine black, and one that appears colorless) impressed upon the bottom of the large, high quality paper. HT 830, #1090. Also included within the folder under this call number is a contemporary translation into German of the Czech sealed original document, written on a folded folio-sized sheet of paper. Presumably, this version was Oldřich of Rožmberk’s copy, but it is important to note that nonetheless it has these seals – indicating that multiple participants probably held sealed copies. Although only nineteen seals were pressed into the paper, eighteen people with titles and the representatives of the Old and New Towns of Prague were listed alongside five men of lesser status. AČ I, 294, #20. By June 20, Oldřich of Rožmberk wrote to Oldřich Celský in German to express his regret that Celský had not attended the assembly, to thank him for a horse, and to tell him about the assembly. Rynešová, *Listář a Listinář* vol. 3, 108-109, #155 (Also HT, sign. 832a).

This record laid out two main resolutions of the joint assembly: that Ladislaus Posthumous would be chosen as king by the next assembly, and that Jan Rokycana would be consecrated as archbishop.³⁸ These resolutions reflected the strong opinion on the part of all parties that the heads of the two core institutions of the kingdom, the Church and the monarchy, must be agreed upon and these positions properly filled as soon as appropriate arrangements could be made. As we saw in Chapter 3, electing a king was not an easy process in the 1440s, and filling the archbishop's seat would not be accomplished for over a century.

The next assembly, whose purpose was in part to elect Ladislaus Posthumous, again focused on these two key causes of instability. This assembly met over St. Martin's Day in mid-November, 1446, in Prague, and included members from all three estates. This assembly allows us to gain insight into how the different estates at the assembly expressed slightly different concerns and used the assembly to protect their own interests.³⁹ The document from the lords expressed their concerns over the two items that required input from outside the kingdom. In order to consecrate an archbishop, they had to convince the Pope to consecrate Jan Rokycana, although he had failed to do so for over ten years. Similarly, in order to crown the king they

³⁸ They were accompanied by a supporting resolution concerning items agreed upon at the assembly and the convocation of the next assembly. "About king Ladislaus, it is our intention and will that at the next upcoming general *sněm* of the whole kingdom, we want and also we have to lead and bring our friends and the other good people, so that we bring this message to His Royal Grace, the Roman king, from the whole country together, so that he would deign to give him to us as to our lord and king, so that he would be with us in a year. "O krále Ladislawa jest úmysl a wuole naše, že na sněmu obecníem všeho králowstwie najprwé přištíem chcem i mámy přátely naše a jiné dobré lidi k tomu wěsti a táhnúti aby chom ku Králowě Milosti, králi Římskému, poselstwie řádné ode wšie země společně učinili, by nám w roce od téhož sněmu obecného pořád čtúc, za krále a za pána našeho jej wydati ráčil." AČ I, 295, #20. They also wrote "so that mister Jan Rokycana was elected as archbishop of Prague, [and] with all our care and effort would be consecrated and confirmed." "Aby mistr Jan Rokycana k arcibiskupství wolený Pražskému byl s našimi všech pilnostmi a pracemi skutečně poswščen a potwrzen." AČ I, 296, #20.

³⁹ František Palacký, *Archiv Český volume II* (Prague: Kommissí u Kronbergra I Řiwnáče, 1842), 213-217, #3a-c (hereafter AČ II).

needed the cooperation of the emperor, who was the boy's guardian.⁴⁰ The other estates expressed agreement concerning the consecration of an archbishop and the enthronement of a king.⁴¹ Yet, they also took the opportunity to ask for clarification of their privileges. The knights asked that they have a presence on the land court as stipulated by Emperor Sigismund, to which the lords agreed.⁴² The cities also requested confirmation of their privileges.⁴³ This request is particularly noteworthy, as they do not appear to have received this confirmation.⁴⁴

Although in this document (and many others), the cities clearly participated in high-level

⁴⁰ They asked the emperor "in this [matter], according to the agreement and writings in Pelhřimov, you lord should be so kind as to designate those people who will *actually take up these matters*, and also those agents who should deliver the messages for them in the name of the whole land, and the food and other needed things, so that they would be provided and allocated; and you need to provide for those who will be designated to see this through the seals, the documents, and all the other things needed for this path; and at the time, when it would seem appropriate to them, with the council of wise people, see that they were sent on their way. "W tom podlé smluw a spisuow Pelhřimowských již páni sami račte osoby ty wydati, kteréž tu věc k miestu mají skutečnému wěsti, i také posly ty, kteříž to poselstwie jménem wšie země na se mají wzieti, a ztrawa i jiné věci k tomu potřebné, aby byly opatřeny, kde to má wzato býti; a ti, ktož na to budu wydáni k těch věci konání, již pečeti, listy i wšecy jiné věci k té cestě potřebné jim wyjednajte, a k času, ku kterémuž by se jim s radu múdrých lidí zdálo, na, cestu je wyprawte." AČ II, 214, #3a. The italics are mine to indicate the emphasis that is clear in the Czech.

⁴¹ AČ II, 215, #3b.

⁴² "Item, about the land court, it seems to us, and we agree [that it is] for the better, that as many individual *zemané* should be seated on the court as during [the reign of] Emperor Sigismund of famed memory, and that this would last for two years, without offense to their laws and freedoms. This we will do so that those who sit [on the court] should also carry out the lordly rulings with the lords." "Item, o súdu zemském takto se nám zdá, a swolujem pro lepšie, aby tolikéž osob zeman sedalo při sudu, jakož za ciesaře Sigmunda slawné paměti, tak však bez pohoršenie swých práv a swobod, a to do dwú letú. Toto k tomu přičinieme, aby ti, kteříž sedí, také panské nálezy wynášeli se pány." AČ II, 214, #3b.

⁴³ "And also we and our community would like to ask His Grace that he deign to confirm for us our rights and freedoms, which we have of old from the emperors and kings and indeed from the dukes; and also [that if we do] not have [our] rights and freedoms [confirmed] by the king, then it would not be acceptable to us to have His Grace as lord, unless he first confirmed them for us, as was done for us and the other communities from the times of our ancestors. And also, if they would ask for our seal so that we would append our seal to this, your Grace should understand that it would not be appropriate [to do so] except for the confirmation of the archbishop, elected by the other communities, unless we were in opposition to it for a good reason." "A také my a obec naše na JMti žádali bychom, aby nám našich práv a swobod potwrditi ráčil, kteréž od staradawná od ciesařow a od králów i od kniežat mámy; a také práv a swobod od krále nemajíc, nezdá nám se bychom JMt za pána přijali, léčby nám jich prwé potwrdil, jakož se nám i jiným obcem od předkuow našich dalo. A také, jestližeby pečeti naše požádali, abychom k tomu pečet swú přitiskli: i muož WMt tomu porozuměti, žeť nám to nenie slušné, kromě ku potwrenie arcibiskupa woleného wedle jiných obcí nebylibychom odporní z hodných příčin." AČ II, 215, #3c. This essentially meant that the city of Plzeň could still oppose Jan Rokycana as archbishop, while Prague could still support him.

⁴⁴ See Chapter 6 for a detailed examination of these developments in the last quarter of the fifteenth century and the first years of the sixteenth century.

decision making in the assembly, because this privilege was not formally recognized, it could be and was denied by the other estates a half century later.⁴⁵

In order to obtain a king as decided by the assembly, Aleš of Šternberk was sent to the Emperor as the assembly's agent, tasked with convincing him to release Ladislaus Posthumous to Bohemia to be crowned king.⁴⁶ In addition to noting that it was “the advice of all of the parties” that they should “find a way by which this land could enter order and peace,” he reminded the Emperor of the Bohemian estates' authority to make this determination for themselves, i.e., through election.⁴⁷ He further noted “that everyone in unison and with one voice, together we beseech and ask that Your Grace deign to release King Ladislaus, your relative, into this kingdom as [our] king and lord, to them and us all.”⁴⁸ This election was conducted “according to the laws and customs of these ancient lands,” and Aleš of Šternberk begged the emperor to remember his duty as King of the Romans to help them by sending Ladislaus Posthumous to Bohemia to assume the Bohemian throne.⁴⁹

⁴⁵ See Chapter 6 for further detail.

⁴⁶ This can be seen in the agents' notes, “*Item* to ask His Grace about the *sjezd* with the lords for discussing the final matter about King Ladislaus; and so that His Grace would have whoever he wants [negotiate], so that these things would be brought to an end without further delay.” “It. Prosimi JMt o sjezd se pány k rozmluvení na konečnú věc o krále Ladislawa; a aby JMt k tomu měl kohož ráčí, aby ty věci bez protahování k konci přivedeny byly.” AČ II, 212-213, #2.

⁴⁷ “Wšech stran rad i zpuosobów těch wyhledajíc, kudyby ta země w řád a pokoj wešla.” AČ II, 210, #1. He also informed the emperor that, knowing the emperor's intentions and having already met a few times, this determination was made: “convening now all of the lords, knights, *zemané*, and cities, and the other good people already at this current *sněm*, for the crown in question we agreed together finally on all of the matters, as we will report.” “Již teď na tomto sněmu nynějším všichni páni, rytieři, zemané a města, i jiné dobré lidi k té koruně příslušné svolawše, ustanowili sme se i s nimi jednostajně na věcech konečných takových.” AČ II, 209, #1.

⁴⁸ “Wšichni jednosworně a jedním hlasem, i na to nás teď k WMtí poslali, žeť společně všichni prosie i žádají, aby WMt ráčila tomu králowstwie a jim i nám všem krále Ladislawa, strýce vašeho, za krále a za pána wydati” AČ II, 209, #1.

⁴⁹ “Podlé práw a obyčeuow té země starodáwních.” AČ II, 209, #1. Additionally, “that, as Roman king, Your Grace would deign to give particular care to the holy empire, and especially to our crown, as almost the foremost power of this Roman Empire; you should be of advice and help to the good intention of this land, and therefore you should be inclined to release King Ladislaus to us, so that by the coronation [of] His Grace we could be (better solidified and we could avoid all evil) in the union (*jednota*) and concord that was achieved with great effort.” “Ráčí WMt, jakožto král Římský, jemužto zvláštnie péče říše swaté býti má a zvlášťě koruny naši, jakožto

This is one of the few places when we can see an appeal to the emperor expressed in a way that invokes the relationship between the kingdom of Bohemia and the Empire. Aleš of Šternberk skillfully reminded Emperor Frederick III that he had a duty to Bohemia because it was a part of the empire, and that his failure to allow Bohemia's rightful and elected king to assume his throne was doing harm to one of the territories that he was supposed to protect. Just as the parties were accusing each other of not making the common good of the kingdom their priority, so here they were accusing the emperor of doing the same thing. Because Bohemia was part of the Empire, it was the responsibility of the imperial ruler to promote stability in Bohemia as much as possible, while still respecting the distinctive privileges of the kingdom. Of course, few emperors understood their responsibility in this way.

The assembly also sent agents to Pope Eugene to try to accomplish the other matter on which the estates and the party could agree: the consecration of Jan Rokycana as Archbishop of Prague. The assembly addressed itself to Pope Eugene and exclaimed that it had only one request, that “faithfully and truly the consecration and confirmation of the fair mister Jan Rokycana as archbishop of the Prague Church should be done and accepted by the whole kingdom.”⁵⁰ The rhetoric was intended to increase the persuasiveness of the letter, and to demonstrate that the consecration of Jan Rokycana as archbishop was actually the will of the entire kingdom. The names of Oldřich of Rožmberk and Menhart of Hradec are also listed prominently within the letter, which showed that two of the leading men who had worked to resolve the Hussite Wars in Emperor Sigismund's favor twelve years earlier also agreed to this request. Yet, despite these

přednieho téměř údu též říše swaté k tomu dobrému té země úmyslu raden býti i pomocen, a tiem spíše krále nám Ladislawa wydati, aby chom korunowáním JMti w jednotě a swornosti pracně již uwedené tiem se lépe utwrditi a zlého wystřieci mohli.” AČ II, 209, #1. The ambiguities in this translation are present in Czech as well.

⁵⁰ “wěrně a skutečně kteréž má učiněno býti, a na swěcenie a potwzrenie poctiwého mistra Jana z Rokycan za arcibiskupa Pražského kostela ode všeho králowstwie jednosworně přijatého.” AČ II, 218, #4.

appeals, neither mission was effective. Neither Aleš of Šternberk's visit to Emperor Frederick III resulted in Ladislaus Posthumous's quick accession to the throne, nor did the Pope agree to consecrate Jan Rokycana. Indeed, the failure of these missions had significant effects for the parties and assemblies in Bohemia.

After months of not being able to even convene a joint assembly, the estates and parties in Bohemia finally came together in 1446 and agreed to take action on the two most pressing issues in the kingdom. The failure of external leaders, both spiritual and worldly, to appreciate the urgency of their requests created further instability in the kingdom. Having done their part in electing both a king and an archbishop, the estates could do no more to put them into office without cooperation from the Pope and the Emperor. Yet, this cooperation was far from forthcoming, which exacerbated the tensions between the parties – tensions that were simmering just below the surface.

1447-1449: Failed Efforts and Regime Change

No further assemblies met until the fall of 1447. When the assembly did meet, it was no closer to achieving its goals than it had been a year earlier, although the politics had changed slightly: Pope Eugene had died on February 23, 1447, and Pope Nicholas V had been elected his successor on March 6, 1447, while Emperor Frederick III was still the guardian of Ladislaus Posthumous in Vienna. The assembly that finally met in the fall of 1447 was held in Jindřichův Hradec in southern Bohemia. The city was owned by Menhart of Hradec, who was Highest Burgrave of Prague, an Utraquist, and a member of Oldřich of Rožmberk's party. This was the third assembly in a row – after those held in May-June and November 1446 – to be held as a

general assembly. This consistency shows a continuing unity of purpose, even if tensions were running extremely high.

Messengers were again sent to Emperor Frederick III and to the new Pope concerning these matters, but the documents they carried expressed less certainty of the outcome than they had the previous year.⁵¹ In the message to Emperor Frederick III, the assembly requested that the emperor help them “so that we would no longer be without a king and lord.”⁵² The plea in their tone indicates that although they were adamant, they were also perhaps skeptical that their request would be granted. Oldřich of Rožmberk reported to a nobleman not attending the assembly, Henry of Sobětic, that an assembly would discuss Emperor Frederick III’s response a few months later, around Christmas.⁵³

Between May 1446 and November 1447, they were able to come together for joint assemblies with a united goal three times. They were able to meet together in Pelhřimov (owned by a member of the Poděbrad party), Prague, and Jindřichův Hradec (held by Menhart of Hradec, and member of Oldřich of Rožmberk’s party). Each of these cities held a symbolic importance with which it was endowed by the party politics of that moment. The symbolic importance of these cities was not lost on the participants in these assemblies.

The acknowledgement that even eighteen months of genuinely working together to accomplish two specific goals was not enough to convince the emperor and the Pope to support the Bohemian estates had a deleterious effect on relations between the parties. Their joint action was necessary, but clearly not sufficient to secure men to hold the top temporal and spiritual

⁵¹ AČ II, 221-223, #8; AČ II, 226-227, #12.

⁵² “Abychom déle bez krále nebyli a bez pána.” AČ II, 222, #8.

⁵³ AČ II, 226-227, #12.

posts in the kingdom. The Pope and the Emperor continued to drag their feet, stalling without giving the Bohemian estates specific actions that they could take to achieve their goals.

There is no real indication that an assembly took place around the New Year, as Oldřich indicated it might, but by the beginning of March the estates were again communicating with Emperor Frederick III.⁵⁴ This response focused on asking the emperor to find a time when the agents of the Bohemian assembly could meet with him and the Austrian estates in order to allow Ladislaus Posthumous to assume his Bohemian throne for the benefit and peace of the kingdom.⁵⁵ Between October 1447 and May 1448, agents were also sent to the Pope.⁵⁶ The audience with the new Pope Nicholas V did not, however, go well for the Bohemian agents. They laid out their request for Jan Rokycana to be consecrated as archbishop, and the Pope's response was non-committal at best. Although he did grudgingly admit that giving the eucharist in both kinds (*sub utraque*) was not heretical, it is unclear if he addressed this practice with respect to the laity.⁵⁷ The exchange essentially showed that although the different parties and estates in Bohemia were at least publicly united in support of consecrating Jan Rokycana as archbishop, and had been working together to achieve this goal for nearly two years, the Pope would not be likely to oblige them. Combined with the ineffectiveness of the delegations to

⁵⁴ AČ II, 227-229, #13. The section of the Archiv Český that includes documents on these assemblies skips from October 1447 to March 1448, and Rynešová's *Listář a Listinář*, vol. 3, also has no documents related to assemblies for this interim period, nor did I find any in any archives.

⁵⁵ AČ II, 228, #13. Frederick III was officially regent for Ladislaus Posthumous in his Austrian estates, in addition to being his guardian.

⁵⁶ Four records are extant that show the interactions between the agents and the Pope concerning the consecration of Jan Rokycana as archbishop. AČ II, 232-236, #15a-d. These documents are published in Czech, and appear to be translations from the Latin, although it is unclear from the editions when these translations were made.

⁵⁷ AČ II, 232-235, #15a-b. The documents ended with a record of an exchange between the Pope and the Bohemian agents about whether or not Jan Rokycana was a heretic for giving communion wine to the laity. As recorded here, Pope Nicholas did not specifically say that he was, but he did say that "they are acting incorrectly and unwisely, but if it were heresy I would not distribute it [in this way]." "Zle a nemůdře činie; byt'bylo kacěřstwie, bylbych já nerozdával." AČ II, 236, #15d. He had admitted earlier in the conversation that he administered communion in both kinds in private, but he was silent when asked about the Basel Compacts.

Emperor Frederick III, this failure led to another breakdown in the relations between the parties, which would soon build to actual fighting.

By June 1448, the parties were back to meeting separately. While the records of messengers suggest that the parties were still trying to address major issues facing the kingdom, the grievances sent by the assembly in Kutná Hora on July 2 show how, from their perspective, the time for talking matters over peacefully had passed.⁵⁸ The grievances included here all fall into the category of not following the Basel Compacts, and indeed allege that priests were led to ignore their stipulations by the papal legate. Each of the cities comprising Prague were notoriously Utraquist, and yet despite that identity, George of Poděbrad's party alleged that communion was distributed as only the wafer, in violation of the Basel Compacts.⁵⁹ Compounding the problem was the failure to consecrate the Utraquist Jan Rokycana as archbishop; had this matter been addressed, his consecration would have inherently allowed communion *sub utraque* – which was of course why the papacy did not agree to his consecration.

This letter was both about Prague and directed to the lords of Prague, rather than to a party meeting in Prague. Thus, there is no clear connection between these lords and Oldřich of Rožmberk's party as such, although important members of his party responded, particularly Menhart of Hradec.⁶⁰ Menhart of Hradec seems to have taken seriously the allegations in the

⁵⁸ See AČ II, 237, #16 for an example of the records of the messengers. See AČ II, 238, #17 for the Kutná Hora party's grievances. The Kutná Hora *sněm* was by this point headed by George of Poděbrad, along with *hejtmany* from Čáslav (Jan of Rúsín), Kuřim (Jan of Sútíc), Chrudim (Bohuš of Postupic) and Hradec (Jetřich of Miletín), and included “the other lords, knights, *zemané*, and cities” gathered there.” “i jiní páni, rytieři, zemané, a města,” AČ II, 238, #17. See Figure 10 for the locations of these assemblies.

⁵⁹ “Particularly those masters or priests and the others that are against all our treaties and promises, and in spite of the [Basel] Compact[s] they gave [communion] under one kind.” “Zvláště těm mistróm neb kněžím i jiným kteříž proti všem smluwám našim i slibuom, a najwiece kompaktatóm pod jednu způsobú rozdávali sú.” AČ II, 237-238, #17.

⁶⁰ The response given by Menhart of Hradec on behalf of the Prague lords was likely given in his capacity as Highest Burgrave of Prague. AČ II, 239-240, #18.

letter sent by George of Poděbrad's party, as the response indicates that the priests of the city were duly instructed that they ought to give communion in both kinds, and the body of priests confirmed support for the Basel Compacts and the peace that they brought to the kingdom.⁶¹

Yet, either they did not follow through, or their actions were insufficient. On September 1, 1448, George of Poděbrad and his party invaded Prague, and within two days had taken the cities of Prague and Vyšehrad.⁶² Menhart of Hradec, who had served as Highest Burgrave of Prague for over a decade, was removed from his post and held in captivity in George of Poděbrad's lands. He was released in early 1449 after it was clear that he was fatally ill, and he died on his trip back to his family seat in Jindřichův Hradec.⁶³

Immediately following Menhart of Hradec's death, the men who had formerly been allied with him, led by Menhart of Hradec's son Oldřich of Hradec, came together and formed a

⁶¹ "And even so after we got your letter we called everyone to us and we ordered them to read your letter, and we talked to them quite sternly, [telling them] that they should in no way evade the Compacts and our above-written promises, that we will not suffer this from anyone for any reason. Here they again agreed to all of that just like before, saying that they were giving the body and blood of Christ in both kinds just as before, and that now they are giving and they want to give [it in this way], and that they don't know anything about any sinning or leading away from the truth, and they promise to undergo punishment should anyone call them out. If they would be found out in something that they were not supposed to do, they said that they want to make everything right fairly ... And that they never led anyone away from taking [communion] under both kinds, nor were they an obstacle in ordaining the pupils in writing or in any other manner ... Also we want to hold our priests to adhere to the Compacts, and if anyone in our cities would like to disrupt it, this will not be suffered, and each such [person] would find that he would not gain any advantage in this, but instead he would find more bad than good for himself in this." "A však přes to, po listu vašeho ohledání, všech zawolali sme před sě, a list váš jim čisti kázali, i sami k nim mluwili dobře příkře, aby z kompaktat a z našeho sjednání swrchupsaného nikoli newynikali, že toho pro nice trpěti nechceme ižádnému. Tu opět swolili sě též ke všemu jako dřiewe, prawiece, že pod obojí způsobú tělo a krew boží jakož dřiew dávali, též i nynie dávali a dávali chtěie, a že o žádném rozhřešování ani swození od prawdy newědie nic, i pod pokuty sě zamluwajíc, byloliby to na ně ukázáno; pakliby shledáni byli w čem, ježtoby neměli učiniti, prawie, žeby wše oprawiti chtěli řádně. ... a že ižádného jsú od přijímanie pod obojí způsobú neotwodili nikdy, ani psaním nebo kterým jiným obyčejem na přiekazi swěčení žakowstwa kdy byli sù ... kněžie také naše chcem k zachowání kompaktat držeti, a chtěliti by nám o w našich městech kto rušiti, trpienot' mu nebude, a shledalt' by takowý každý, žet' by prospěchu w tom newzal, ale žet' by wiece w tom swého zlého nalezl než dobrého." AČ II, 240, #18.

⁶² Jaroslav Čechura, *České země v letech 1437-1526, vol. I (1437-1471)* (Prague: Libri, 2010), 58-59.

⁶³ Čechura, *České země, 1437-1526, vol. I*, 59-60.

jednota in opposition to George of Poděbrad.⁶⁴ The men who created this *jednota* in Strakonice on February 8 considered the action to be taken at a *sněm*, making it legitimate.⁶⁵ They in no way saw their party as limited by social status or by region, but rather as representative of the entire kingdom. Indeed, the group, and particularly its leaders, described themselves as working for the greater good of the kingdom, fighting against a man who they labeled a murderer and implied was a usurper.

They described George of Poděbrad as someone who would ignore treaties and who had attacked Prague and caused the death of Menhart of Hradec, contrary to the good of the kingdom. They alleged

that the Compacts, the peace document, the Pelhřimov agreement, and all of the various documents of this land that had been agreed upon were disrupted, contrary to the order, rights, and freedoms of this Bohemian kingdom in every possible way, in spite of great difficulties, work, and expense, and all the efforts, through which this land was brought into peace.⁶⁶

Although the immediate cause for their complaints was the death of Menhart of Hradec, they phrase their grievances more broadly. Indeed, while it is clear why Oldřich of Hradec would be concerned with retribution against the man who he believed responsible for his father's death, Menhart of Hradec's deposition and death were cause for general concern as well. Menhart of Hradec had been the highest official in the kingdom, and removing him from office was

⁶⁴ Čechura, *České země, 1437-1526, vol. I*, 62. See the Introduction to this dissertation for further explanation of the term *jednota*.

⁶⁵ The participants included not only prominent, named men, but also "the other lords, knights, *zemané*, and cities of the Bohemian kingdom now gathered at the *sněm* in Strakonice." "i jiní páni, rytieři, zemané i města království Českého nyní v Strakonících na sněm sebrání." AČ II, 244, #23.

⁶⁶ "Také, že kompaktáty, mierným listem, smluvú Pelhřimovskou i jinými všelikými země této zápisy a způsobu, ačkoli s velikú nesnázi, pracemi a náklady, i nás všech pilnostmi zjednanými, jimižto země tato v poklid byla uvedena, hnto jest, proti řádóm, práwóm i swobodám království tohoto českého." AČ II, 244, #23. They specify that this happened on account of "namely the invasion of the Prague cities and the capture of the noble lord, lord Menhart of Hradec, and indeed that through this imprisonment unfortunately he lost his life." "Totiž wpadeni do měst Pražských, jetie urozeného pána, p. Menharta z Hradce, nébrž že skrze to wězenie již pohřiechu i hrdlo ztratil jest." AČ II, 244, #23.

tantamount to a coup. In the absence of a king, Menhart of Hradec was the highest arbiter in the kingdom, and George of Poděbrad and his party had overthrown him.

Oldřich of Rožmberk and his adherents created the Strakonice *jednota* to address these issues, and ideally to re-establish peace in the land. They swore “that we all foremost for ourselves and among ourselves hold and preserve peace and unity (*jednota*).”⁶⁷ Their *jednota* was the main way in which they expected to take action, and the way in which they sought to bring peace. Because they were unwilling to accept George of Poděbrad’s authority, they instead created a hierarchy and elected officials within their *jednota*.⁶⁸ The emphasis was on rectifying ills and on improving the kingdom, and hopefully fixing the problems that had accumulated since the start of the Hussite Wars.

The last paragraph has an intriguing emphasis on Christian action that sheds some light on the role that they believed religion played in their conflict, language that would be reflected in later treaties as well. They swore:

We agree together and each of us individually under our greatest assurance, by our honor and our Christian beliefs, so to be of counsel and to help each other, to uphold in a Christian manner and to truly preserve honorably, faithfully, lawfully, sincerely without any disruption, all these items, clauses, and articles, and each of them individually, as [they] were written word for word.⁶⁹

⁶⁷ “Abychom všichni napřed sami sobě a mezi sebú pokoj a jednotu měli drželi a zachovali.” AČ II, 245, #23. At the beginning of the document, *jednota* does not appear to describe the organization being created, but rather the goal of the organization: unity. The edition of the *Archiv Český* misses the word “dewateho,” or nine, and so the text incorrectly says that it was written in 1440, contrary to the original (HT sign. 1089) and a later edition. Blažena Rynešová and Josef Pelikán, *Listář a Listinář Oldřicha z Rožmberka vol. IV: 1449-1462* (Prague: Státní Pedagogické Nakladatelství, 1954), 7, #10.

⁶⁸ “Also this is foremost for the general [good] of the Bohemian land and also for the good of all of us, we are making it widely available to anyone who would want to enter this obligation, agreement, and institution, and whose name is not [already] written down in this document.” “Toto také pro obecní země této České napřed, i nás tudíž všech dobré, přidáváme znamenitě, ktožbykoli chtěl k nám w tento závazek, umluwu i zuostanie wstúpiti, ježtoby jméno jeho w tomto listu nebylo wepsáno.” AČ II, 245, #23.

⁶⁹ “Slibujem společně a každý z nás zwáště pod najvyšším základem, pode ctí a wěru křest’anskú, sobě tak radni býti a pomocní, i ty všecky kusy, artikule a články, i každý z nich zwláště, jakož se swrchu slowo od slowa píší, ctně, wěrně, prawě a upriemě křest’ansky zdržeti a w skutku zachowati bez zrušenie wšelikého.” AČ II, 246,

Their invocation of Christian action is intriguing, as we saw that part of what led George of Poděbrad to invade Prague was the allegation that the officials in Prague were allowing the priests to ignore the Basel Compacts and only distribute communion as the wafer, and not the wafer and the wine.⁷⁰ Yet, they did not choose to define precisely what they mean by “in a Christian manner,” although the kingdom had two legal Christian religions. Indeed, it seems that with the absence of the Utraquist Menhart of Hradec from Oldřich of Rožmberk’s party, the sides became more religiously polarized.

After the Strakonice *jednota* was formed on February 8, 1449, the challenge was quickly taken up by George of Poděbrad and his party. By February 19, they were meeting in Pelhřimov – showing also that they need not occupy Prague continuously to hold it.⁷¹ Although the Rožmberks were the leaders of the Strakonice *jednota*, it is clear from George of Poděbrad’s February 19 letter that he was primarily negotiating with Menhart of Hradec’s heir, Oldřich of Hradec.⁷² In this context, George of Poděbrad agreed to call a general *sněm* of all of the lands for the day of St. Simon and Jude (October 28, 1449) – some eight months later – to which Emperor Frederick III would also be invited.⁷³

#23. This language was used thirty years later in the land peace agreement signed by 130 entities in Moravia. See Chapter 5 for future detail.

⁷⁰ AČ II, 237-238, #17.

⁷¹ AČ II, 247-250, #24-25.

⁷² “Some in Strakonice at the *sjezd* and elsewhere slandered me, and they are writing to the good people that lord Menhart was poisoned.” “Kterak něteří w Strakonících na sjezdu i jinde mnepomlúwali i dobrým lidem rozpisují, žeby p. Menhart otráwen byl.” AČ II, 248, #24. George of Poděbrad defended himself against the charge that he had poisoned Menhart of Hradec, but it clearly weighed on him. AČ II, 247-248, #24.

⁷³ AČ II, 247, #24. The meeting in Pelhřimov where this was determined seems to have been just that, a meeting, as George of Poděbrad describes it as “When I recently met up with the lord of Rožmberk in Pelhřimov, lord Oldřich of Hradec was there also.” “Když sem se nedáwno sježděl s p. z Rosenberka w Pelhřimově, tu také p. Oldřich z Hradce byl.” AČ II, 247, #24; HT sign 1092a, #1468.

Yet, despite plans for the general assembly in October, tensions escalated quickly. On March 1, George of Poděbrad wrote to the mayor and council of the New Town of Plzeň, who were members of the Strakonice *jednota*, that despite the desire that they had expressed for working for the good of the kingdom, they had continued to politicize the disagreements to the detriment of the general good.⁷⁴ George of Poděbrad lectured them that

It should be clearer that these things are the most important [not only] to us and to you, but to the whole kingdom, [and that] the party *sněmy*, which the lord of Rožmberk is calling, cannot sufficiently quickly bring these matters to a good end, which is greatly needed in this country, but rather [this ought to be done] with the general *sněm*, because it is relevant to everyone, so that first the general and then the party matters are discussed and put in order.⁷⁵

He indicated here that the members of the Strakonice *jednota* were not keeping their word. They were planning to meet separately as a party rather than acting in concert with George of Poděbrad and his party.⁷⁶ Such a meeting would not help to alleviate tensions, and George of Poděbrad preferred instead for everyone to discuss matters together, in order to promote the good of the entire kingdom.

⁷⁴ “That what we proposed in Pelhřimov, that my friends and I want this to end for matters of the general good of this kingdom, but the lord of Rožmberk and his adherents do not [want it to end].” “K čemuž se w Pelhřimowě podávali, že se mně a přátelóm mým chce toho konce, na němž záleží obecné králowstwie tohoto, ale ne panu z Rosimberka s jeho pomocníky.” AČ II, 249, #25.

⁷⁵ “Že ty věci netoliko nám i wám, ale i všemu tomuto králowstwi najpotřebnějšíe, strannými sněmy, kteréž pán z Rosemberka pokládá, nemohu tak spěšně k konci dobrému, jehož jest této zemi veliké potřebie, přiwedeny býti, ale sněmem obecným, proto že všech dotýčie, aby napřed obecně a potom stranné věci jednány byly a rownány.” AČ II, 250, #25.

⁷⁶ One of the ways in which the Strakonice *jednota* continued to press their claims and showed that they had negotiated in bad faith was by continuing to spread the rumor that Menhart of Hradec had been poisoned while in George of Poděbrad’s custody. As this allegation directly impugned his honor and his ability to administer the kingdom, it was not an allegation that could be taken lightly. In an attempt to disrupt George of Poděbrad’s authority, the Strakonice *jednota* also accused George of Poděbrad and his party of encouraging ignoble people to burn and terrorize eastern Bohemia, again demonstrating their bad faith. AČ II, 249, #25.

George of Poděbrad asked that a *sněm* be called before October to deal with these matters and with the divisions in the kingdom.⁷⁷ He suggested that the two parties meet separately in Kutná Hora and Plzeň as they had in 1445, but this suggestion seems to have been ignored, and instead the assemblies took place in the south. Symbolically, the Strakonice *jednota* met in Jindřichův Hradec, which had been the base of the deceased Menhart of Hradec, and George of Poděbrad and his party met in Pelhřimov, which was the property of Nicholas Trčka of Lípa. These cities were approximately 40 km apart, which allowed for easy communication and yet retained the symbolic separation of the parties.⁷⁸ In this instance, the high tensions actually seem to have encouraged at least an attempt to compromise, and the assemblies resulted in the creation of a treaty between the two sides.⁷⁹

By April 1449, both sides had agreed to a treaty that 1) included an agreement for detente between the two named parties, 2) named four *ubrmané* who would oversee matters in the kingdom, and 3) referred to peace agreements both past and future. Yet, the treaty did not actually settle any of the pressing matters in the kingdom, including the allegations levied by the parties.⁸⁰ Records exist of sample statements that the adherents of the treaties ought to seal, and the treaty does seem to have pulled the kingdom back from the brink of true civil war, yet again.⁸¹ The signatories included the main supporters of each group, implying that the peace was not just a farce, although the extent to which either side actually trusted the other is questionable.⁸²

⁷⁷ AČ II, 250, #25.

⁷⁸ See Figure 10 for the locations of these cities.

⁷⁹ AČ II, 250-254, #26.

⁸⁰ AČ II, 250-254, #26.

⁸¹ For an example of such records, see AČ II, 254-255, #27.

⁸² AČ II, 253-254, #26.

At this point, the kingdom was supposed to be relatively stable, and the two parties should have been working together through the elected *ubrmané* to push past the divisive party politics that had been dominating the kingdom. Yet they were unable to do so. While signing the April peace agreement indicated that neither side believed that civil war would be good for the kingdom, neither side was ready to back down. The lack of progress on the two most important issues facing the kingdom had taken a toll, and neither side trusted the other to negotiate in good faith.

1449-1450: Seeking Common Ground

A general assembly was called for Prague in June 1449.⁸³ Yet, it is clear that while George of Poděbrad and his party were meeting in Prague, and corresponding as if they had authority over the entire kingdom, another group, presumably the Strakonice *jednota*, was meeting in Znojmo, near the Austrian border and close to Jihlava, where the next general *sněm* would take place.⁸⁴ George of Poděbrad's party invited Emperor Frederick III to attend the upcoming summer *sněm* in Jihlava, which the emperor confirmed with the Strakonice *jednota* in Jihlava.⁸⁵

We can pause here to consider the symbolism of these meeting locations. The Poděbrad party was meeting in the capital city of Prague – symbolic even if only for that reason – which had until recently been a meeting place for the party of Oldřich of Rožmberk and Menhart of Hradec while the latter was Highest Burgrave of Prague. Meeting in Prague allowed George of Poděbrad to claim to be speaking on behalf of the kingdom, but it could also have easily been seen by the Strakonice *jednota* as rubbing salt in the wound caused by Menhart of Hradec's

⁸³ AČ II, 264-265, #29.

⁸⁴ See AČ II, 264-265, #35b, for mention of this assembly in Emperor Frederick III's letter to Oldřich of Rožmberk.

⁸⁵ AČ II, 264-265, #35b.

death. Meanwhile, the Strakonice *jednota* was meeting in Znojmo, just across the border from Austria and 179 km from Prague.⁸⁶ This city had once been a power base in Moravia – the city was certainly in Moravian territory rather than Bohemian – but by this point it was no longer exceedingly powerful. Symbolically, it was the location of Emperor Sigismund’s death in 1437, and it was a Catholic city that had supported him in the Hussite Wars.

The choice of Jihlava as the location for the general assembly also had significance. The city is on the border between Bohemia and Moravia, and it was the location in which the agreement between Emperor Sigismund and the Bohemian estates was made in August 1436, allowing Emperor Sigismund to take the throne. It was also the location where King Albrecht, Ladislaus Posthumous’s father, had accepted the throne in June 1438.⁸⁷ The collaboration that this choice of location symbolized would not have been lost on those attending the assembly, and it may have been part of what drew people to the assembly and encouraged them to take it seriously.

In his survey of the period 1437-1471, Čechura repeats the common understanding that this *sněm* in Jihlava “was nothing more than the typical *sněm* of the Bohemian, Moravian, Silesian, and Lusatian estates,” but as this chapter shows, there does not seem to have been such a thing as a typical *sněm* in this period, and certainly not one of all of these lands.⁸⁸ Yet, the perception that the *sněm* was a regular event, and not something called to solve a crisis, as we see here, is common in the literature. By the end of the fifteenth century, there is an assumption in the documents of a “regular” *sněm*, but even at this time this seems to have been as much wishful

⁸⁶ Znojmo is actually close enough to Vienna to be at the end of one of the commuter rail lines for the city today. See Figure 10 for the locations of these cities. Vienna is unmarked in the lower left portion of the map.

⁸⁷ Čornej and Bartlová, *Velké Dějiny* vol. 6, 44.

⁸⁸ “Což nebylo nic jiného než typický sněm českých, moravských, slezských i lužických stavů.” Čechura, *České země, 1437-1526, vol. 1*, 62.

thinking as descriptive of the past.⁸⁹ Certainly assemblies met often in the 1440s, but they didn't meet according to any regular schedule or in a "regular" location. Rather, assemblies were called frequently in order to solve the frequent problems that arose, and met in places chosen for their convenience or their symbolic importance.

The assembly in Jihlava seems to have met for quite a while, as petitions are recorded from the beginning of August, and communication between Emperor Frederick III and the Jihlava *sněm* continued through late September.⁹⁰ A letter that appears to be from Oldřich of Rožmberk in September 1449 outlines the proceedings and gives insight into how the two parties interacted. Oldřich of Rožmberk described the first action of the *sněm* as naming four *ubrmané*, including himself and Aleš of Šternberk, as leaders of the negotiations.⁹¹ He also described correspondence with Emperor Frederick III and the local leader in Hungary (John Hunyadi), but gives the impression that he does not have high hopes for improving the situation.

We should keep in mind that the formation of the Strakonice *jednota* had been precipitated by the death of Menhart of Hradec, and that the attack on Prague leading to it had been motivated in part by the failure of leaders in Prague to uphold the Basel Compacts and distribute communion in both kinds. Thus, when making arrangements for the *sněm* in Jihlava, George of Poděbrad and his party were careful to ask "that their priests in the city of Jihlava would have freedom in preaching and in distributing the body and blood of God and in chanting the Czech mass."⁹² To this, Oldřich of Rožmberk responded that

⁸⁹ See Chapter 6 for further detail.

⁹⁰ See AČ II, 258-259, #31 for a petition from early August.

⁹¹ AČ II, 265-267, #36.

⁹² "Aby jich knežie w městě Jihlavském o sněmu swobodu w kázání a w rozdávání těla a krve božie i České mše spiewání měli." The original translation has the word "czesky" instead of "české," which could make it an adverb referring to the language of the chanting, or could have been a dialectic spelling of the adjective describing the mass. There is no way to express a difference between "Czech" and "Bohemian" in Czech. The original version

this is immediately denied to them, as we did not want it to be conducted this way. Indeed, the discussion had gone on for so long, and we were traveling back and forth working on it, and we were only able to agree that George would have one single priest here in Jihlava, and that only because he didn't want to be without it; [the priest would be] in the public house silently without all the chanting and tolling [of bells], serving secretly and without a great to-do. But we gave him no way to conduct it in a church.⁹³

The Basel Compacts to which George of Poděbrad appealed here protected Utraquism, but did so primarily in places where it was already practiced.⁹⁴ As Jihlava was a follower of Rome at this time, this meant that the provisions of the Basel Compacts allowing communion under both kinds were not necessarily in force in the city – hence George of Poděbrad's request.

Nonetheless, Oldřich of Rožmberk's clear intent was to express a lack of support for George of Poděbrad and his beliefs, and this was not conducive to finding common ground. The sentiments expressed here continued to fester long after, and the disregard for the supposed religious parity and acceptance included in the Basel Compacts factored into the civil war of the 1460s and 1470s, as well as the events that precipitated the Peace of Kutná Hora in 1485, both of which are key events discussed in the next two chapters.

Oldřich of Rožmberk's statement here also shows that although two *ubrmané* had been chosen from each party, and he was one of them, he was not fully invested in the cooperative project that they were supposedly undertaking. Indeed, Oldřich of Rožmberk discussed a

was in Latin, but the document has a large hole that affects this section. Both versions are housed together in the archive. HT sign.1182, AČ II, 265-267, #36.

⁹³ “To jim jest hned zawrżeno, aniż toho jim dopustiti chtěli sme. Než tak dlůho mluwili sů a o to sem i tam jezdiece pracowali, že sme jim k tomu toliko swolili, aby p. Jiřik sám jediného toliko kněze měl tu w Jihlawi, a ten aby jemu až nechceli bez toho býti, w hospodě mlče beze všech spiewani a bez zwoněnie tajné odslůžil a bez křików velikých. Ale w kostele jemu slůžiti pro nic nedali sme.” HT sign.1182, AČ II, 265-267, #36.

⁹⁴ For an example, see the promise Emperor Sigismund made in 1435 in response to the conditions set before him by the St. Valentine's Day Assembly (see Chapter 3). He promised to protect communion in both kinds in all of the places where it was already being administered in this way. Thomas Fudge, ed., *The Crusade against Heretics in Bohemia, 1418-1437*, in *Crusade Texts in Translation* (Burlington, VT: Ashgate Publishing Company, 2002), 386; František Palacký, *Urkundliche Beiträge zur Geschichte des Hussitenkrieges in den Jahren 1419-1436*, vol. II (Prague: Bei Friedrich Tempsky, 1873), 448, #946.

withdrawal of some of the attendees of the *sněm* to Havlíčkův Brod, roughly twenty-four kilometers away.⁹⁵ Although this withdrawal would not have been enough to derail any proceedings, as communication could be easily and quickly accomplished, it does show how difficult the parties, and Oldřich of Rožmberk in particular, found negotiations. Indeed, after the assembly adjourned in the fall of 1449, matters were still unsettled.

When assemblies next met in late winter 1450, one party was in Plzeň and the other was in Pelhřimov – roughly 137 km apart – with a preliminary meeting of the *ubrmané* of both parties in Zvíkov a few weeks earlier.⁹⁶ We learn of this meeting in Zvíkov from Oldřich of Rožmberk's letters. In mid-February, he wrote to both Hanuš of Kolovrat and Jan of Hradec to invite them to attend the party's assembly in Plzeň, and before that to meet with him in Zvíkov.⁹⁷ It is not clear from Oldřich of Rožmberk's letters exactly what the purpose of this meeting of the *ubrmané* was intended to accomplish, but it may be that this Zvíkov meeting was intended to set the agenda for the separate party assemblies that took place over the next few months.⁹⁸ On March 13, George of Poděbrad sent a letter of introduction with his agent to the Plzeň *sjezd* of the Strakonice *jednota*.⁹⁹ Two days after he arrived, George of Poděbrad's agent announced that the Poděbrad party would be meeting in Pelhřimov.¹⁰⁰

By the end of April, relations between the parties had completely fallen apart yet again. By April 30, George of Poděbrad was in Prague and wrote a detailed denigration of the members of

⁹⁵ AČ II, 265-267, #36.

⁹⁶ Pelhřimov and Plzeň are a few kilometers further apart than Plzeň and Kutná Hora, although as both cities are roughly 140 kilometers from Plzeň, the difference may have been negligible. See Figure 11 for the 1450 assemblies. Zvíkov is 68 km from Plzeň and 74 km from Pelhřimov, making it a fairly convenient location for the *ubrmané* from both parties.

⁹⁷ Rynešová, *Listář a Listinář* vol. 3, 155-156, #199-200.

⁹⁸ These party assemblies began to meet during Lent, a few weeks after the start of the meeting of the *ubrmané*.

⁹⁹ AČ II, 267, #37.

¹⁰⁰ AČ II, 267-269, #38.

the Strakonice *jednota* and their failure to work in good faith.¹⁰¹ He reminded his audience of the assemblies that had taken place over the previous year, and attempted to use those assemblies to create peace and solve the most pressing issues in the kingdom. He then explained how the *ubrmané* had just met, and that “the *ubrmané* who were sent to us from the rival side were asking several times if these matters could be brought to an end here in Pelhřimov,” to which he added that Oldřich of Rožmberk “gave the reply that this could not happen, that they could never be brought to an end here.”¹⁰² With one of the leaders taking such a strong stance against compromise, there was little hope that the assembly would be successful. The letter continued by pointing out other ways in which Oldřich of Rožmberk was not interested in actually solving the crises facing the kingdom, and that he and his party had actually made matters worse by calling in foreign troops from Meissen.¹⁰³ In this way, George of Poděbrad was able to use recollections of the Hussite Wars to turn his audience against Oldřich of Rožmberk.¹⁰⁴

Pulling back from the brink of civil war once again, both parties met in Vildštejn beginning on Corpus Christi (June 6) 1450.¹⁰⁵ On June 11, they issued an agreement that, while it did not

¹⁰¹ AČ II, 270-274, #40.

¹⁰² “Ubrmané od strani nám odporné wydaní byli sú otázáni až do několikrát, muožli se tu w Pelhřimowě těm všem věcem konec státi?” “Jest to odpověd, že tu nikoli konce byli a státi se nemuože.” AČ II, 270-274, #40.

¹⁰³ AČ II, 270-274, #40. In calling foreign troops, Oldřich of Rožmberk brought to mind Emperor Sigismund’s use of crusades and foreign troops to aid him in his efforts to obtain the throne between 1420 and 1434. It was in part Emperor Sigismund’s reliance on crusades and foreign troops that inflamed public opinion against him in the early 1420s. As the devastating wars had only ended thirteen years earlier, they would have been fresh in many people’s minds.

¹⁰⁴ For example, George of Poděbrad wrote in 1450: “and it seemed and seems to us false, improper, and unworthy to agree with them and to be committed in this [matter]. And so for this item, that what relates to foreign Germans, long-standing enemies and destroyers of the Bohemian crown and kingdom, and our obvious enemies, the disruption and turmoil happened in this land, by God, not by me, our *jednota*, or the two *ubrmané* chosen by us, as everyone whom news of this reaches can undeniably know and can conclude easily by common sense.” “A nám se jest to zdálo i zdá nepravé, neslušné a nehodné jim k tomu swoliti a zawázanu býti. A tak pro ten kus, jenž se dotýče cizozemce Němce, dáwnieho nepřiteľa a zhůbce koruny a králowstwie Českého, a našeho odpovědného nepřiteľa, stalo se jest roztrženie a nepokoj w této zemi, dáli buoh ne mnú, ani jednotu naši, ani ubrmany dvěma od nás wydanými jakož to již každý, kohož tato zpráwa dojde, muož očitě wěděli a lehkým a prostým rozumem dosáhnutí.” AČ II, 273, #40.

¹⁰⁵ See AČ II, 274-279, #41 for a record of this meeting.

itself solve their disagreements, did create a means by which people were obligated to begin to solve the kingdom's problems. The treaty drawn up in Vildštejn commanded that no foreign troops, including those from Meissen, could intervene.¹⁰⁶ It also set up a clear method by which individual disputes would be resolved.¹⁰⁷ The treaty did not describe itself as having been crafted at an assembly, but seems instead to have been more of an armistice agreement. Generally, documents from meetings like this tended to describe the meeting from which they originated using one of the words that refers to a type of meeting or assembly, so it is significant that none of the documents associated with this meeting do so.¹⁰⁸

The crafters of the treaty called for a true assembly to be convened in Prague on St. Katherine's Day (November 25) 1450, and before that for a new set of four *ubrmané* to come to an agreement in Pelhřimov that could be ratified by July 13, roughly one month after the treaty was made. The *ubrmané* would not be permitted to give up, but forced to work together until they came to a solution. One of their main responsibilities would actually be to adjudicate the grievances and accusations that had arisen, and a process for submitting accusations was set

¹⁰⁶ AČ II, 276, #41. This provision seriously weakened any opposition that Oldřich of Rožmberk, Oldřich of Hradec, or the Strakonice *jednota* could provide. The treaty was concluded in Vildštejn, near the border with Meissen, and therefore in the area where the troops from Meissen held some sway. See Figure 12 for an image of this agreement, with its attached seals. HT, sign. 1451.

¹⁰⁷ “Item this also was decided: whoever would want to accuse whomever from among us for any reason, he should write his complaint and no later than three weeks from the current octave of the body of God [June 6], should send it to the home [of the person about whom he is complaining] under his seal and the seal of another good noble man, and so provided with these seals; and to those complaints, the person who is being accused makes a response, and they will bring and submit the complaint and response to the *rok* in Pelhřimov before the above-written lords *ubrmané*, or send someone empowered to bring and submit it in their stead.” “Item toto take umluweno: ktožby komu z nás z čeho winu dáti chtěl, ten aby swé pře napiše, jemu do jeho domu pod swú pečetí, a pod druhú pečetí dobrého urozeného člowěka tak zapečetěné konečně we třech nedělých pořád zběhlých, od nynejšieho ochtábu Těla božieh počítajíc, poslal, a na ty pře odpory učině ten, komuž se wina dáwá, pře i odpory aby s sebu do Pelhřimowa k tomu roku před swrchu psané pány ubrmany přinesl a položil, aneb s plnu moci je poslal i položil miesto sebe.” AČ II, 276, #41. Note that the meeting of the *ubrmané* is again described as a *rok*.

¹⁰⁸ Yet the editors of these documents preface the section of the volume with the title “*sjezd* in Wildštejn in the year 1450, 9-11 June.” “Sjezd na Wildsteině r. 1450, 9-11 Jun.” AČ II, 274, #41. The section includes five documents, none of which include an internal description of the meeting that produced the document as a *sjezd*. I contend that the participants considered it to be something between a battlefield armistice and a true assembly.

up.¹⁰⁹ The new group of *ubrmané* were evidently seen as more able to come to a compromise.¹¹⁰

In their choice to exclude those most deeply embroiled in the conflict – George of Poděbrad, Oldřich of Rožmberk, Oldřich of Hradec, and Aleš of Šternberk – from the group of *ubrmané*, despite their high status, we see that the crafters of the treaty were actually serious about ending the conflict and did not want negotiations to be derailed by past grievances.¹¹¹

Alongside the long general treaty, each party issued its own confirmation of the Vildštejn peace agreement. Notably, Oldřich of Rožmberk is absent from the confirmation issued by the Strakonice *jednota*.¹¹² These confirmations include a key concept that would recur in later

¹⁰⁹ “And for the deliberating and discussing of these matters, about which we are accusing each other, we consent to the *rok* and the *sjezd* in the city of Pelhřimov no later than the first upcoming day of the holy virgin Margaret after submitting the documents. Here the above-written *ubrmané* all together, or otherwise the highest [*ubrman*] on his own, should determine together without any delaying or postponing all of the matters between these parties in Pelhřimov, without disbanding, while agreement and resolution [are] concluded during the three week period following the day of the holy virgin Margaret.” “A k jednání i konání těch věcí, o něž se winiti budeme, swoliti sme se k roku a k sjezdu do města Pelhřimowa konečně na den sw. panny Markrety, po dání listu tohoto nyní najprw přístie. Kteřížto swrchupsani spolu ubrmané sami, nebolito sám najwyšši, o ty všechny věci mezi stranami tudiež w Pelhřimowě, nezozježdějic se, konečnú smlúwu a wýpowěd we třech nedělách ote dne sw. panny Markrety pořad zběhlých počitajic, mají učiniti beze všech dalších odtahuow a prodléwanie.” AČ II, 275-276, #41.

¹¹⁰ The new *ubrmané* from the Strakonice *jednota* were Jindřich of Rožmberk and Vilém the younger of Risenberk and Rabi, while those from the Poděbrad party were Zdeněk of Šternberk, who had recently been made Highest Burgrave of Prague, and Zdeněk of Postupic, who was *hejtman* of the Chrudim region. The previous *ubrmané* had been Oldřich of Rožmberk and Arnošt of Leskovec from the Strakonice *jednota*, and Aleš of Šternberk and Močihuba of Kralovic from the Poděbrad party.

¹¹¹ The rest of the treaty dealt with the terms of the armistice, which was intended to persist until April 23, 1451, in the expectation that that this would provide sufficient time to settle the disagreements between the parties. AČ II, 276, #41.

¹¹² Although his name was listed first on the peace treaty, a recognition of his status, he did not confirm the agreement. This further evidence of his failure to compromise may have been one of the reasons that he retired a little over a year after this treaty. The document lists eight men – Jindřich of Rožmberk, Jan of Hradec, Oldřich of Hradec, Děpolt of Rizmberk, Vilém the younger of Risenberk and Rabi, Henrich of Sobětic, Puota of Utěšic, and Jan of Lobkovic – who promised peace with three men from the other party – George of Poděbrad, Aleš of Šternberk, and Zdeněk of Šternberk (the new Highest Burgrave of Prague) – as well as all the men of their *jednota*. AČ II, 280, #42. The companion agreement issued by the Poděbrad party was issued by these three men, as well as five other men, three of whom were regional *hejtmany*: Jan Zajimač of Kunštát, Jan of Rúsinov (*hejtman* of Čáslav), Jan of Sútíc (*hejtman* of Kůřim), Zdeněk of Postupic (*hejtman* of Chrudim), and Nicholas Trčka of Lípa. AČ II, 279, #42.

treaties: the Christian Peace.¹¹³ Both confirmations include the exact same formulation of this assurance of Christian Peace:

That this Christian peace, which is agreed between us and our above-written rival lords, is recorded and written in these confirmations sealed by us the *ubrmané*, which should be already concluded and enacted by the above-written parties to the main documents, and should be honorably and faithfully preserved and defended in a Christian manner, without any artifice by us the above-written, and also by all the [members] of [our] *jednota*, our adherents, our servants, and the subject people.¹¹⁴

The meaning of “in a Christian manner” is not given anywhere, but seems to encompass the religious beliefs of both Utraquists and followers of Rome, as this religious dispute was at the core of the conflict. This term clearly has the potential to include a broad array of meanings, and at the same time could be narrowly interpreted if a signatory were so inclined. To some extent, use of this phrase was ambiguous enough to preclude dissent, but it also left the dispute open for later generations to solve.¹¹⁵

Both of these confirmations also repeated the same call for a *sjezd* in Pelhřimov on July 13, 1450.¹¹⁶ Before this *sjezd*, likely around the same time as the confirmations issued by the

¹¹³ This phrase also appears in the 1609 Letter of Majesty. For a recent Czech edition, see Jiří Just, *9.7.1609 Rudolfův Majestát: Světla a stony náboženské svobody* (Prague: Havana, 2009), 133-141.

¹¹⁴ “Že to příměrie křesťanské, kteréž jest mezi námi a swrchupsanými pány nám odpornými namluweno, a w připisieh od nás ubrmanów zapečetěných wypsáno, má do dokonanie a do dianie již psaným stranám listów hlawních, ctně, wěrně a křesťansky, beze wšie lsti držáno i zachowáno býti od nás swrchupsaných i od našich odewsech jednotników, pomocníków, služebníków i lidí poddaných.” AČ II, 280, #42. “Že toto příměrie křesťanské, kteréž jest mezi námi s swrchupsanými pány nám odpornými namluweno a w přiepisieh od nás ubrmanów zapečetěných wypsáno, má do konanie a do dianie již psaným stranám listuow hlawních, ctně, wěrně a křesťansky zdržáno beze wšie lsti i zachowáno býti od nás swrchupsaných i od našich ode všech jednotników, pomocníków, služebníków i lidí poddaných.” AČ II, 281, #43. The translation of the two passages is the exact same (aside from two commas), except that the first “this” is more emphatic – *toto* rather than *to* – in the Strakonice version, and that the verb “protecting” is slightly different in the two versions. The Poděbrad version uses preserve (*držáno*), and the Strakonice version uses protect (*zdržáno*).

¹¹⁵ This term would also appear in the land peace agreements and treaties concluded in the 1470s (see Chapter 5 for examples).

¹¹⁶ The text is the same in both versions, aside from abbreviations. “We will promise to really restore this at the *sjezd*, which should be in Pelhřimov on the first upcoming St. Margret’s day, and we will not disband.” “Rozkáží na tom sjezdu, kterýž w Pelhřimowě o S. Margaretě najprw přište býti jmá mámy to i slibujem w skutku oprawiti, nikam sě odtud nerozjždějíce.” AČ II, 279-281, #42. “Rozkáží na tom sjezdu, kterýž w Pelhřimowě o swětie

different parties after the Vildštejn agreement, a document was drawn up that listed the members of both the Strakonice *jednota* and the Poděbrad *jednota*.¹¹⁷ The list makes reference to land peace agreements concluded in each of four regions – Čáslav, Kúřim, Chrudim, and Hradec – to which many of the above sealers were also pledged. Together, this large group of men and community leaders promised to adhere to the Vildštejn agreement and to bring into it “all of our fortresses, cities, castles, property, and holdings, and all of our servants and subjects, both worldly and spiritual.”¹¹⁸ The promise that all of these men made together was significant in part because it showed that they could still come together for the general good.

In furtherance of their agreement, these men met together at an assembly in Pelhřimov in July-August 1450. Oldřich of Rožmberk is conspicuously absent from the list of issuers of an August 3 statement that called for “these noble lords, lord George of Kunštát and Poděbrad and lord Oldřich of Hradec, who made peace, and also their adherents, servants, and subjects, and all of the other lords, knights, squires, and cities of this land [to] proclaim the true peace (*mír*) and Christian harmony (*pokoj*).”¹¹⁹ The assembly in Pelhřimov was essentially a prelude to the next assembly in Prague, which “would be made in that place according to the Vildštejn agreement.”¹²⁰ The assembly in Pelhřimov thus seems to be the meeting called for by the Vildštejn agreement, so that everything could be ironed out by the *ubrmané* of the two parties before the *sněm* in Prague took place.

Margretě najprwé přištie býti má máme to i sľubujem w skutku opraviti, nikam se odtuď nerozjiezďejic.” AČ II, 279-281, #43.

¹¹⁷ AČ II, 282-284, #45.

¹¹⁸ “Wšichni naši zámci, města, hradowé, zbožie i drženie naše, i wšichni naši sľužebnici a poddaní, swětští i duchowní.” AČ II, 282-284, #45.

¹¹⁹ “Jsú smířeni urozeni páni, pan Jiřik z Kunstatu a z Poděbrad a pan Oldřich ze Hradce, jim i přitom také jich pomocnikóm, sľužebnikem i poddaným, i jiným wšem této země pánóm, rytieřóm, panošem, městóm, prawý mír a pokoj křesťanský wypowiedáme.” AČ II, 284, #46.

¹²⁰ “Wedle smluw na Wildštaině i nynie zde učiněných.” AČ II, 286, #46.

Also on August 3, 1450, the elected *ubrmané* oversaw an agreement for the cessation of hostilities and the creation of peace between George of Poděbrad and Oldřich of Hradec.¹²¹ This agreement was clearly part of the peace settlement with which they were tasked, as no peace agreement could be upheld if the leaders of the two opposing parties refused to adhere to the terms of the peace. As one might expect, one of the main adjudicated issues was the death of Menhart of Hradec. The document openly recognized that Oldřich of Hradec accused George of Poděbrad of some matters, primarily concerning the death of Menhart of Hradec, and that George of Poděbrad accused both Menhart of Hradec and Oldřich of Hradec of other matters.¹²² The *ubrmané* used their authority to order George of Poděbrad and Oldřich of Hradec to put aside these recriminations, and stipulated that neither side should blame the other.¹²³

Over the year from mid-1449 to mid-1450, the political situation in Bohemia was extremely volatile. The first group elected to end the conflict could not come to a compromise, and indeed seemed more inclined to grandstand than to work together. Yet, the parties that these men led found this unacceptable. The continuing squabbles were destructive to the kingdom, and so when the leaders could not, and even proved unwilling to, solve them, the party members chose

¹²¹ AČ II, 286-287, #47.

¹²² This is the phrasing used in the document.

¹²³ “Further, as lord Oldřich of Hradec accuses lord George of Kunštát [and Poděbrad] of some of these matters (as his disagreements, complaints, and writings extensively show), and yet again as George of Kunštát [and Poděbrad] accuses the deceased Menhart and his son lord Oldřich of some matters (as also his disagreements, complaints, and writings extensively show): therefore as it seems indisputable to us, that as lord Oldřich casts aspersions on Lord George, he should not do this to him or his [George of Poděbrad’s] friends, and also Lord George should not cast aspersions on the deceased lord Menhart, nor lord Oldřich his son, nor should his friends cast aspersions on those who did so to him, because it seems to us that neither of these two parties are guilty of the accusations made against each other.” “Dále, tak jakož pan Oldřich ze Hradce winil jest pana Jiříka z Kunstatu z některých kusów, jakož o tom jeho pře winní a psanie šíře wykazuje; a též zase, jakož jest pan Jiřík z Kunstatu pana Menharta nebožtíka a pana Oldřicha syna jeho winil z některých kusów, jakož také jeho pře winní a psanie šíře wykazuje: protož takto se nám jednostajně zdá, a teď z moci své ubrmanské wypowiedáme, že těmi haněními, kterýmiž jest haněl pan Oldřich pana Jiříka, neměl jest haněti ani přátel jeho, a též zase pan Jiřík neměl jest haněti pana Menharta nebožtíka, ani pana Oldřicha syna jeho, anižto přátel jich těmi haněními, kterýmiž jest je haněl; neb se nám tak zdá, že těmi věcmi proti sobě obě straně winní nejsú.” AČ II, 286-287, #47.

new leaders. This shows a remarkable focus on the common good, as well as how difficult it can become to promote the common good both collectively and individually when members of the community are unable to agree on how best to do so.

1451-1453: A More Stable Peace

The St. Katherine's Day assembly did indeed meet in Prague in November and continued through early January. On January 6, 1451, the *sněm* in Prague released a treaty, concluded under the auspices of the *ubrmané*, that spelled out much more clearly the detente and peace between the two parties.¹²⁴ Following the request the previous summer for individuals to submit written complains so that they could be resolved, this treaty addressed specific disputes between various lords and communities, and how they would be resolved. In addition to the lengthy treaty itself, the assembly issued a much shorter pronouncement that "they ordered announcements to be proclaimed throughout the cities and the land."¹²⁵ This pronouncement addressed not the particulars of the peace between the parties, but rather the related issues of public safety. It asserted that roads would be made safe and criminals of various kinds stopped, while threatening to enforce old punishments for transgressions and warning others not to come to the aid of the criminals.¹²⁶ This type of criminality and lack of law and order is often associated with the breakdown of the institutions of government that accompany civil war.¹²⁷

¹²⁴ AČ II, 287-294, #48.

¹²⁵ "Praeconia proclamari per civitates et dominia jusserunt." AČ II, 294, #49.

¹²⁶ AČ II, 294, #49.

¹²⁷ We see the effects multiple times in Bohemia in the fifteenth century, when the land court was repeatedly reestablished (1435, 1485). Petr Kreuz and Ivan Martinovský, eds., *Vladislavské Zřízení Zemské: a navazující prameny (Svatováclavská smlouva a Zřízení o ručnicích) Edice*, Jana Vojtíšková, language revision (Prague: Scriptorium, 2007), 478. Kreuz and Martinovský also note that after 1437, there were 34 years in which the land court did not function, before its renewal in 1485.

After the St. Katherine's Day assembly, the factionalism that had developed between the parties seems to have receded enough for the assembly to actually address other issues. Another assembly was called for July, 1451, around St. Kilian's Day, and was held in Benešov, south of Prague. Aeneas Silvius Piccolomini, the future Pope Pius II, attended this assembly and spoke there as an ambassador from the papacy and Emperor Frederick III's court in Vienna. He spoke on the issue of what would need to be done for Ladislaus Posthumous, by this time eleven years old, to be sent to Bohemia as king.¹²⁸

Aeneas Silvius Piccolomini's address first focused on peace. The key was that this would need to be a Christian peace, which he understood in a very particular way. He reminded his audience that "peace, as the Holy Writ teaches, is understood in three ways: there is the best peace, the peace of the wicked, and the good peace."¹²⁹ He described peace in this way in order to offer a description of the peace of the wicked – clearly implying that this peace was the type of agreement being considered here.

The Peace of the wicked is when the evil [people] get together, and they in their sins condone each other's sins, and as the prophet David said: I was upset with the unright when I saw the peace of sinners. Yet this for sure and truly cannot be called peace, but [rather] conspiracy, roguery, and heresy ... So now let us move to recount the royal dispatch, with your consent.¹³⁰

¹²⁸ The extant version of this document is a Czech language copy that František Palacký says was written by the hand of Prokop of Rabštejn. AČ II, 304, #53; HT sign. 1558a. The original was presumably in Latin, although the original documents in the archive do not make that clear. This document was also accompanied by a copy of the response that was sent to Emperor Frederick III, presumably after Aeneas Silvius Piccolomini gave the above address at the assembly. AČ II, 308-309, #55; HT sign. 1558b. The extant version of this document is also in Czech, although the original was likely in Latin or German.

¹²⁹ "Pokoj, jakož písma swatá učie, trojím obyčejem se bére: jest pokoj nejlepší, pokoj zlý, pokoj dobrý." AČ II, 305, #53.

¹³⁰ "Pokoj zlý jest, když se spiknu we spolek zlí, we hříšiech sobě powolujice; o tom die prorok Dawid: horlil sem na nepravé, pokoj hříšných widá. Ale ten zajisté a w prawdě nemuož pokojem nazwán býti, ale spiknutie, šibalstwo, kacieřstwo ... Již pak nynie k wyprawowánie poselstwie královského s vašim powolením přístupme." AČ II, 305, #53. The biblical references appear to be to Pslam 73:3 and Ezekiel 13:10.

While Aeneas Silvius Piccolomini was sent to Bohemia ostensibly to find common ground, he considered the Utraquists in Bohemia, and anyone who compromised with them, to be acting incorrectly. He showed quite clearly that he found Utraquist practice to be unchristian, indicating his contempt for the negotiations with which he was tasked – and then he proceeded to go through the motions of executing those negotiations.

He never mentioned Utraquism directly or addressed the issue of consecrating Jan Rokycana, but this was precisely the problem. The assemblies of the past seven years had clearly shown that without a head of the Church or the kingdom, there would be instability. Even putting aside administrative issues and a lack of order, spiritual or secular, the very absence of a leader became the focal point for dispute, and drew attention away from whatever other matters, such as administering the kingdom, may have required the attention of the leading men.

The message that Aeneas Silvius Piccolomini delivered for Emperor Frederick III revolved around Ladislaus Posthumous's youth.¹³¹ Emperor Frederick III reminded the assembly that “the most noble king Ladislaus is still a child.”¹³² Yet, Emperor Frederick III would not comply with Bohemian demands, even if delivering Ladislaus Posthumous to Bohemia might put an end to the factionalism in the kingdom.¹³³ Although it was reasonable for Emperor Frederick III to

¹³¹ See Chapter 3, particularly the treatment of AČ I, 273-279, #13a-c, for similar claims eight years earlier.

¹³² “Ladislawa jsa ještě dietětem.” AČ II, 280, #42.

¹³³ Aeneas Silvius Piccolomini continued “according to the praised and ancient [custom of] continuity of the glorious house of Austria, to his king's majesty as to the elder administrator of the duke of Austria and our closest friend, by his mother [Ladislaus Posthumous] he was given and ordered into the truthful hand, who up until now cared for him faithfully, as was appropriate for royal blood; he brought him up unsparingly and was meticulous in his education. And because King Ladislaus is still very young, as your agents also have seen, you should know that he does not have the administration of the estate before his years, that he needs guardians, and that he would not be able to reign and to direct his kingdom.” “Wedle chwalebneho a starodawného zachowaní welebného domu Rakúského, Král. Wýsosti jakožto staršiemu zpráwci kniežeti Rakúskému a najbližšiemu prieteli, matkú jeho k wěrné ruce dán i poručen jest, jehožto až dosawad wěrně jest chowal, a jakož na králowskú krew sluší, štědře wychowati a naučiti byl jest pilen. A poněwadž on král Ladislaw u wěku ještě mladém jest, jakož i poslowé waši sú widěli, znamenati muožte, že on nemaje zpráwy stawu swého před lety swými, jenž zpráwce potřebuje, kralowati a užitečné tohoto králowstwíe řediti nemohlby.” AČ II, 306, #53.

question whether or not an eleven-year-old was ready to assume the throne, any observer has to ask if this was truly a decision made with the best interests of the boy's patrimony in mind, given the struggles Bohemia had gone through related to his accession and the lack of royal leadership in the kingdom.

In its response, the assembly very clearly articulated their concern that Emperor Frederick III's continued refusal to send Ladislaus Posthumous to Bohemia or to discuss the arrangements for him to come was damaging to the Bohemian kingdom. "But that hope [for Ladislaus Posthumous to come] was not fulfilled, and the Bohemian land slowly turned to evil and [came to] harm."¹³⁴ They further reiterated that the kingdom needed its king:

And that this land could not and would never be able to stand without a lord and king; lest we not be able to provide for ourselves according to our needs, we are scheduling the *sněm* for the whole kingdom and for ourselves; and once again we ask His Grace earnestly that His Grace would deign to graciously think about [our pleas].¹³⁵

We see here the symbolic importance that the king held. As the Poděbrad party had asserted a few years earlier, they did not want to be without a king – and indeed electing a king was necessary for the common good of the kingdom. Following the exchange in Benešov, negotiations for Ladislaus Posthumous's accession to the Bohemian throne did actually begin in earnest. Agents traveled between Vienna and the Bohemian assemblies, and although they were still not in agreement, they were closer to an agreement than they had been.¹³⁶

¹³⁴ "Ale ta naděje nám již nepřišla jest, a to se chýlí ke zlému a ke škodě České země." AČ II, 308, #55; HT sign. 1558b.

¹³⁵ "A země tato že nikoli bez pána a krále státi nemůže a nebude moci, jestliže se w tom wedle potřeby neopatříme, sněm všemu králowství a sobě ještě položíce, i wždyt' ještě JMti snažně prosíme všecken země, aby JMt ráčil se dobrotiwe rozmysliti." HT sign. 1558b. AČ II, 308, #55.

¹³⁶ The Bohemian delegation made three main points, to which the representatives of Emperor Frederick II responded. 1) Regarding when Ladislaus Posthumous would be delivered to Bohemia: "From the great need, we beg Your Dignity and Grace to be clear so that we can announce it, since we don't understand and don't know how long a time 'some small amount' means." They received the response: "That we assume that your grace knows that it is the custom of the house of Austria, until such time the older prince hold the younger princes in their care and

At this point, the negotiations for Ladislaus Posthumous's succession stopped involving party politics within the kingdom, and became rather a matter of finding terms that would convince Emperor Frederick III to allow the boy to come to Bohemia. For the most part, these negotiations took place between Emperor Frederick III and the Bohemian and Austrian estates in later 1451 and 1452.¹³⁷ This does not mean that the animosity between the parties dissipated overnight, and there are ample records from late summer 1452 to show that various disputes still

guardianship, and that it is not necessary for us to report to you about this.” 2) About guarantees for Ladislaus Posthumous's arrival: “Also if there were a particular named day and named time, what then would be the surety given so that it would really happen at the particular day and time named for us.” This received the response: “As far as the surety goes, here we cannot deliver from his Grace any surety, because it seems to us that it is not necessary. Please understand, dear lords, that when the time comes that the most illustrious king Ladislaus comes of age as a free lord, he will not be under the power of His Grace, but he will be ruling himself and he will have advice [for himself]. 3) Regarding the Austrian and Bohemian lands working together: “As some of the agents from Austria are with us at our *snemy* and they talked to us some time ago, that for one hand it is not easy to pick something up alone, but if one hand helps the other, then any weight would be easier to pick up. So also from the agent of the Bohemian land in our name and in our will was presented and applied for [this] in the New City and presented to His Royal Grace the King of Rome, and to that there was no reply give.” This received the response: “As you said that some time ago some of the agents from Austria were talking to you about this picking up with both hands, there is simply nothing provided to us by His Grace about that, and we don't know anything about it.” 1) “Z po-třeby weliké prosíme od Wašie Duost. a Mti zpraweni býti na jisto, nerozumějice a newěduce do které chwile to slowo "něco málo" mieni sě, abychom se mohli tiem zprawowati.” AČ II, 307, #54. “Že máme zato, že WMt wie, který obyčej jest domu Rakúského, do kterého času starší kniežata mladší w swém zprawowáně a poručenství drží, že nám nenie potřebie wás toho zprawowati.” AČ II, 307-308, #54. 2) “Také ač již bylby tomu jmenowán určený den a jmenowitý čas, jakáby tehdy měla býti toho jistota učiněna, aby na ten určený den a na čas, jenžby nám jmenowán byl, tak se stalo bez pochybenie.” AČ II, 307, #54. “Totiž té jistoty etc. My zde nemuožem od JMti žádně jistoty wám powědieti, aniž sě nám zdá, by toho potřebie bylo. Neb rozumiete milí páni, že když sě již ten čas dokoná, že najjasn. král Ladislaw došlých swých let a swobodný pán, pod JMti moci nebude, než sám sebú wládnúti bude a raddu mieti bude.” AČ II, 308, #54. 3) “Kterak sú někteří poslowé z Rakús na sněmiech našich s námi a k nám mluwiewali před někerú chwilí, že jedné ruce samé takowú tiež jest zdwihati nesnadno, ale kdyžby jedna druhé pomáhala, žeby tak bylo každé břiemě lehčejší zdwihnúti; neb i to také na KMt na krále Římského od poslów země České naším jménem a woli w Nowém městě wznešeno a požádáno jest. A na to nám odpowěd nižádná dána nenie.” AČ II, 307, #54. “Jakož ste milí páni powěděli že před někerá chwilí někteří poslowé z Rakús s wámi mluwiewali o tom zdwiháně obú ruku etc. Nám w tom od JMti prostě nic poručeno nenie, aniž co o tom wieme.” AČ II, 308, #54.

¹³⁷ For some of these records, see HT sign. 1564: the Austrian estates undertake to protect King Ladislaus, and his release and transfer to Vienna; HT sign. 1567a-e: a collection of (German language) contemporary copies of an exchange between the Austrian Estates and Emperor Frederick III; HT sign. 1569-1571: three (German language) contemporary copies of correspondence between the Bohemian and/or Austrian estates on one side, and Emperor Frederick III on the other; HT sign. 1572: a Latin copy of a document in which the Hungarian, Austrian, and Bohemian lords agree with Emperor Frederick concerning Ladislaus being their ruler; HT sign. 1573-1578, sign. 1582: a collection of German and Czech copies of documents concerning the succession of Ladislaus in Hungary, Austria, and Bohemia; HT sign. 1583: Oldřich of Rožmberk and his sons write to cardinals concerning the cooperation of the Austrian and Bohemian estates against Emperor Frederick III, on the topic of Ladislaus's succession. Adolf Kalný, *Historica Třeboň: 1216-1682*, vol. I/2 (Třeboň, 1993), 11-14.

raged.¹³⁸ Yet, on April 27, 1452, George of Poděbrad was elected *zemský správce* or “governor of the kingdom” by the Bohemian estates meeting in Prague, and the kingdom’s affairs began to stabilize.¹³⁹

The assembly that met in early November 1452 sent conditions to Ladislaus Posthumous for the nearly thirteen-year-old king-elect’s coronation, and he returned confirmation of those conditions on May 1, 1453.¹⁴⁰ Shortly thereafter, on June 6, 1453, Ladislaus Posthumous entered Brno and officially accepted his authority in Moravia.¹⁴¹ A few months later, on September 29, he entered Prague, and he was officially crowned on October 19, 1453.¹⁴²

Divisions did not magically heal upon Ladislaus Posthumous’s coronation, and there is no telling how they might have healed or festered if he had not died of leukemia four years later. George of Poděbrad’s election as king in early 1458 did not heal these rifts, and as we will see in Chapter 5, they were further exacerbated by a complete breakdown of relations with the papacy. Yet, the party assemblies of the 1440s seem to have been unique in their particular formulation, as well as in how they actually seemed to be parties that were not divided over their goals, but which nonetheless could not get along or accomplish those goals. The parties were able to move past their divisions only with both the passage of time and a rearrangement of the hierarchies within the different parties.

¹³⁸ The collection *Historica Třeboň* in Třeboň, founded upon the Rožmberk family archive, contains fifty documents issued on August 25, 1452, all of which deal with various animosities. HT sign. 1605-1654, #2089-2138.

¹³⁹ HT sign. 1587, #2071; AČ II, 306-313, #56. Because George of Poděbrad was governor for Ladislaus Posthumous, some vestiges of the party divisions did remain. Nonetheless, there seems to have been no trouble in obtaining safe conducts to and attending assemblies and deliberations in a variety of cities, including Prague and České Budějovice. For examples, see HT sign. 1660 and 1663, #2144 and #2147.

¹⁴⁰ See HT sign. 1667, #2151, for the conditions sent to Ladislaus Posthumous for his election, and HT sign. 1672, #2156, AČ IV, 416-419, #2, for his response to those conditions.

¹⁴¹ Odložilík, *The Hussite King*, 73-74.

¹⁴² Odložilík, *The Hussite King*, 85.

Conclusion

In some senses, the leaders of Bohemia in the 1440s were quite unified. For the most part, they were highly concerned with the common good of the kingdom, and with the problems created by the absence of a king and an archbishop. In another sense, the leading men were so fragmented by past grievances and a perceived difference of purpose that they often could not even meet in the same city to discuss their problems. This disconnect between the adherents of each party led to a downward spiral in their relations, and with no temporal or secular leader to reign the parties in, they took years to find the means to police themselves.

Although recriminations flew frequently between the parties, the lack of progress on the two main issues facing the kingdom was not entirely under their control. Their chosen king was still a boy (born in 1440), whose guardian would not consent to release him to the unstable kingdom so that he could assume his throne – indeed, the boy had never yet set foot in the kingdom. Similarly, the kingdom had chosen their next archbishop, and this choice had been publicly approved by two successive rulers of the Empire, and yet without the approval of the Pope no progress could be made. We see that the two rulers with the greatest symbolic status in western Christendom were both required to participate in the preservation of the common good within Bohemia, and yet both refused to do so in good faith.

Within this context, the assembly took on a leading role. In a normal situation, we might expect an assembly to be called according to principality, or possibly region, or even by estate. Yet, in the 1440s these assemblies were instead dominated by party politics. From 1444, the Bohemian assembly met frequently as two individual party assemblies, sometimes close enough to work together, and sometimes meeting in locations separated by a journey of multiple days.

The assemblies thus became a tool that the parties could use to effect their goals. These assemblies could be used to address grievances and reduce tension in the kingdom, as with the assemblies that met in June and November 1446, as well as the assemblies that met between summer 1450 and January 1451. Yet, they could also be used as a prelude to military action, and as a means of deepening conflict, as with the June 1448 assembly in Kutná Hora. Although a joint assembly was the ideal, and was recognized as the most legitimate form of group decision-making in the absence of a king, a functional joint assembly was rare, and an effective joint assembly was even more rare.

Party politics had a profound effect on Bohemia's stability in the 1440s, yet it did not take place in a vacuum. Bohemia's institutions were intimately connected to other institutions within Europe, and without cooperation from abroad, the institutions within the kingdom could not properly function. Thus, party politics could have positive or negative consequences for the state of the kingdom, but even agreement between the parties was by itself insufficient to solve the problems facing the kingdom. We see in these developments that external factors played a key role in influencing the course of events in Bohemia in the 1440s, even when most of the conflicts appeared to be local.

CHAPTER 5
**Between Two Kingdoms:
The Alienation of Moravia and the Definition of Bohemia**

In 1464, King George of Poděbrad issued a decree to protect the lands of the Bohemian crown from external threats and dissolution.¹ He reminded the Moravians of the “harms” caused a generation earlier by Emperor Sigismund’s grant of Moravia to his son-in-law, King Albrecht. He invoked the devastating consequences of this separation as he attempted to forestall any threat to the kingdom stemming from the breakdown of relations with Pope Pius II, proclaiming the margraviate of Moravia inextricably tied to the kingdom of Bohemia. The multinational context in which this decree was made, in a failed attempt to prevent other rulers from claiming the lands attached the Bohemian crown, indicates that a series of events much more significant was beginning.

The assertions that King George of Poděbrad made in this decree require the reader to take a deep look at the relationship between Bohemia and Moravia. Even the manner in which the king’s titles were given, “by the grace of God, King of Bohemia, Margrave of Moravia, Duke of Luxembourg and Silesia, and Margrave of Lusatia, etc.,” requires some explanation – why is the Margraviate of Moravia placed before the duchies to which the king held title, and separate from his other margraviates?² Indeed, this formulation was used not only by George of Poděbrad, but also by his successors, regardless of what kingdoms or titles they held.³ What gives it this significance?

¹ See Figure 13.

² “Die gracia Bohemie Rex, Moraue Marchio, Lucemburgen et Slesie dux ac Lusacie Marchio, etc.” Moravský zemský archiv v Brně, Stavovské Listiny #369; Josef Kalousek, ed., *Archiv Český*, volume X (Prague: Bursík and Kohout, 1890), 274.

³ As will be examined later, King Matthias Corvinus also listed his title to Moravia immediately after his royal titles; indeed, for Hungary he included only his royal titles, but he included all of his Bohemian titles when writing to Bohemia or Moravia. When confirming privileges in the mid-sixteenth century, King Ferdinand of

The margraviate of Moravia had been connected to the Kingdom of Bohemia for centuries, but in ways that defy simple explanation, and which were intimately affected by connections with the bordering principalities, particularly the kingdom of Hungary and the Empire.⁴ In his 1464 decree, King George of Poděbrad immediately addressed this complicated relationship:

the illustrious Margraviate of Moravia formerly appeared incorporated and connected to our kingdom of Bohemia, which added a great many benefits to the same [kingdom of Bohemia] and increased the prosperity of the peace by more than a little. With the passage of time, however, it happened that the same margraviate was divided and separated from our aforementioned kingdom, from which not insignificant harm and similarly detriment was brought forth, which was accustomed to arise from the division of the principality and the kingdom. For this reason, should this sort of disquiet be raised, we deem it proper to reunite and again to attach and incorporate the said Margraviate of Moravia to the aforementioned Kingdom of Bohemia in perpetuity.⁵

The decree describes its purpose clearly: to definitively reunite Bohemia and Moravia; but why?

What separated these two principalities in the recent past, and what prompted King George of

Habsburg also put his Moravian title immediately after his royal titles and archducal title to Austria, followed by his other titles (ducal and margraval) in order of precedence. For example, in a town privilege given to Jistebnice in 1549, King Ferdinand styled himself: “We Ferdinand, by the grace of God always August King of the Roman Empire, and Hungarian, Bohemian, Dalmatian, and Croatian king, *Infante* in Spain, Austrian Archduke, Moravian Margrave, Luxembourg and Silesian Duke, and Lusatian Margrave, etc.” “My Ferdinand z Bozie milosti Rzymsky kral powsseczky czasy Rozmnozitel Rzyse a Uhersky Czesky Dalmatsky Charwatsky, etc. kral, Inffantt w hyspany Arczyknyzie Rakawzske Margkrabie Morawsky Luzemburske a Slezske knyzie a Luziczky Margkrabie, etc.” Archiv Města Jistebnice, inv. č. 4, sign. I/4 B 451, Státní Okresní Archiv Tábor. Similar examples include the 1549 confirmation of privileges to Lomnice and Lužnici (Archiv Města Lomnice nad Lužnici, inv. č. 4, sign. 1 A4 poř. č.4, Státní Okresní Archiv Jindřichův Hradec), a 1547 grant to the city of Tábor (Archiv Města Tábor, inv. č. 7, sign. BI č. 7, Státní Okresní Archiv Tábor), and a shorter, ca. 1550 letter with a truncated version of these titles, but in the same order (Rodinný Archiv Krajiřů z Krajku, inv. č. 27, č. kart. 1, Státní Oblastní Archiv Třeboň - oddělení Jindřichův Hradec). The term *powsseczky czasy Rozmnozitel* is translated here as “always August,” as it is a translation of *semper augustus*. However, as in German-language titular from this period, the literal translation is closer to “for all time aggrandizer” – in German *mehrer*.

⁴ See Chapter 1 for further treatment of these relationships.

⁵ “Insignis marchionatus Moravie olim inclito regno nostro Bohemie incorporatus et annexus extiterat, quod plerisque comoditatibus eiusdem et felicioribus pacis incrementis non parum accedebat. Successu autem temporis accidit eundem marchionatum fuisse a prefato regno nostro divisum et separatum, ex quo non mediocre dampnum pariebatur pariter et iactura, quemadmodum ex divisione principatum et regnorum sepe evenire solet. Ideo, ut huiusmodi incomodis occurratur, dignum iudicavimus, dictum marchionatum Moravie predicto regno Bohemie reunire et denuo annectere ac imperpetuum incorporare. Stavovské Listiny #369, Moravský zemský archiv v Brně; AČ X, 274, #28.

Poděbrad to issue this document at this moment? Indeed, after it was issued, how valuable and defensible was this indissoluble connection between Bohemia and Moravia?

Moravia and Bohemia were connected by more than just the personal rule of the same man, as leaders throughout the region made clear in their consistent recognition of the long-standing union. The inhabitants also voiced their expectation that the two provinces would remain united, or when separated that they would be reunited, by utilizing the assembly as a locus for negotiation and as a platform from which to speak in a unified voice. Even when the negotiations ostensibly took place between royal individuals, they were finalized at the assembly and it was from the assembly that they were promulgated.

In the second half of the fifteenth century, possession of Moravia played a symbolic role as a metric of the power held by various polities in the region – particularly Bohemia and Hungary, although Poland and Austria would be more tangentially involved as well. Within this context, we see multiple articulations of the meaning of lordship in Moravia that indicate both what that concept meant abstractly to the estates in Moravia, and what that term meant legally in the exercise of power. The idea of lordship that is conveyed by the documents produced in this context affirms the idea that multiple overlapping identities co-existed and endowed each other with meaning in fifteenth century Moravia. We also see that people and communities espousing a wide variety of identities came together to protect their own and each other's particular rights and privileges. They show that the best way to do so was the united action of the estates within the margraviate.

The Significance of a Title

The relationship between Bohemia and Moravia did not suddenly become complicated when George of Poděbrad took the throne in 1457, but rather had a long development. The two provinces had been officially joined since 1034, and the overlapping jurisdictions and institutions that had developed made alienating Moravia and the other crown lands both divisive and untenable. While Bohemia was in many ways within the Empire, it was subject to the Emperor in only a minimum of circumstances. After 1222, Moravia only occasionally had a ruling government separate from that in Prague.⁶ Even in later centuries, rulers continued to observe Břetislav's mid-eleventh century designation of Moravia as the base for younger sons of the ruling family as they waited their turn to inherit.⁷ Unlike in the generations following Břetislav, however, the thirteenth century Přemyslids rarely had more than one son live to adulthood or produce heirs. Thus, Moravia became the province in which sons and brothers honed the administrative skills that they rarely had the opportunity to exercise as kings. Yet, these sons and brothers were not elected by the people or assembly of Moravia, but rather were designated by the king of Bohemia.

The relationship between the two provinces thus seems deceptively simple. The ruling king in Prague had the right to dispose of Moravia by granting it to a relative, or to retain it for himself as he saw fit. Examination of the grants made in this period, however, shows that the king was frequently invoked in documents to legitimize the grants that were being made by his

⁶ For an assertion that Moravia is indeed a community with an identity distinct from Bohemia, in contrast to the overlapping identities I argue for in this chapter, see Martin Wihoda, *Vladislaus Henry: The Formation of Moravian Identity* (Boston: Brill, 2015), 297.

⁷ This use of Moravia is treated in great detail in Lisa Wolverton, *Hastening Towards Prague: Power and Society in the Medieval Czech Lands* (Philadelphia: The University of Pennsylvania Press, 2001).

relative serving as margrave of Moravia, as was the mother of the margrave of Moravia.⁸ Even the attempted revolts of Wenceslas I's brother Přemysl in 1233 and 1237 did not effectively change the subordinate relationship of Moravia to Bohemia, nor did the eighty year period (from 1253 until 1333), when the title Margrave of Moravia was held by the king of Bohemia rather than an heir.

Following the assassination of Wenceslas III in 1306, a short interregnum led to the accession of John of Luxembourg to the Bohemian throne. His death in 1346 made his son Charles IV, already margrave of Moravia, king of Bohemia as well.⁹ Soon after, Charles IV granted a series of new privileges further clarifying the rights of the inhabitants of the kingdom and the margraviate.¹⁰ As he had been margrave of Moravia before becoming king of Bohemia, these documents reflected a great familiarity with the principality. In these documents and his Golden Bull of 1356, he defined the relationship between Bohemia and the Empire.¹¹ We can also see this clarification process in Charles IV's bestowal of the margraviate of Moravia on his brother John Henry at the time of his marriage to Margaret, Countess of Tyrol, the following year.¹² This province reverted to Charles IV's son King Wenceslas IV upon the end of John Henry's branch of the family in 1411.

Thus, when King Wenceslas IV died and the Hussite Wars broke out in 1419, his brother Emperor Sigismund was his heir in Moravia as well as Bohemia. Both of these titles were contested, but these contestations were never complemented by the Moravian assembly's

⁸ For a detailed analysis, see Chapter 1.

⁹ An abstract of John of Luxembourg's grant of Moravia to Charles IV is in Hermenegild Jireček, *Korunní Archiv Český: Sbirka Státních Listin Koruny České z Doby od r. 1306 do r. 1378* (Prague: 1896), 117, #105. Charles IV had been elected King of the Romans as a rival king to Louis IV six weeks earlier.

¹⁰ Jireček, *Korunní Archiv Český*, 297-308, #273-275.

¹¹ Charles IV, "The Golden Bull," in *Readings in Medieval History*, 3rd ed., ed. Patrick J. Geary (Orchard Park, NY: Broadview Press, 2003), 663-685.

¹² Jireček, *Korunní Archiv Český*, 329, #296. See Chapter 1 for a detailed examination.

assertion of the right to elect the margrave.¹³ In 1422, after two failed crusades against the Utraquists in the kingdom of Bohemia, Emperor Sigismund married his only-daughter, thirteen-year-old Elizabeth, to King Albrecht of Habsburg.¹⁴ The following year, Emperor Sigismund invested his new son-in-law with Moravia to reward him for his military support. This bestowal included an acknowledgement of King Albrecht as Emperor Sigismund's heir.

The grant of Moravia to King Albrecht, who had already ruled Austria since 1404, represented a departure from previous practice. King Albrecht was not from the same dynasty as Emperor Sigismund, and while Moravia was often the property of the heir-presumptive, the king had generally kept Moravia in his own hands when he lacked adult sons who needed titles. As King Albrecht already held Austria, he did not need the province to support himself. Rather, this grant of Moravia was intended to buy his loyalty and military support, and to assert Emperor Sigismund's power over the kingdom.

This grant is extant in two complementary German documents in the Národní Archiv in Prague.¹⁵ Although both were given the same day, one shows Emperor Sigismund's actions as king of Bohemia, and the other his actions as king of the Romans. Both were sealed with the same single, natural (beeswax) seal of Emperor Sigismund, attached with black and yellow cord.¹⁶ The first, longer document focuses on the grant of the "principality and Margraviate of

¹³ Although succession laws favored electing Emperor Sigismund as king of Bohemia, his reaction to Utraquism alienated many and kept him from attaining broad consent to his rule for seventeen years. Yet, after his brother's death in 1419, Emperor Sigismund continually claimed to be the ruler of Bohemia and the provinces attached to it, namely Moravia, Silesia, and Lusatia.

¹⁴ I refer to Albrecht of Habsburg as King Albrecht throughout this chapter, although he acquired that dignity in the Empire, Bohemia, and Hungary only after his election to those thrones in 1438.

¹⁵ Archiv České koruny (1158-1935), #1504, #1505, Národní Archiv.

¹⁶ This seal depicts an enthroned monarch holding an orb and a scepter, with two crests on either side of the throne. While the shields depicted on the seals are somewhat obscured, they appear to be those of the Empire, Bohemia, Hungary (two bar cross), and a three bar cross.

Moravia” with a long list of corresponding rights, honors, and privileges, given as a “princely fief” by Emperor Sigismund as “king of Bohemia.”¹⁷

In both documents, Emperor Sigismund emphasizes King Albrecht’s status as both duke of Austria and his son-in-law. The first document focuses on Emperor Sigismund’s legal right – as king of Bohemia – to give Moravia to King Albrecht.¹⁸ The second document has a slightly different focus, and was clearly issued by Emperor Sigismund as king of the Romans. Although the document still included a description of the rights and privileges within the principality, Emperor Sigismund separated his roles as king of Bohemia and king of the Romans very carefully.¹⁹ He referenced his action in the first document, asserting that “as a king of Bohemia [he] had given” Moravia, but that with this second document he was confirming the grant of the king of Bohemia “as a Roman king.”²⁰

Emperor Sigismund specified that he made this confirmation “with our good advice and [the good advice of the] lord princes of the holy Empire.”²¹ While he does mention advice in the document issued as king of Bohemia, nowhere does he say who this advice is from. The second document reveals that while the action was taken as king of Bohemia, the advice encouraging him to take this action, at least in so far as confirming the grant he made as king of Bohemia, was given by imperial princes, not Bohemian or Moravian leaders. The lack of any mention of

¹⁷ “Fürstentum und Marggraffschaft zu Merhern;” “fürstenlichen lehen;” “kunig zu Behem.” Archiv České koruny (1158-1935), #1504, Národní Archiv.

¹⁸ “And as a king of Bohemia, we will in future times, and have, with well-deliberated resolution, good advice, and right thinking, [granted] to him the same principality and margraviate of Moravia with all of the properties belonging thereto.” “Und sollen in kufftugen czeiten und haben In dorumb mit wolbedachtem mute gutem Rate und rechter wissen das egenem fürstentum und Marggraffschaft zu Merhern mit allen borgen zu gehorungen als eyn kunig zu Behem.” Archiv České koruny (1158-1935), #1504, Národní Archiv.

¹⁹ Archiv České koruny (1158-1935), #1505, Národní Archiv.

²⁰ “Als ein kunig zu Behem getan haben ... als ein Romischer kunig.” Archiv České koruny (1158-1935), #1505, Národní Archiv.

²¹ “mitt gutem rat unsr und des heiligen Richs fürsten herren.” Archiv České koruny (1158-1935), #1505, Národní Archiv.

Bohemian or Moravian advisors indicates that they did not participate as representatives of Bohemia and Moravia, although whether this was because they were not part of his inner circle, because they did not agree, or because they were numbered among his imperial counselors is unclear. This grant established that, unlike his father Charles IV, Emperor Sigismund had no power as king of the Romans to grant Moravia, and it also suggests that Emperor Sigismund was not dependent on advice from the inhabitants of Bohemia and Moravia in making decisions concerning those principalities.

These documents clearly indicate that Emperor Sigismund understood Moravia to be directly subordinate to Bohemia, but that the Emperor possessed the right to confirm the appointment or inheritance of the margraviate, as he could with the accession of bishops and kings. What these documents leave unclear is the extent to which Bohemia and Moravia were thereafter separate. King Albrecht was also duke of Austria, and Emperor Sigismund and King Albrecht's mutual dependence had very little to do with their titular possessions in Bohemia, Moravia, or the Empire. Indeed, as Emperor Sigismund was not universally recognized or elected as king of Bohemia until 1436, although he had been quickly crowned in 1420, his 1423 grant of Moravia to King Albrecht was of questionable legitimacy.

The documents associated with Emperor Sigismund's election as king of Bohemia clarify how this grant was subsequently interpreted. When electing Emperor Sigismund as king of Bohemia in 1435, the estates gathered at the assembly in Prague drew up a list of conditions which were then presented to him. One of these was that "Moravia should be restored to the kingdom of Bohemia."²² This indicates that while Moravia was nominally granted to the heir to

²² "Moravia restituatur ad regnum Boemiae." František Palacký, *Urkundliche Beiträge*, vol. 2 (Prague: Bei Friedrich Tempsky, 1873), 440-441; see Thomas Fudge, *The Crusade Against Heretics in Bohemia, 1418-1437*:

the kingdom of Bohemia and was still an attached territory, the estates at the assembly understood it to have been alienated and the traditional connections to have been interrupted. In his reply, Emperor Sigismund did not address this condition, instead simply asserting his authority over both Bohemia and Moravia through his employment of titles and use of language.²³

The conditions sent to King Albrecht for his election three years later show that at Emperor Sigismund's death in December 1437, Moravia's status was still unresolved. The estates at the assembly in Prague asked King Albrecht "[concerning] Moravia, that the records and obligations which [Your Grace] has for Moravia will be returned to the Bohemian crown, and those documents which [Your Grace] has for Moravia will be given back."²⁴ The participants in the assembly implied that even if Moravia were held by the king of Bohemia, unless it was formally returned to the crown, it was still alienated. Union under the personal rule of a single monarch was not full union.

King Albrecht's response to the estates' conditions shows that he considered his continued legal possession of Moravia to be the best surety for his accession to the Bohemian throne. He responded that

Our answer [concerning] this land [is] that although we had howsoever many great and measureless expenses for the preservation of these lands, and lost a good many people, and [this was done] for honor and because of entreaty and at their request, we want to take with us the principal document and edict (*majestát*) that we have for this land. Upon our coronation, we will willingly give it into the power of the Bohemians (*w moc Českú*),

Sources and documents for the Hussite Crusades (Burlington, VT: Ashgate, 2002), 384, for one version of an English translation.

²³ Palacký, *Urkundliche Beiträge*, vol. 2, 440-441; Fudge, *The Crusade Against Heretics*, 385-369.

²⁴ "Morawa swých zápisuow a zawázání aby prázdna byla a k koruně České nawrácena, i ti listowé zase dáni, kteréž na Morawu má." František Palacký, *Archiv Český*, volume III (Prague: V Kommissí u Kronberga i Řivnáče, 1844), #30, 459-460 (hereafter AČ III).

to join the other documents and privileges of the Bohemian kingdom, so that in this way they may experience the love and affection that we have for this crown.²⁵

In this response, King Albrecht revealed his anxiety and desire for a swift coronation, but he also defended the legality, however unpopular, of Emperor Sigismund's grant of Moravia to him. In this case, the "principal document" that he mentions stood in for Moravia itself. While he physically possessed that document, he was in full possession of Moravia. King Albrecht affirmed that Moravia could be and indeed was alienated from Bohemia, and promised to return it to the Bohemians, highlighting the difficulties and expenses he himself had faced. Notably, he discussed allowing Moravia to pass "into the power of the Bohemians" (*w moc Českú*), implying some sort of institution into which this document and the power it represented over the land could be passed, and which was separate from the monarch.²⁶

King Albrecht does seem to have eventually returned the document "to the power of the Bohemians," and certainly Bohemia and Moravia were reunited before his death on campaign against the Ottomans in 1439. Lands, privileges, and families frequently crossed the porous border between Bohemia and Moravia, and the key men in the kingdom in the 1430s and 1440s came from both Bohemia and Moravia. Leading men holding territories in both principalities negotiated for the election of a king throughout the 1440s.²⁷ After a struggle for influence between various parties, George of Poděbrad was made regent for King Albrecht's son Ladislaus

²⁵ "Odpověď naše, že zemi té ke cti a ku prosbě a žádosti jich, ač sme koliwěk weliké a nesmierné náklady pro zachowánie té země učinili a mnoho dobrých lidí ztratili, chcme list hlawní a majestát, kterýž máme na tu zemi, s sebou wzieti, a při korunowání našem k jiným listóm a privilegím králowství Českého dobrowolne w moc Českú položiti, aby tudy naši lásku a příchylnost, kterúz máme k té koruně, poznati mohli." AČ III, 460-461, #31. Both the list of conditions sent to King Albrecht and his response appear to have been originally written (or at least preserved) in Czech.

²⁶ This likely meant deposition in the chests of documents in the Chapel of the Holy Cross in Karlštejn.

²⁷ For more detail, see Chapter 4.

Posthumous in 1452, and Ladislaus was finally crowned king in Prague in 1453. However, he died on November 23, 1457, and George of Poděbrad succeeded him as king in early 1458.²⁸

King George spent the early years of his reign strengthening his position inside and outside the kingdom, including at the Roman Curia.²⁹ However, the negotiations with the Roman Curia turned sour, and in 1462, twenty-six years after the agreement with the Council of Basel had permitted Utraquism in Bohemia, Pope Pius II declared the Compacts of Basel invalid, making George of Poděbrad and all the other Bohemian Utraquists heretics.³⁰ This rejection jeopardized the security and stability of the kingdom. Pope Pius II called George of Poděbrad before an ecclesiastical court, but died in 1464 before the matter could be resolved. Later that year, George of Poděbrad issued the document confirming that Moravia could not be alienated from Bohemia, with which this chapter opened.³¹

We can see here the role that Moravia played in disputes over rulership in Bohemia. Emperor Sigismund granted it to his son-in-law as a way of maintaining his support during the Hussite Wars, and even after king Albrecht had been elected king as Emperor Sigismund's heir, Moravia still played a symbolic role in assuring his succession. We also see a hint here of the overlapping identities and allegiances that existed in the region. Moravia was at the same time connected to and separate from the kingdom of Bohemia. The two polities bled into each other in a number of ways, and yet authority over them was exercised separately, and the rights of the various estates within them developed in distinct ways.

²⁸ Otakar Odložilík, *The Hussite King: Bohemia in European Affairs, 1440-1471* (Rahway, NJ: Rutgers University Press, 1965), 91-95.

²⁹ Josef Macek, "Le mouvement conciliaire, Louis XI et Georges de Poděbrady (en particulier dans la période 1466-1468)," in *Historica: Historical Sciences in Czechoslovakia* 15 (1967): 5-64.

³⁰ Pope Pius II refused to confirm the Basel Compacts and then said that the Papacy only ever recognized them for a small group. He refused to recognize George of Poděbrad until and unless he became Catholic. Jörg K. Hoensch, *Matthias Corvinus: Diplomat, Feldherr und Mäzen* (Graz: Verlag Styria, 1998), 97.

³¹ Stavovský Listiny #369, Moravský Zemský Archiv in Brno.

An Attempt to Remain Unified

The first half of King George's 1464 decree forbidding the alienation of Moravia refers specifically to many of the events affecting the connections between Bohemia and Moravia in the previous half-century. He describes Moravia as a principality that "formerly appeared incorporated and connected to our illustrious kingdom of Bohemia."³² He also mentioned "the many benefits" of this, referring to the close connections between the principalities, which had led to many overlaps in land ownership, intermarriages, and trade connections.³³

Yet, the events of the previous generation had made more stark the barriers between Bohemia and Moravia. King George referred particularly to Emperor Sigismund's grant of Moravia to King Albrecht in 1423 when he remarked that "with the passage of time, however, it happened that the same margraviate was divided and separated from our aforementioned kingdom, from which not insignificant harm, and similarly detriment, was brought forth."³⁴ King George was not the only one to remark on this harm; in his 1458 book *Europe*, Aeneas Silvius Piccolomini, who would soon be named Pope Pius II, remarked that "When [Moravia] rebelled and refused to obey his orders, Albert caused it to suffer great destruction. For he burned over five hundred farms in a single expedition, put many people to death, drove off almost all the livestock, and forced that perfidious people to bear his yoke."³⁵ Both King George and Aeneas Silvius Piccolomini clearly blamed King Albrecht and his "measureless expenses"

³² "Olim inclito regno nostro Bohemie incorporatus et annexus extiterat." Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28.

³³ "Plerisque comoditatibus." Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28.

³⁴ "Successu autem temporis accidit eundem marchionatum fuisse a prefato regno nostro divisum et separatum ex quo non mediocre dampnum pariebatur pariter et iactura." Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28.

³⁵ Aeneas Silvius Piccolomini, *Europe (c. 1400-1458)*, trans. Robert Brown, introduction by Nancy Bisaha (Washington, DC: The Catholic University of America Press, 2013).

for causing this harm, although Aeneas Silvius Piccolomini also castigated the people of Moravia for what he clearly understood to be incorrect beliefs and rebellion.³⁶ In his portrayal, King George highlighted a clear, positive reason for reuniting Bohemia and Moravia: to reduce further harm. He reminded the inhabitants of Moravia of the hardships that they and their ancestors experienced, and warned would-be challengers against separating Bohemia and Moravia, although he was not specific about who these challengers were or what their reasons might have been.

King George not only declared Moravia appended to the kingdom of Bohemia in perpetuity, but explained the strength of the connection and its consequences. He stipulated that “with the close counsel of our other faithful [men], from our certain knowledge, with the authority of the king, we simply unite, annex, join, appropriate, [and] add the aforementioned margraviate of Moravia into our whole kingdom of Bohemia, and we incorporate [it] for perpetuity and irrevocably.”³⁷ The key part of this explanation was his insistence on its validity in perpetuity. He was well aware of the many upheavals in the Bohemian political landscape over the prior half century, and this document represented part of his attempt to maintain peace in the kingdom in light of continuing disputes with the Papacy. He thus tried to shore up his position by issuing this decree in Latin, making it comprehensible throughout Europe. This choice of language is a key piece of evidence that his intended audience was not only local or regional, for whom he might have written in Czech or German, but pan-European.

³⁶ “Nesmierné náklady,” AČ III, 460-461, #31; Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28. Piccolomini, *Europe*, 135.

³⁷ “Aliorum nostrorum fidelium accedente consilio, de certa nostra sciencia, auctoritate regia predictum marchionatum Moravie simpliciter et in toto regno nostro Bohemie unimus, annectimus, adiungimus, appropriamus, attribuimus, ac perpetuo et irrevocabiliter incorporamus.” Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28. See Figure 13.

King George's status as an Utraquist and Pope Pius II's efforts to abrogate the Basel Compacts created many potential pitfalls in the political landscape. Whether or not he could back up his assertion of unity between Bohemia and Moravia, the assertion of its irrevocability was vital. He continued by further specifying what was not allowed with respect to the margraviate of Moravia. Noting that this action was being taken at the request of the "barons, nobles, and inhabitants" of the margraviate of Moravia, he asserted that

the margraviate of Moravia ought and can, by the power of the king, never henceforth forever by any means whichsoever, by whatever character or appearance, be sold, detached, given, exchanged, divided, dismembered, split, mortgaged, or pledged in whole or in part, even as a dowry, or by any other means be alienated from the crown of the Kingdom of Bohemia, to any place whichsoever.³⁸

He again refers obliquely to key events from the prior few generations, particularly King Albrecht's receipt of Moravia shortly after marrying Queen Elizabeth.³⁹ Whether this was considered a dowry, an exchange, a pledge, or something else, King George pointedly promised the inhabitants of Moravia that the principality would not, in future, be used in this manner.

The last section of the document focuses on how the connection was to be maintained in perpetuity. After forbidding anyone from contravening the document, he decreed that "if, however, one of our successors as king of Bohemia should attempt [something] contrary to this our decree ... we pronounce it to be worthless and of negligible power."⁴⁰ He made it very clear that anyone who contravened the document would "by this deed fall from their honors and

³⁸ "Barones, nobiles et incole," "marchionatus Moravie nunquam ammodo imperpetuum per quempiam quocunque ingenio sive colore quesito vendi, abstrahi, donari, permutari, dividi, dimembrari, scindi, impignorari, obligari in toto vel in parte, seu via dotis, aut quovis alio modo alienari a corona regni Bohemie et potestate regum debeat atque possit." Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274-275, #28.

³⁹ Officially, her dowry was 100,000 gold pieces, which was immediately loaned back to Emperor Sigismund. However, the grant of Moravia came soon thereafter and was always connected with his marriage to Queen Elizabeth. Petr Čornej, *Velké Dějiny Zemi Koruny České*, volume 5: 1402-1437 (Prague: Paseka, 2010), 305.

⁴⁰ "Si quis autem successorum nostrorum, regam Bohemie, contrarium huius nostri decreti attemptaverit ... inane et nullius roboris esse decernimus." Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28.

offices, whichsoever, just as traitors of the country would also be regarded, held, and blamed by everyone.”⁴¹ He did not intend this to be an idle threat. We can see in this that he wished to guard against the threat posed by actors outside Bohemia, and also that he was attempting to empower his supporters before any struggle began.

King George purported to have written this decree after having been “humbly beseeched” by the “barons, nobles, and inhabitants of the same margraviate, desiring to take care for their own welfare.”⁴² He thus implied not only that he would like to see Bohemia and Moravia irrevocably joined, nor simply that Moravia should be put “in to the power of the Bohemians,” as King Albrecht had stated, but rather that the Moravians asked to be united to Bohemia in this way. This begs the question why they would want this union, or rather, why they would want to guard against division.

The answer must include a recognition of the power of the connection between Bohemia and Moravia. The two polities often developed distinctive privileges and structures, but usually referenced each other, and decisions often included the participation of men from both polities. We see in a decree issued by King George the following week, also in Olomouc, that the inhabitants of Moravia also requested a confirmation of their privileges within Moravia as well, particularly in respect to their taxes (*berně*).⁴³ It was not unusual to describe actions in this way, but the issuance of both of these documents from the same location at roughly the same time

⁴¹ “Ab honoribus et officiis suis quibuscunque eo facto cadere, necnon tamquam patrie proditores ab omnibus haberi, teneri et reputari.” Stavovské Listiny, #369, Moravský Zemský Archiv v Brně; AČ X, 274, #28.

⁴² “Moravie observanciam, barones, nobiles et incole eiusdem marchionatus utilitatibus suis pris-ici [sic] cupientes, celsitudini nostre humiliter supplicaverunt.” Moravský zemský archiv v Brně, Stavovské Listiny #369; AČ X, 275, #28.

⁴³ The conditions of the payment of this tax were set down: “now at our request the prelates, lords, knightage, cities, and the inhabitants of our Moravian margraviate consent to our [request] for our and the land’s good.” “nynie k žádosti naše preláti, páni rytieřstvo, města i obyvatelé našeho markrabství Moravského svolili sú nám pro naše i té země dobré.” AČ X, 276, #29. Note that this document was issued in Czech, while the clarification of Moravia’s status the week before was issued in Latin.

indicates that the inhabitants of Moravia and the king of Bohemia were at this time seeking to clarify the bonds between them, and more fully describe their relationship in light of looming pressures from beyond the kingdom and margraviate.

Unfortunately, King George's attempts to forestall civil war and the alienation of Moravia were unsuccessful. The disagreement between the papacy and King George continued to grow, as did his conflict with Catholics in Bohemia. In 1465, some nobles gathered in Plzeň began to reach out to the French and Polish royal families as alternatives to King George.⁴⁴ The same summer, Pope Paul II sanctioned any action King Matthias Corvinus of Hungary took to attack Bohemia, and by December 1466 he had declared King George a heretic for encouraging rejected beliefs and purportedly persecuting Catholics in Bohemia.⁴⁵ Shortly thereafter, the already-formed League of Zelená Hora revolted, and King Matthias himself led a crusade against the Hussites in Bohemia.⁴⁶

King Matthias was elected king of Bohemia by the league of Zelená Hora in May 1469 in Olomouc.⁴⁷ During the intermittent campaigns of this war, King George lost control of much of Moravia and faced political as well as military threats after King Matthias was crowned.⁴⁸ King George was unable to regain control of these lands, and was still in conflict with King Matthias at his death on March 22, 1471.⁴⁹ King George had been negotiating with the Polish royal family over arrangements for Vladislav Jagiellon, nephew of Ladislaus Posthumous and son of

⁴⁴ Hoensch, *Matthias Corvinus*, 97.

⁴⁵ Hoensch, *Matthias Corvinus*, 98-99; František Šmahel, "The Hussite Revolution (1419-1471)," in *A History of the Czech Lands*, ed. Jaroslav Pánek and Oldřich Tůma, et al (Prague: Charles University in Prague Karolinum Press, 2014), 165-167; Odložilík, *The Hussite King*, 132-133; see Macek, "Le mouvement," for information about George's international diplomacy.

⁴⁶ Šmahel, "The Hussite Revolution," 167.

⁴⁷ Šmahel, "The Hussite Revolution," 167-168.

⁴⁸ Šmahel, "The Hussite Revolution," 167-168; Antonín Kalous, *Matyáš Korvín (1443-1490): Uherský a český král* (České Budějovice: Veduta, 2009), 122-149, 171-172.

⁴⁹ Odložilík, *The Hussite King*, 194, 204-221.

the King of Poland, to be his successor, and the negotiations were concluded soon after his death.⁵⁰ The fifteen-year-old Vladislav Jagiellon followed Roman doctrine, but he refused to reject the Basel Compacts, and so was also considered a heretic and the war continued.⁵¹

Peace in the Land

In 1478, a series of treaties finally ended the civil war. These treaties included truces to allow the parties to reach an agreement, as well as treaties between the two claimants, land peace agreements among the inhabitants of Moravia, and treaties between the kings and their kingdoms.⁵² The truces and land peace agreements provide insight not so much into the terms of the agreement to end the war (those are contained in the treaties), but into the means of upholding the peace, the reasons for which it was sought and by whom, and the role of the assemblies in its negotiation and conclusion.

The most important and far-reaching of these land peace agreements was concluded on March 29, 1478, although it followed on the heels of a series of smaller peace agreements.⁵³ This 1478 land peace agreement, issued by the estates at the assembly in Brno, includes the seals of one hundred and thirty entities in Moravia, including four of the most important cities and many signatories from the upper and lower nobility, representing a wide range of statuses, as

⁵⁰ Jaroslav Boubín, “The Bohemian Crownlands under the Jagiellons (1471-1526),” *A History of the Czech Lands*, 173-174; Odložilík, *The Hussite King*, 267-268. The king of Poland himself – brother-in-law of Ladislaus Posthumous – had been considered as a non-Utraquist alternative to George of Poděbrad in the mid-1460s.

⁵¹ Boubín, “The Bohemian Crownlands,” 174.

⁵² Stavovské Listiny #387, #392, #393, #394, Moravský zemský archiv v Brně; František Palacký, ed., *Archiv Český*, vol. IV (Prague, 1846), 481-488, #21 (hereafter AČ IV); 488-495, #22; František Palacký, ed., *Archiv Český*, vol. V. (Prague, 1862), 377, #13 (hereafter AČ V).

⁵³ Some examples are cited in Figure 14. These examples include AČ X, 246-247, #5 (1421); AČ X, 250-254, #6 (1434); AČ X, 156-158, #12 (1440); AČ X, 269-271, #24 (1456); Stavovské Listiny #343, Moravský zemský archiv v Brně (1446); Stavovské Listiny #387, Moravský zemský archiv v Brně (1477 – King Vladislav promises peace until 1478) #392 (1477, promised by King Vladislav); Stavovské Listiny #393, Moravský zemský archiv v Brně (1477); Stavovské Listiny #394, Moravský zemský archiv v Brně (1478); AČ X, 296-297, #59 (1487); AČ X, 320-325, #76 (1496).

well as the bishop of Olomouc and the highest officials in the Margraviate.⁵⁴ Nearly all of the seals are remarkably well-preserved, and the document itself names most of the signatories.⁵⁵

Issued from an assembly in Brno, ostensibly by those present at the assembly, this document provides a wealth of information about who participated in key assemblies. When taken together, the two means of conveying support for the agreement – the list of names and the more than six score seals – indicate a broad consensus within a relatively small principality.⁵⁶

The document contains two paragraphs. The first consists primarily of the names of the signatories, preceded by a short introduction that describes itself as intended to build and preserve the peace, the preliminary agreement for which was entered into the day before this land peace agreement was issued.⁵⁷ Comprising roughly half of the entire document, this list of names provides information about who was affected by the dispute over rulership in the kingdom and how they wished to participate in the conclusion of peace. Indeed, the document was not

⁵⁴ See Figure 14. Stavovské Listiny #394, Moravský zemský archiv v Brně. When the parchment is examined closely, it appears that the seals of the other two royal cities in Moravia may have fallen off. The archivist who created the catalog makes no mention of these missing seals.

⁵⁵ Unfortunately, the text of the document was less well-preserved than the seals, and after extensive restoration in 2010 by the Moravský Zemský Archiv, the blueish tinge of the document is gone, but some words have been nearly erased and rendered illegible. Yet, the key content of the document is undisturbed. Konservativní protokol #588, Stavovské Listiny, Moravský zemský archiv v Brně, the preservation documentation associated with Moravský zemský archiv v Brně, Stavovské Listiny #394, notes that the document was probably treated with potassium ferricyanide in the past, which was removed, but which caused some damage and discoloration. The people named in the document match very closely, although not perfectly, with the owners of the seals as recorded by the archivist in Mojmír Švábenský, *Stavovské Listiny, 1212-1847, Katalog* (Brno, 1965), 128-131. The archivist does not note any particular seals having disappeared, although it appears when one examines the document very closely that holes in the parchment exist for the attachment of the seals of two additional cities. While we can presume that these seals were once attached, there is insufficient evidence to know for sure.

⁵⁶ Roughly 1-2% of a combined Bohemia and Moravia made up the upper and lower nobility, or roughly 15,000-30,000 people (men, women, and children) out of 1.5 million people. This was roughly comparable to the percentages in England. Josef Macek, *Jagellonský věk v českých zemích, 1471-1526: vol. 2 Šlechta* (Prague:Academia, 1994), 49.

⁵⁷ “So that the peace of the Margraviate of Moravia could be preserved and these war-caused, harmful, and unpleasant upheavals, by God, would not be possible, and disagreements between the inhabitants and the same margraviate could be stopped and disrupted.” “Aby pokog Margrabstwie Morawskiego zachowan byti mohl a tyto waleczne sskodliwe a nepokogne od pana Boha depustiene nesnadly a ruoznicze mezy obywateli a Markrabstwie tehoz staweny a przetrzeny byti mohly.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

issued in the name of any one person or institution, but only “in the name of the Holy and undivided trinity, Amen.”⁵⁸

The list of names begins with the most noteworthy men, namely the bishop of Olomouc, the *hejtman* of Moravia (Ctibor of Cimburk), and the Highest Marshal of the Bohemian Kingdom (Pertold of Lipé), followed by the names of signatories from many of the key families in the kingdom and the margraviate: Lichtenštejn, Pernštejn, Kunštát/Poděbrad, Šternberk, Boskovic, and others. Next follow the names of many nobles and knights of varying status. At the bottom of the paragraph, extensive space was left for cities and towns to be listed; yet, there are large spaces between many of the listed municipalities, and it is unclear if this was because fewer municipalities agreed than anticipated, or if, simply, more space was left than was needed.⁵⁹

The cities are all listed in the name of the “mayor and council” of the city. These cities include Olomouc, Brno, Znojmo, Mikulov, and [Uherský] Hradiště. None of the listed city names bear any resemblance to Jihlava, yet Jihlava’s seal is prominently appended with the seals of Olomouc, Brno, and Znojmo on the left side of the document.⁶⁰ The seals of Mikulov and Uherský Hradiště are not currently attached to the document, and are not listed in the archivist’s detailed description of the appended seals, despite being listed in the document itself – it does appear, however, as if they may once have been attached and have since fallen off.⁶¹

⁵⁸ “Vegmeno Swathe a nerozdielne Twogicze, Amen.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁵⁹ Indeed, all of the royal cities in Moravia are either listed or appended their seal (or both), but no noble cities or towns (*městečka*) of any kind are listed.

⁶⁰ It is unclear when – 1478 or 1479 – this seal may have been appended. Stavovské Listiny #393, Moravský zemský archiv v Brně; Archiv Město Jihlava #204, Státní Okresní Archiv Jihlava.

⁶¹ If Mikulov and Uherský Hradiště appended their seals and those seals have since fallen off, they would have been the only seals to have done so. It is also possible that the parchment was prepared for their attachment, but the seals were never appended.

A peace treaty signed five months earlier for the purpose of keeping the peace until an agreement could be reached between the two kings provides a basis for comparison.⁶² This document begins with the names of the twenty signatories: sixteen nobles and priests, and four cities. This list is followed by “and the other lords, prelates, knightage, and cities of the Margraviate of Moravia.”⁶³ This additional phrase is absent from the March 1478 land peace agreement. Indeed, whereas the March 1478 agreement was clearly intended for display, with seals carefully appended to all sides of the parchment, this October 1477 agreement is on paper, with all twenty seals stamped on the bottom. The name of the sealer was originally written underneath each seal, and it should be noted that although “Lord Albrecht” of Boskovic was written, his seal seems never to have been included, or at least leaves no trace that it has fallen off.⁶⁴ The status of each sealer of the October 1477 land peace agreement is clear at first glance. Because the order of the seals so perfectly matches the order of the names in the document, even a modern observer can trace the status of the signatories. The shape and identity of each seal is still visible, as is an impression of the color. In this case, having only an impression of the status of the sealers may be beneficial.⁶⁵

The impression left by the 130 seals on the March 1478 document is even more immediate.⁶⁶ The largest red and black seals on the left side of the document highlight the most important cities, but the wide array of colors of the scores of other seals (natural, black, green,

⁶² Stavovské Listiny #393, Moravský zemský archiv v Brně.

⁶³ “Y giny pany prelaty Rytierstwo y miasta markrabste morawo.” Stavovské Listiny #393, Moravský zemský archiv v Brně.

⁶⁴ See Figure 15. “Pán Albrecht,” Stavovské Listiny #393, Moravský zemský archiv v Brně.

⁶⁵ It is clear that roughly half of the visible seal colors were black (or perhaps on rare occasions a dark green), while half were red. The archivist was unsure of the colors of many of the seals that are still covered by their square of paper, and I have used my own assessment of their color in most cases. Švábenský, *Stavovské Listiny*, 128-131.

⁶⁶ Stavovské Listiny #394, Moravský zemský archiv v Brně.

and red), shows that this document was not simply concluded on the highest levels.⁶⁷ The viewer is immediately awed by the large number of supporters of this agreement, indicated by the multiple layers of seals that cover two-thirds of the edges, with extra layers of parchment necessary around the edges to provide a means of attaching them all without tearing the document apart. It is important to understand that all of these people were not gathered together by chance, but rather that the articles were drawn up “at the Brno *sněm*, which is now held on the Sunday after Easter in the town of Brno.”⁶⁸ It was not unusual for a document such as this to be issued from an assembly, particularly considering the large number of Moravians whose agreement it made manifest.

The document describes itself as the record of a discussion that took place at the assembly, and which was issued to keep and ensure peace. This peace was to be ensured by the *jednota* that the document created and to which all of the signatories were bound.⁶⁹ This document includes frequent repetitions of calls for peace by the signatories, as well as the preservation of privileges and customs in the margraviate.⁷⁰ The document announces that

We made a promise and we all convened jointly; we entered into a *jednota* and we agreed altogether, each person, and we promised ourselves to hold and maintain this *jednota*

⁶⁷ Seal color indicated the status of the sealer of the document. While natural beeswax seals seem to have been widely available, the right to use colored wax – black, green, or red – was granted by charter. Selected examples of grants of the right to use green wax can be found in Sbíрка Listiny Sedlice 1539 17, Státní Okresní Archiv Strakonice; Archiv Města Štětí #2, ev. # L-2, Státní Okresní Archiv Litoměřice/Lovosice; Sbíрка Listiny Běčice 1556 září 19, Státní Okresní Archiv Strakonice. Selected examples of grants of the right to use red wax can be found in Purkmistry úřad Český Krumlov #15 sign.AI kart.#1, Státní Okresní Archiv Český Krumlov; Purkmistry úřad Český Krumlov #109, Státní Okresní Archiv Český Krumlov; Archiv Města Plzeň #20, Archiv Města Plzeň. See also Josef Macek, *Jagellonský věk v českých zemích, 1471-1526: vol. 3 Města* (Prague:Academia, 1996), 36-37.

⁶⁸ “Na sniemu Brnienskem kteryz w Nedieli prowodnu w Brnie mestie nynie drzan gest.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁶⁹ One of the main forms of collective organization was the *jednota*. While the function of the *jednota* and its position vis a vis similar bodies elsewhere in Europe was discussed in the introduction, the word itself deserves some attention here. If one were to translate *jednota*, unity is the closest term, but in Czech it indicates a group that has bound themselves together, generally for a military or threatened military purpose. In this instance, a *jednota* was formed to forestall any actions that would disrupt the peace being created by a land peace agreement.

⁷⁰ Stavovské Listiny #394, Moravský zemský archiv v Brně.

honorably, loyally, and in a Christian manner, so that [with the resources of] our trades and our estates we would act and help to establish peace in the land here, so that each remains in his lordship (*panství*) peacefully until [the term of the document is] fulfilled two years from the day of the Holy Ghost [Pentecost] written above. And while being in this *jednota*, we promise to stay in this *jednota* and to truly ourselves act and help each of us in this land in accordance with our ability (*přemožení*) and to keep the margraviate in peace, so that each may remain in his rights and freedoms and so that none of us may transgress another's power.⁷¹

A number of key features of the document are revealed here – first, the emphasis on unity of action; second, the description of how the peace would be protected; third, the purpose of the *jednota*; and fourth, the means by which it would be enforced.

The *jednota* was formed in order to allow the signatories to function collectively and to act in unison. This was particularly important considering the frequent rebellions that had occurred over the past three generations. The document promised that its signatories would “maintain this *jednota* honorably, loyally, and in a Christian manner.”⁷² That they would protect it honorably and loyally could be hoped for with any agreement, but the inclusion of “in a Christian manner” requires some explanation. As noted above, the dispute over the kingdom's ruler was in part based on the question of whether the ruler was a Christian or a heretic. The mention of acting in a Christian manner, without specifying what that might mean for Utraquists or followers of Rome, implies that either the signatories were agreed on upholding both religions according to the Basel Compacts (not likely given the rebellion, but possible), or that any

⁷¹ “Vczinli gsme slib a swoleme wssichni spolecznie a wstupili gsme wgednotu a gednostagnu smluwili sme se zageden czlowiek a slibili gsme sobie tu gednotu drzeti a zachowati cztnie wiernie a krzestiansky tak aby chimi kssefty y statky swymi gednali a pomahali pokogeti zemi tuto tak aby kazdu wswem panstwi pokognie przebywal az do plnych za dwa leth od dne swateho ducha nahorzepsanneby a gsucze w teto gednotie slibugem wte gednotie stati a skuteczmi sobie pamahati kazdy znas podle swebie przemozenie tuto zemi a margrabstwie toto pokogiti aby kazdy w swych prawnych a swodobnich zuostal a nizadny znas gedem na druheho moczi nesehal.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁷² “Tu gednotu drzeti a zachowati cztnie wiernie a krzestiansky.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

discussion of religion could not be resolved, and that this was the authors' way of side-stepping the issue in favor of forging peace, using a phrase that would be both palatable and ambiguous.

To this end, the purpose of the *jednota* was clearly laid out: to protect the rights and freedoms of the inhabitants of Moravia.⁷³ The *jednota* was formed to bring peace to the margraviate, while also ensuring the maintenance of customs, rights, and freedoms within the principality. The allusion to the rights and freedoms of different groups and principalities within the kingdom was common, particularly in the conditions set before kings before their elections.⁷⁴ The next clause of the document implies that none of the signatories could be enticed away from the *jednota*, that it would have the power to bind its adherents, and that any of the powers in the margraviate (episcopal, royal, papal, noble, or municipal) would have no power to bind any of its signatories to any agreement that would be against the interests of the *jednota*.⁷⁵

It cannot be overlooked that by binding each other to enforce this agreement, the signatories acknowledged that there was no power above them who could enforce the treaty without their support. Many of the most important entities in the margraviate signed on to the treaty, and were acknowledged by their title and position within the document. Yet, even the bishop of Olomouc, the *hejtman* of Moravia, and the highest marshal of the Bohemian kingdom (all signatories) lacked sufficient power to control the margraviate without the approval and consent of the local lords and municipalities, as expressed through the assembly that created this land peace agreement.

This consent is what gave the land peace agreement and the assembly during which it was concluded their power. The mutual agreement to provide aid and promote peace was

⁷³ Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁷⁴ See Chapter 3 for examples.

⁷⁵ Stavovské Listiny #394, Moravský zemský archiv v Brně.

necessary for the document to truly have the force of law within the margraviate. This power was strengthened by the provision that “if one of us should not act according to this [agreement] or trespasses against what he is obliged [to do], as written in this document and in this proclamation, in that case, by the resplendent Lord God, these men should have no rights and no freedoms in this land.”⁷⁶ Because the purpose of the agreement was to promote peace and secure the rights and freedoms of the inhabitants of Moravia, anyone who broke the agreement forfeited his rights and privileges. This gave the agreement significant power, without actually claiming rights and privileges already vested elsewhere. The signatories could mutually, collectively, decide to ignore someone’s rights and freedoms if he broke his word by contravening the agreement to which he had appended his seal, but their main goal was to see that everyone upheld each others’ rights.

The document also commanded significant power to speak on behalf of its signatories: “this document contains in itself the full strength and power as if all of the seals were [appended] to it.”⁷⁷ The point of this was to extend the provisions of the land peace agreement to the entirety of Moravia. Because one hundred and thirty entities agreed to it, it carried enough force to be binding even on those who did not. Shortly before confirming the power of the document, the authors specified that “this should be as powerful as though the name were in this document and [his] seal attached, and should someone not attach his seal, or does not give an affidavit

⁷⁶ “Pakliby který znas toho neuczinił a neb przestupil coz se wtomto listu a w Czedule zawazuge gesny pane boze neday Tehda ten kazdy nema mieti zadneho prawa a zadne swobody w teto zemi.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁷⁷ “Tento list ma wswe plne moczi a mocznostu zuostati yakoby wssenky peczeti prziniem byli.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

affirming the land peace agreement, he should be chastised by all.”⁷⁸ They promised that anyone who broke the land peace agreement, or chose not to sign on it, would be treated as an outcast. This was one reason why so many signatories were needed, and the large number of entities who appended their seals is what made this provision enforceable.

Yet, this Land Peace agreement was not intended to last indefinitely.⁷⁹ It was contracted the day after the first of three versions of a peace agreement between King Matthias and King Vladislav was sent out from the assembly in Brno, and it was intended to last for two years.⁸⁰ This two-year period would be enough to ensure the transition of power from King Vladislav to King Matthias. The creation of this treaty by the participants at the assembly in Brno shows that they were able to exert authority over the margraviate and ensure their own rights and privileges, irrespective of who was king. The land peace agreement took effect six weeks after it was dated – enough time for it to be promulgated and discussed widely, and for attendees at the assembly to return home.

By agreeing to protect the peace and their rights and privileges, the estates of Moravia created a great barrier to the imposition of any treaty that might affect these rights and privileges. This was accomplished because the signatories or their representatives were negotiating at the assembly in Brno. This assembly enabled them to deliberate together, and thereby to create a means of protecting themselves and their rights separate from the agreement made between the two kings. Indeed, Protas, Bishop of Olomouc, participated in both the land peace agreement

⁷⁸ “Ato ma tak mocno byti yakoby gehu gmeno wtomto listu bylo wepsano a peczet byla przwyiessena a ktozby peczeti neprziwiesyl neb prziznawagiczieho przy listu lantffridnem nepolozil ten odewssech ma kazan byti.” Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁷⁹ The other peace agreements of this period, such as Stavovské Listiny #387, Moravský zemský archiv v Brně (June 16, 1477), Stavovské Listiny #392, Moravský zemský archiv v Brně (October 4, 1477), and Stavovské Listiny #393, Moravský zemský archiv v Brně (October 28, 1477), also had end dates.

⁸⁰ Stavovské Listiny #394, Moravský zemský archiv v Brně.

and the treaty made the previous day as a representative of King Matthias, as did Václav of Boskovic, also as a representative of King Mathias, and Jan of Šternberk, as a representative of King Vladislav. Others from among the sealers had family members representing either King Matthias or King Vladislav in the treaties drawn up at assemblies in 1478.⁸¹

This land peace agreement shows that while the assembly was a key institution for interacting with the king, it was just as vital for enabling the inhabitants of Moravia to cooperate and support their own rights. One of the most effective ways in which they utilized the assembly was to protect these rights, whether through agreements or conditions negotiated with the ruler or ruler elect, or by taking protection and enforcement into their own hands through instruments such as land peace agreements.⁸² The ability of the inhabitants of Moravia to assert their rights, and their ability to protect their rights in this way, shows that they shared in the exercise of power in the margraviate. While the margrave of Moravia had certain powers and privileges, he shared many of these with the estates and assembly in Moravia.

Treaties and Alienation

The day before the land peace agreement was concluded in Brno, a treaty between King Vladislav and King Matthias was drawn up by the former's party at the assembly in Olomouc.⁸³ This treaty was the first attempt of three to finalize an agreement to end the civil war and find a settlement acceptable to all. The second attempt was written by King Matthias's party in

⁸¹ Švábenský, *Stavovské Listiny*, 128-130; Stavovské Listiny #394, Moravský zemský archiv v Brně; AČ IV, 481, #21. See Figures 16-17.

⁸² For some literature on land peace agreements in Bohemia, see Zdeněk Beran, *Landfrýdní hnutí v zemích české koruny: Snahy o zajištění veřejného pořádku a bezpečnosti ve středověké společnosti* (Hradec Králové: Veduta, 2014) and Zdeněk Beran, *Boleslavský Landfrýd 1440-1453: Krajský landfrýdní spolek v pohusitských Čechách* (Hradec Králové: Veduta, 2011).

⁸³ AČ IV, 481, #21.

September in Buda, and the final, joint version of the treaty was concluded at the assembly in Olomouc in December.

The main aims of this series of treaties were to 1) end the war between King Matthias and King Vladislav, 2) effect the peaceful transfer of Moravia, Silesia, and the Lusatias to King Matthias and the Hungarian kingdom, and 3) to ease relations between Bohemia and the papacy. The first goal was effected through the land peace agreements, already discussed, and the provisions of the treaties requiring resistance to end. The second goal took considerable negotiation and to a large extent rested on a mechanism by which the territories could be redeemed, which included the payment of a large sum to the king and kingdom of Hungary by the king of Bohemia. The last of these goals, reconciliation with the papacy, was addressed in the treaties, but any solutions were tentative since the agreement of parties not fully participating in the negotiations was required.

The Brno treaty was drawn up in the name of King Vladislav, and bears the names of six men from each side.⁸⁴ The status of these men and their places of origin (or where they held office) reveal important information about who attended the assembly, and for whom the creation of this treaty was a concern or within the purview of their position.⁸⁵ The fact that the second goal involved the peaceful transfer of Moravia, Silesia, and the Lusatias to King Matthias makes the choice of which six men participated on each side surprising. Both groups included a

⁸⁴ The men in King Vladislav's party were Henry the Elder, Duke of Münsterberg, Count of Glatz, and lord of Kustát and Poděbrad, son of George of Poděbrad (Silesia); Jan Tavačovský of Cimburk and Boleslav, Highest Judge in the Bohemian Kingdom (Moravia); Jan of Šternberk (Moravia); Beneš of Weitmile, Master of the mint in Kutná Hora (Bohemia); Jan of Roupova, Master of the Court of the Bohemian Kingdom (Bohemia); and Petr Kdulinec of Ostroměř (Bohemia). The men in King Matthias's party were Bishop Jan of Oradea (Hungary); Štěpán of Zapolya, Count of Spiš (Hungary, now Slovakia); Bishop Rudolf of Wrocław, also apostolic legate (Silesia); Bishop Prothas of Olomouc (Moravia); Henry the Younger, Younger Duke of Münsterberg, Count of Glatz, and lord of Kunstát and Poděbrad, son of George of Poděbrad (Silesia); and lord Václav of Boskovic, highest chamberlain of the court and rights of Olomouc (Moravia). AČ IV, 481, #21.

⁸⁵ See Figure 16.

duke from the house of Poděbrad: King George of Poděbrad's third son Henry the Elder was in Vladislav's party, and his fourth son, Henry the Younger (aka Hynek) was in King Matthias's party. Although their father had been based in the territories of Kunštát and Poděbrad in eastern Bohemia and western Moravia, they shared the titles of Duke of Münsterberg and Count of Kladsko (Glatz) in Silesia. Henry the Elder was the only man from Silesia listed in Vladislav Jagiellon's party, and neither party included any participants from the Lusatias.

King Matthias's party included another man from Silesia as well: Rudolf, Bishop of Vratislav (Wrocław), who was also Apostolic legate. He thus participated not only as one of the leading men in Silesia and a representative of King Matthias, but also as a representative of the Papacy, potentially in order to help effect a reconciliation. No bishops participated on King Vladislav's side – likely because there were no bishops in Bohemia at that time – but a further two bishops participated on King Matthias's side. One of these bishops, Jan, Bishop-elect of Oradea, participated undoubtedly as King Matthias's direct representative, as his lands in Transylvania (near the present-day Romania-Hungary border) had no direct connection to Bohemia, Moravia, or the other disputed territories. King Matthias had one further representative whose personal interest was unclear, but who clearly acted on behalf of King Matthias more than the disputed territories: Stephen of Zápolya, Count of Spiš in the Kingdom of Hungary (present-day northeastern Slovakia).⁸⁶

The other bishop in King Matthias's party was Protas, the Bishop of Olomouc. As one of the leading men in Moravia, his participation could be expected in any treaty concerning

⁸⁶ Stephen would be Palatine of Hungary from 1492 until 1499, and his son Jan would be regent in Hungary for King Louis during his minority in the early sixteenth century. Jan also claimed the kingdom of Hungary after King Louis's death in 1526, and ruled Hungary with the support of the Ottomans, in opposition to Ferdinand of Habsburg.

Moravia, and would be almost necessary to legitimate decisions taken at the assembly. In fact, he and his cousin Lord Václav of Boskovic, Highest Chamberlain of Olomouc, were the only two participants from Moravia on King Matthias Corvinus's side, and the only two men on his side to participate in both the Brno treaty in March 1478 and the final Olomouc treaty in December 1478.⁸⁷

King Vladislav's party also included two men from Moravia: Jan of Šternberk, from one of the leading families in Bohemia and Moravia, and Jan Tavačovský of Cimburk, also from a leading family and holder of the title Highest Judge in the Bohemian kingdom. The remainder of King Vladislav's party was made up of Bohemians who, although they held some titles (Master of the Mint in Kutná Hora and Master of the Court of the Bohemian Kingdom (*Hofmistr*)), did not come from key families. Indeed, by the time the December treaty was drafted in Olomouc, only Jan of Cimburk remained from Moravia, and the other five men came from Bohemia.⁸⁸

When we step back and examine these named participants, we see that the majority of King Vladislav's key supporters came from Bohemia, although credibility was increased by the presence of Jan of Cimburk and King George of Poděbrad's son. Similarly, for King Matthias, we see the presence of three clerics – one of them the leading cleric in Bohemia and Moravia – as well as another son of George of Poděbrad. Neither Silesia nor the Lusatias seem to be truly represented among the participants, and are accordingly sparingly treated in the treaties.

Unsurprisingly, considering the goals of the treaty, the participants seem to reflect the interests of the kings in whose names they negotiated, and of the Papacy, more than the interests of the lands

⁸⁷ Protas was the first cousin once removed (he was the elder cousin) of Václav of Boskovic on their fathers' sides; although a generation apart in their family, they were contemporaries. See Figures 16-17.

⁸⁸ These Bohemians included Beneš of Weitmile, Master of the mint in Kutná Hora, and Jan of Roupová, Master of the Court of the Bohemian Kingdom, both of whom had also participated in the March treaty in Brno. AČ IV, 481, #21.

that were most directly affected by the treaties. Indeed, this may be a partial explanation for why the inhabitants of Moravia signed a land peace agreement to secure their rights the day after the first treaty was drafted.⁸⁹

All three versions of the treaties also relied heavily on the expectation that the final version would be drawn up in Olomouc in an assembly to be held at the end of the year. The requirement that the key men and municipalities in the kingdom meet in an assembly and together agree to the treaty is an example of the decentralization of authority in the kingdom, as well as the power of the assembly as a tool of legitimation. The September Buda treaty specifies a number of ways in which the *sjezd* (as it is here termed) in Olomouc was necessary to legitimize these treaties.

Item, it is concluded, that the *sjezd* should be held exclusively in Olomouc on the very next St. Katherine's day (November 25), for which both kings should send their distinguished agents with full and complete power to declare these articles and agreements publicly, and again by name, and [also] in place of Their Graces the kings, and also the kingdom; to strengthen and also to establish and implement those other things which would be negotiated thereafter, and particularly the composition of written safe conducts for the personal *sjezd* of Their Graces the kings."⁹⁰

The *sjezd* in Olomouc would allow the two sides to come to terms about any still disputed issues and would be a means of assuring the peace. This *sjezd* was thus central to any attempt to create peace, as the Brno *sněm* in March had also been central for discussing these issues.

The *sjezd* in Olomouc was empowered to approve the settlement of boundaries and claims – no small task after a decade of war. The power of the *sjezd* to implement these changes

⁸⁹ Stavovské Listiny #394, Moravský zemský archiv v Brně.

⁹⁰ "Item, zawřieno jest, aby na den sw. Kateřiny, najprw příštíe držán byl sjezd znamenitě w Olomúci, na kterýžto oba králi poslati mají raddy a posly swé znamenité a s plnú a celú mocí k wyhlášení slawně těchto artikulów a smluw a znowu jměnem a na místě králuow Jich Mti i králowstwie těch artikuluow k utwrzení i také k zřiezení a spusobení jiných věcí, kteréžby potom jednány měly býti, a zvláště sepsanie přepisow gleitowních na sjezd osobní králuow Jich Mti." AČ IV, 492, #22.

is indicative of the authority of these assemblies, and of the authority invested in institutions other than the king. This assembly was to be the final locus for negotiations between the two kings, and these negotiations would allow the civil war to end. As such, both the Brno assembly in March and the Olomouc assembly in December drew up treaties, legitimated royal actions, and created and enforced the provisions that would ensure peace.

One of the first issues determined in both the March Brno treaty and the September Buda treaty, which explicitly formed the majority of the final December Olomouc treaty, was the nature of inheritance between King Matthias and King Vladislav, and, relatedly, what titles could be used when and by whom. The Brno treaty required that both King Matthias and King Vladislav would to be recognized as simultaneous Kings of Bohemia.⁹¹ King Vladislav gave up all of the other lands belonging to the Bohemian crown, but retained Bohemia and the title of king; yet, King Matthias could use that title without ever holding the titular land. They did not rule as co-kings, nor did they rule over the same territories, and yet they were allowed to use the same title.

The Buda treaty was very explicit in its discussion of which titles should be used by whom, and granted greater honor to King Matthias:

First, it is concluded that both Their Graces the kings remain each as hereditary lord, now according to their own rights which they gained, [with] each of them enjoying the title for the Bohemian kingdom, as other Bohemian kings were accustomed [to do]. So in this way, His Grace King Matthias should call and write to His Grace King Vladislav as Bohemian King, and again King Vladislav should call and write to the same King

⁹¹ *Item*, [concerning] the title [disputed] between Their Graces: according to this agreement, His Grace King Matthias should be writing to King Vladislav as befits the King of Bohemia, but King Vladislav will not be obliged to write to His Grace [King Matthias] as to the Bohemian King. And after this agreement, should it please King Matthias to write of himself as Bohemian King, it is up to His Grace. “Item, titul mezi JchMti, již na tu smlúwu král Matiaš JMt má králi Wladislawowi psáti, jakožto na krále Českého slušie, než král Wladislaw nebude powinowat JMt jakožto králi Českému psáti. A přes to po této smlúvě budeli ráčiti král Matiaš se psáti králem Českým, to stojí při JMtí.” AČ IV, 486, #21.

Matthias also as Bohemian King, [as] also the subjects of both kings will be bound to do for both of them.⁹²

This treaty expanded the authority afforded to King Matthias by requiring King Vladislav Jagiellon to call him king of Bohemia. They were both expected to be recognized as simultaneous Kings of Bohemia, but not as joint rulers. In order to clarify this very murky situation, much of the Buda treaty is concerned with the clear demarcation of each's power.

To this end, in the next paragraph the authors of the September Buda treaty immediately try to separate the inhabitants and properties of Bohemia and Moravia.

Item, it is concluded, that King Mathias remit to King Vladislav the lords, knightage, *zemané*, cities, and regions whichsoever he holds in the Bohemian Lands; also King Vladislav should remit to the before-mentioned King Matthias all of the cities, lands, regions, duchies, lords, and knightage in the above-written Moravia, both Silesias, and the Lusatian lands and in the Six Cities.⁹³

Yet, even this quitclaim was conditional and insufficient to unbind Bohemia and Moravia from each other. The separation was necessary considering that King Matthias had acquired a variety of territories by conquest, and that King Vladislav had interests in Moravia, Silesia, and the Lusatias, but they were not the only people with interests in more than one of the polities.

Many families had lands and privileges in both Bohemia and Moravia, and it was much more complicated to hold these when the polities belonged to different kingdoms. The final treaty discussed to whom individuals should profess obedience and in what manner, alongside the application of laws and the definition of borders.

⁹² “Najprvé zawřieno jest, aby oba krále JMti při práwě swém, kteréhož dosáhli, jsú zuostali, každý jako pán dědičný, a každý z nich požíwaj titule králowstwie Českého, jakož jini králowé Čeští zwykli jsú; tak aby král Matiáš JMt krále Wladislawa JMt králem Českým jmenowal a psal, a zase král Wladislav téhož krále Matiáše též aby jmenowal a psal králem Českým; též poddani obúdwú králúw oběma, z nich powinni činiti bud'te.” AČ IV, 488, #22.

⁹³ “Item, zawřieno jest, aby král Matiáš postúpil králi Wladislawowi pánuow, rytieřstwa, zeman, měst a krajin, kteréžkoli drží w Čechách; též král Wladislav wšech měst, zemí, krajin, kniežat, panuow a rytieřstwa swrchu psaných w Morawě, obojí Slezii, w Lužické zemi a w Šestiměstech prwé řečenému králi Matiášowi aby postúpil.” AČ IV, 488, #22. The Six Cities were a league of six leading cities in the Lusatias.

Item, it is concluded, [that] as there are some inhabitants of the Bohemian kingdom who have possessions under both kings, they should do for both kings what they are obliged to do according to the customs of the land in which the possessions lie. This goes also for what concerns the vassalage (*poddanosti*) of the person himself.⁹⁴

The key here seems to be that the inhabitants should follow the different laws in place in different regions. There is no indication that families or other entities would need to divest from their interests in other territories once the borders had changed. The treaty also stipulated that the “laws and boundaries [should] remain so as they were from ancient times” between the Bohemian and Hungarian kingdoms.⁹⁵ This implies that the boundary between the jurisdiction of each set of laws would not be the new boundary between Bohemia and Moravia, but rather the old boundary between Moravia and Hungary, thus calling into question the extent to which Hungarian rule was actually imposed in Moravia. The prospect of truly separating the properties held in both Bohemia and Moravia was daunting, so the solution was to simply ensure that each would abide by the laws of the territory in which the goods or property were held.

The treaty even goes so far as to specify how the king of Hungary should be addressed after King Matthias’s death, while Moravia, Silesia, and the Lusatias were still attached to Hungary: “but the heirs of the above-written Hungarian king should not on account of their rulership be addressed as Bohemian kings, but as lords of the lands until the mentioned payment

⁹⁴ “Item zawřino jest, jakož někteří obyvatelé království Českého jsú, kteříž pod oběma králi zboží mají, aby učinili oběma králóm, což z zboží swých činiti mají podlé obyčeje vlasti, w kteréž ta zboží leží. Též také co se dotýče poddanosti osoby vlastní.” AČ V, 382, #13. In German, *poddanost* translates as *untertänigkeit*.

⁹⁵ “Item, the castles in the border-land of the Bohemian Kingdom that lie next to the Hungarian crown, and also all the other possessions, the villages, and the towns, should not be bound to the Hungarian laws, but may remain with their laws and boundaries, as it was from ancient times, as also the borders of the Bohemian and Hungarian Kingdoms were shown and measured [from ancient times].” “Item, zámci pomezni království Českého příležící k koruně Uherské, i jiné zboží, wsi i městečka, nemají býti přitahováni ku právóm Uherským, než při swých práwech a mezech zuostati, tak jako ot staradávna bylo a meze království Českého a Uherského ukazují a wyměřeny jsú.” AČ IV, 484, #21.

should happen.”⁹⁶ Thus, we see that the odd right allowed by these treaties for both kings to use the title “King of Bohemia,” even though they did not both rule the kingdom, would exist only for King Matthias’s lifetime.⁹⁷ Thereafter, his descendants would have the right to use the titles only for the lands over which they actually had lordship. There is then a question of the nature of the tenure of these lands. The provision of redemption following the payment of a specified sum suggests that they were held as a bailment or pawn, and as a bailment the title to the principalities would not change.⁹⁸ In this situation, it seems that the title did in fact change, as the treaties refer to documentation that would need to be exchanged when the principalities were redeemed, but that this change was temporary – an odd occurrence in the law.⁹⁹

The potential for reconnecting the lands was just as critical to the treaties as the provisions for separating the existing connections. In order for Moravia, Silesia, and the Lusatias to be reconnected to Bohemia, a payment of 400,000 gold Hungarian ducats was required to be paid, but this payment could only be made after King Matthias Corvinus’s

⁹⁶ “Ale potomci králowé Uherští swrchupsaní pro takowé panowanie nebudú se mieti psáti králi Českými, než těch zemí pány, dokawadž se řečená záplata nestane.” AČ IV, 490-491, #22.

⁹⁷ In modern legal terms, this might be referred to as a life estate in the title King of Bohemia, and an estate on condition for the interest King Matthias’s heirs would have in Moravia, Silesia, and the Lusatias. Bryan A. Garner, ed., *Black’s Law Dictionary*, 10th ed. (St. Paul, MN: Thomson Reuters, 2014), 665. Both of these terms date to the eighteenth century. The option to redeem the principalities could also be termed in more contemporary words an express condition of the contract (a term dating to the sixteenth century), but the good faith (a term dating from the eighteenth century) in which it was expressed is suspect. Garner, *Blacks Law Dictionary*, 355, 808.

⁹⁸ Garner, *Blacks Law Dictionary*, 169. The term “bailment” appears in English law from the sixteenth century, and indicates non-ownership possession. This is generally a common law rather than a civil law term, so it describes the situation clearly but may not be possible to find in the legal structures of civil law jurisdictions. A similar modern Czech legal term is *úschova*, which has to do with the custody and possession of movable property. The related German word is *Verwahrung*.

⁹⁹ In this context, the term “title” in English dates to the fifteenth century. Garner, *Blacks Law Dictionary*, 1712. The principalities appear to be offered as conditional offers to the king of Bohemia, and the treaties contain the implied condition that the offer to purchase would not be offered to any other ruler. See Garner, *Blacks Law Dictionary*, 1253, for the definition of offer (dating in English from the fifteenth century) and conditional offer (dating in English from the sixteenth century). In English, the term “implied condition” dates from the seventeenth century, Garner, *Blacks Law Dictionary*, 356.

death.¹⁰⁰ Towards the end of the discussion of the payment for the return of Moravia, Silesia, and the Lusatias, the final treaty from the assembly in Olomouc clarified the procedure for paying the amount necessary to redeem the territories, adding to the Buda treaty a clause specifying the circumstances in which an additional fee would be levied on top of the principal.¹⁰¹ The treaty thus required not only that a large amount be paid in order for King Vladislav or his heirs to redeem the territories, but also that King Matthias or his heirs (or the Kingdom of Hungary) would be required to return specific documents legitimating their right to those lands. As we saw with the requirement that King Albrecht return the documents entitling him to Moravia in 1438, these documents had a power and significance of their own. Just as with a title to a piece of property today, they confirmed the right of their bearer to possess the objects concerned therein – to be a tangible representation of the right to rule the land.

While addressing the titles and jurisdiction of each king during his lifetime was of immediate importance, as were the logistics for redeeming the territories, the negotiators also recognized the need to make provisions for the lordship of the territories when one or the other king eventually died. The Brno treaty specifies that

Item, should the Lord God release [from the Earth] King Vladislav first, without heirs, [and] should it happen that the Bohemian crown freely and willingly elects His Grace

¹⁰⁰ AČ IV, 489, #22.

¹⁰¹ “And therefore, if this amount should not be paid out in the amount that it should be within the stated year [of required notice], each time [this happens] he [King Vladislav] forfeits a one hundred thousand [gold piece] assurance, and this is added to the principle amount. Also, should some heir of the already named King Matthias, or the Hungarian Kingdom, not pick up this money or return these documents after this well-known deadline of the already mentioned time of one year, as many times as this happens, [so many times] will the penalty or basis, again of one hundred thousand gold [pieces], be deducted from the already mentioned principal amount.” “A potom w tom roce uloženém jestliby té sumy nepoloží, tolikrát, kolikrátby to učinil, základ sto tisíc propadne, a ten při *kladení sumy* hlavní také položití má. Též, ačby který již řečeného krále Matiaše potomek, aneb králowství Uherské, po té slavné wypowiedi w času již řečeném *jednoho roku* peněz těch nezdwihl a listuow newrátíl, *tolikrát kolikrát* se to stane, pokutu aneb základ *těž sto tisíc zl. z již psané sumy hlavní* vyraženo býti má.” AČ V, 381, #13. The portions in italics are also in the Buda treaty. This additional amount is not specifically referred to in King Vladislav Jagiellon’s 1490 agreement with the Hungarian estates. Henrik Marczali, ed, *Enchiridion Fontium Historiae Hungarorum* (Budapest: Az Athenaeum Trodalmi és Nyomdai R.-T. Kiadása, 1902), 307-311.

King Matthias, or a future King of Hungary, for their king, and his Grace or his successor willingly agrees to the election, then immediately after the coronation all these lands again should belong to the crown [of Bohemia] and be connected without [the payment of] all the money, and also the documents [should be] returned.¹⁰²

The document explained very clearly that if King Vladislav died, King Matthias could be elected as the king of Bohemia and thus obtain the province of Bohemia as well as the lands he already held. These lands would then be reattached to the Bohemian crown, and the requirement that the king of Bohemia pay 400,000 good Hungarian gold pieces to redeem them would be forgotten.¹⁰³

This brings us to the contentious question of the nature of King Matthias's lordship over these lands, which is discussed at length in the Buda treaty, and to a lesser extent in the Brno treaty. The Buda treaty emphasized that King Matthias was the "legal" lord, although he had also previously been described as the "hereditary" lord:

The third stipulation is, so that after the death of His [previously-]mentioned Grace King Matthias, the previously-written lands and regions (namely Moravia, both Silesias, the Lusatian lands, and the Six Cities) in their entirety [and] in all of their belongings remain subject to the royal descendant of His Grace, that is, to the Hungarian Kingdom, and [remain] in their obedience [to the king and the kingdom] as to their lawful lords. And they, the royal descendants of the Hungarian kingdom, should diligently, honestly, and fruitfully hold their lordship for so long as and until they [the Bohemians] have paid the above-written principal sum fully and completely, namely the stated four hundred

¹⁰² "Item, jestližeby pán buoh krále Wladislawa neuchowal bez erbów prwé, nežby krále Matiáše koruna Česká z swé dobré wuole a swobodné JMt neb budúciho krále Uherského za krále wzali, a JMt také z swé dobré wuole neb jeho budúcie to wolení přijal, tehdy hned po korunowaní ty všecy země mají zase k koruně příslušetí a připojeny býti beze všech peněz, i listowé wráčení." AČ IV, 487, #21.

¹⁰³ The Buda treaty concurred, albeit with less clear knowledge of the election process in Bohemia, stating "Item, it is concluded, that if it should happen that King Vladislav departs without an heir during the life of King Matthias, and the lordly community (*páni obec*) of the Bohemian Kingdom wants freely to accept or elect as king of the Bohemian lands the same man, His Grace King Matthias, or some of the descendants of His Grace the Hungarian King, and His Grace or some heir of His Grace are pleased freely to agree to the election, then also immediately after the coronation all these lands and documents (that is Moravia, both Silesias, the Lusatian Lands, and the Six Cities) would be returned to the Bohemian Kingdom without the payment of all of the above-written money." "Item, zawrieno jest, jestliby za žiwnosti krále Matiáše králi Wladislawowi bez erbów s swéta sejti se událo, a páni obec králowstwie Českého swobodné jich wuoli téhož krále Matiáše JMt do České země přijali za krále a neb zwolili, aneb některého z potomkuow JMti krále Uherského za krále sobě zwolili, a JMt aneb JMti potomek některý též dobrowolně takowé wolenie by přijeti ráčil: tehdy i hned po korunowání všecy ty země, totiž Morawa, oboje Slezy, Lužická země a Šestměst k koruně České i zápisy nawráceni bud'te beze všeho uplacení swrchupsaných peněz." AČ IV, 492, #22.

thousand gold [pieces], which are the above-written amount to be collected, until the above-written articles and stipulations are completely, sufficiently fulfilled.¹⁰⁴

This article stipulates that the sum must be paid to redeem the lands, but it is unclear as to whether the sum must be paid directly to the king of Hungary or to the kingdom of Hungary; indeed, it implies that these entities are interchangeable at this moment – although the events of 1490 would later require clarification of this article.¹⁰⁵

The article continues by further undermining the position of King Matthias as *hereditary* ruler of Moravia, Silesia, and Lusatia, emphasizing the *legal* nature of his rule, because the lands could be redeemed:

And when the mentioned lands pay homage and make an oath to His Grace King Matthias as to the lawful and hereditary Bohemian king, then [the inhabitants] will make an oath to the previously-mentioned heirs of his [Grace the] king and the Hungarian kingdom not as the hereditary kings, but as the lawful, honest lords, until the final payment of the above-written principal sum [is made] and the possessions released, at least those still to be released.¹⁰⁶

The treaty specifically draws a distinction between a hereditary and a legal ruler. Because the kingdom of Bohemia reserved the right to elect their king, the treaty could not obligate the Bohemian assembly to elect someone from outside the current dynasty. Thus, the participants in the Olomouc assembly who agreed to this treaty specifically granted King Matthias the right to consider himself as the hereditary king of Bohemia, but without actually making that privilege

¹⁰⁴ “Třetí výmienka jest, aby předešané země a krajiny, totiž Morawa, obojí Slezy, Lužická země a Šestíměst, w celosti we všem jich příslušenství po smrti řečeného krále Matiaše JMti w poddanosti zuostaly JMti potomkóm králuow, aneb králowství Uherskému z w jich poslušenství jakožto prawých pánuow swých, a oni králi potomci aneb králowství Uherské pilně, upřímě a požitečně na nich panstwie mieti mají dotud’ a tak dlúho, dokudžby swrchupsaná suma hlawnie, totiž čtyrykrát sto tisíc zlatých výplatných a jakož swrchuřečeno jest zbožie dobytá, úplně a docela zaplacena nebyla, a dokudžby swrchupsaným artikulóm a výmienkám zúplna dosti učiněno nebylo.” AČ IV, 490, #22. This fits nearly perfectly with the textbook legal definition for the English term “redemption,” dating from the sixteenth century. Garner, *Blacks Law Dictionary*, 1468.

¹⁰⁵ Marczali, *Enchiridon Fontium Historiae Hungarorum*, 307-311.

¹⁰⁶ “A když řečené země králi Matiašowi JMti jako prawému a dědičnému králi Českému totiž hold a přísahu učini, tehdy i prvé řečeným potomkóm jeho králům a králowství Uherskému tak hold přísahu učiníte, ne jako králóm dědičným, ale jako prawým, upřiemým jich pánom až do konečné záplaty swrchupsané sumy hlawnie a wykúpených zbožie, aneb kteréž ještě wykúpena budú.” AČ IV, 490-491, #22.

hereditary. His descendants would receive homage for the lands they ruled in the Bohemian Crown Lands in the same way that a king of Bohemia would receive homage, but they would be lords of the lands only in a legal sense.

The understanding of lordship that is revealed here does not easily fit into our expectations for understanding it. The king held the clear position as the leader of the realm, confirmed by the consent of the estates. Thus, a person could receive by inheritance the right to be treated as lord, but this alone did not actually make him king in a deeper sense, but rather the lord and ruler in only a legal sense.¹⁰⁷ This treaty indicates that lordship over Moravia was not the simple possession of the territory, or the exercise of rule over it, but that there was a further layer of true lordship. This additional layer was not easily put into words, even in the fifteenth century, but clearly had a meaning that was recognized by the kings in the region and the participants in the Brno and Olomouc assemblies. Without this fuller lordship, conveyed by the consent of the people in the land and confirmed by tradition, the royal power discussed here was more akin to that of a regency government than that of an anointed sovereign.

The third goal of the treaty was to fix relations between Bohemia and the Papacy, which had been contentious for decades. The March Brno treaty addresses the problems between the Pope and the King of Bohemia directly:

Item, what concerns the discord between the holy father and the Bohemians and Moravians: when Their Graces meet, they should take up this matter, and take care about how this matter could be fairly resolved, and [they should] set to [this matter] attentively; and [they should] turn attention to the [office of the] archbishop so that [an archbishop] might be given unto the land, where he [would be] fairly and honestly regarded by all;

¹⁰⁷ Essentially, King Matthias's heirs would hold a conservatorship for the lands by provision of the contract, rather than by birth. Garner, *Blacks Law Dictionary*, 370.

[and they should see to it] also that the interdicts emanating from the Holy Father Paul were lifted and that they were removed from the living and the dead.¹⁰⁸

These problems were described as between the Pope and the Bohemians and the Moravians – neither including the Silesians and the Lusatians, nor discussing just the Bohemians. Indeed, actually consecrating an archbishop might end any further cause for Christian warfare against Bohemia, and allow relations to be regularized. Yet, after Rokycana died in 1471, the position was vacant of even a presumptive holder.¹⁰⁹ The September Buda treaty addressed this issue as well, making it clear that the concern came not only from King Vladislav, but also from King Matthias.

The only bishop in Bohemia and Moravia at this time was the bishop of Olomouc, who wielded a great deal of power from this solitary position.¹¹⁰ Thus, all versions of the treaty sought to explicitly define his position and the exercise of other high offices.¹¹¹ The negotiation

¹⁰⁸ “Item, což se ruoznice mezi otcem swatým a Čechy a Morawčici dotýče, když se JMti shledají, mají tu věc předse wzieti, a toho hleděti, kudyby ta věc mohla slušně srownána býti, a pilnost swú k tomu přičiniti, a o arcibiskupa péči mieti, aby ten byl do země dán, a k tomu odewšech slušně a poctiwě zachowaný, kletby také vyšlé ot otce swatého Pawla aby byly zdwiženy, a s žiwých i mrtwých sňaty byly.” AČ IV, 482, #21. The wording is nearly the same as in the Brno treaty issued by King Vladislav.

¹⁰⁹ One way to regularize this relationship would be to reestablish an archbishop in Prague, as the post had been vacant since Archbishop Konrad of Vechta was deposed in 1421. The Utraquist priest Jan Rokycana, although elected in 1435, was never consecrated as archbishop before his death in 1471.

¹¹⁰ Protas died in 1482, and he was not immediately replaced by a consecrated bishop. After multiple administrators of Olomouc, Stanislav I. Thurzo became bishop of Olomouc in 1497. Thus, for fifteen years there were no consecrated bishops or archbishops in either Bohemia or Moravia, only administrators.

¹¹¹ Brno: “Item, the bishop of Olomouc, current or future, with his episcopal office, will be able and have the obligation to give obeisance personally and for his estates to King Vladislav and to the future kings, and to the crown, while also regarding King Matthias and the future Hungarian kings as do the other inhabitants of this Margraviate, until [the terms of the treaty] are carried out (*až do výprawy*). Also the Lord Marshal, now and future, [has the ability and obligation] to conduct himself in all his offices just like the bishop.” “Item, biskup Olomúcký, nynější neb budící, úřadem swým biskupským bude moci a jmá powinnost swú králi Wladislawowi a budícím králóm a koruně učiniti s zámky swými, i poslušenstwie osobnie, hledě k králi Matiašowi a budícím králóm Uherským též jako jiní obywatelé toho markrabstwie, až do výprawy. Též se zachowati we všem úřadem swým pan maršalek nynější i budící jako biskup.” AČ IV, 482, #21.

Buda: “Item, it is concluded, that the bishop of Olomouc and the marshal of the Bohemian kingdom should do for the Bohemian lands, for His Grace King Vladislav, that which they are obligated [to do and] which they were accustomed to do fairly from ancient times according to the obligation of their offices; however, [they should do so] without damage to the homage and obedience which were made to His Grace King Matthias and to Their Graces his descendants.” “Item, zawřieno jest, aby biskup Olomúcký a maršalek král. Česk. činili do Čech králi Wladislawowi

of the purview of various offices in the Bohemian kingdom was important because the treaties actually left Bohemia without any bishop or archbishop inside King Vladislav's territories. This was also one reason to obtain King Matthias's assistance with the Papacy: Bohemia was essentially being left without any ecclesiastical voice. During the 140 year period when Bohemia lacked an archbishop in Prague, the bishop of Olomouc exercised many of the administrative functions of that office. Thus, separating Bohemia and Moravia, particularly when also separating Bohemia from the bishoprics in Silesia, left Bohemia in a very precarious position in regard not only to church administration, but also to providing for the spiritual life of the community.¹¹²

The first two versions of the treaty also contained provisions for the assembly in Olomouc that would create the final version of the treaty.¹¹³ This meeting in Olomouc was not just a meeting between the kings, although that was a key component, but also a general assembly that would be widely proclaimed:

Item, King Matthias should summon to Olomouc all his subjects from the Bohemian Lands [who are] in Moravia, and should have the general *sněm* proclaimed to Silesia, to Wrocław, and to the other dukes; he also summons the Lusatian lands, the Six Cities, the

JMtí a těm, komuž powinni jsú to, což z powinnosti úřaduow swých od starodáwna sprawedliwě, činiti jsú zwykli, však bez škody poddanosti a poslušnstwie, kteréž králi Matiašowi JMtí a JMtí potomkóm činiti mají.” AČ IV, 492, #22.

¹¹² Silesia had more bishoprics than Bohemia or Moravia.

¹¹³ For this assembly, King Matthias would be in Olomouc and King Vladislav would be in Uničov – 24 km away. AČ IV, 493, #22. For similar instances, see Chapter 4. One of the negotiated mechanisms was the series of safe conducts that would protect both sides: “*Item*, it is concluded: for the above-written Olomouc *sjezd* [that] also four noble men should be elected from each side by the enjoys of Their Graces the Kings, so that these men would discern and apportion the boundaries of the Hungarian and Bohemian kingdoms, and particularly the Moravian boundaries, so that the towns, castles, villages, and property of one kingdom were not pulled into the laws of the other kingdom, but they were [instead] preserved in their rights and customs, as they were established from antiquity.” “*Item*, zawřieno jest, aby na swrchupsaném sjezdu Olomúckém zwoleni byli skrze též posly králuow JMtí čtyři šlechetni muži z každé strany, ti aby rozeznali a rozdělili meze králowstwie Uherského a Českého, a zvláště meze Morawské, aby městečka, zámci, wesnice a zbožie jednoho králowstwie nebyla tažena w práwa druhého králowstwie, ale bud’te zachowána w swých práwiech a obyčejích, jakož od starodáwna založena jsú.” AČ IV, 492-493, #22. The purpose was to allow for a back and forth discussion that would result in a mutually-agreeable treaty, and to ensure that all sides were protected in the process.

Svidnický and Javorský duchies, and also each and every [person] in Wrocław, so that the royal meeting could thereby be better put in order, in a collegial colloquy, sufficiently [and] without delay.¹¹⁴

All of King Matthias's non-Hungarian lands thus were to be represented. King Vladislav was also to appear with a similar set of adherents.¹¹⁵ The men who would participate in these negotiations and the assembly as a whole were required to append their seals to the treaty alongside those of their kings in order to legitimate it. This requirement indicates that despite an emphasis on the agreement of the kings, the consent of the estates in both Bohemia and Hungary was necessary for the implementation of the treaty, and thus the treaty needed to be finalized at an assembly.

The final version of the treaty produced by the assembly in Olomouc mirrors the Buda treaty in almost all ways, although a few changes show that further negotiation took place at the assembly.¹¹⁶ One small word change seems to be included to better describe the sentiments

¹¹⁴ “Item, do Olomúce má král Matiáš všecy swé poddané z Čech w Morawě obeslati, dáti sněm obecni prowolati do slezi, do wratislawě, i jiné knížata také obeslati, do země Lužnické, česti měst, Swidnického a Jaworského knížetstwie, i ty všecy a kteříž u Wratislawě, aby w jednostajném jednání králowská dostatečně bez odtahów mohla tiem lépe srownána býti.” AČ IV, 484, #21.

¹¹⁵ “Item, also His Grace King Vladislav has to bring with him here to Olomouc documents sufficient for this guarantee [of the transfer of land], in addition to these already[-made] agreements with his seal, with the articles needed therewith, and to which the 24 lords of both sides from the Bohemian crown, the 15 *zemaé*, and the ten named cities have appended [their own seals] alongside His Grace's seal, so that he made [the agreements] with their consent and advice and clear awareness. His Grace and the future kings of Bohemia should promise, on behalf of themselves and their heirs and their future descendants, and the crown, that [the treaty] will be honorably, faithfully, and lawfully upheld without any turbulence or intrigues, as the agreements and the documents testify.” “Item, také král Wladislav JMt s sebou tu do Olomúce přinesti listy na tu zástawu dostatečně wedle již těchto smluw s artikulemi w něm potřebnými s swú pečeti, a při té panów XXIII strany obojie z koruny české, zeman XV, a měst znamenitějších deset, že jest to učinil s jich wuolí a raddú, a jistým wědomím, kteříž všickni wedle JMti pečeti swé přiwěsiti mají, že JMt i budúci král. Českého sami za se i erby swé i bucie i korunu slibujíc, že ta zástawa má ctně, wěrně, právě zachowána býti beze všech zmatków a zlé lsti, jakož umluwy jsú a list swědčí.” AČ IV, 485, #21. I have been unable to track down a copy of the document with the 48 seals to which this passage refers.

¹¹⁶ Aside from its opening and closing, the Olomouc treaty contains three paragraphs not present in the Buda treaty, in addition to every paragraph of the Buda treaty. Of the three new articles inserted into the Olomouc treaty, one concerning the goods held under both kings has already been treated. The other two deal with criminals and disputes that might cross the borders. The first concerns mutual extradition and which law should apply, while the second explains the arrangements by which the leaders in each region could meet on their border to solve disputes.

involved. Where the Buda treaty describes the “return” of the territories “to the crown,” the Olomouc treaty describes the territories “again [to be] unifi[ed] into the body of the Bohemian lands.”¹¹⁷ The phrasing in the Olomouc treaty depicts a greater sense of attachment to the lands than the Buda treaty, in addition to placing greater stakes on the outcome of the treaty. It seems to reflect the sentiment of the group congregated in Olomouc, and also claims a greater significance for the separation of Bohemia and Moravia (and the other lands) than that acknowledged in the Buda treaty.

This focus on the larger corporate body of the kingdom continued. The Buda treaty discussed making payment “to the Hungarian king,” while the Olomouc treaty broadened the recipients “to the Hungarian king, whoever it may be at the time, or to the Hungarian kingdom.”¹¹⁸ This expansion had real ramifications when the articles of the treaty were carried out following King Matthias Corvinus’s death twelve years later, as it created room for negotiation about whether the king or the kingdom should receive the payment for redeeming the territories. Additionally, this expansion included the kingdom, an undefined body, as an entity separate from the king.

When discussing the logistics of the alienation of Moravia, Silesia, and the Lusatias, the Olomouc treaty made an important innovation. It not only confirmed the protections in the Brno treaty against the alienated territories being forced to adopt Hungarian laws, but it also specified the borders of those lands as they would be when the territories were redeemed. The Buda treaty described the meeting to redeem the territories as one that would take place “on an open field

¹¹⁷ “Zase přijednotiti tělu České zemi,” AČ V, 379, #13.

¹¹⁸ “Králi Uherskému,” AČ IV, 489, #22. “Králi Uherskému, kterýž by ty časy byl, aneb tomu králowství Uherskému.” AČ V, 379, #13.

between Skalicí and Strážnicí on the border between the Hungarian and *Bohemian* lands.”¹¹⁹

Yet, the Olomouc treaty changes this to “on an open field between Skalice and Strážnice on the boundary between Hungary and *Moravia*.”¹²⁰ The identification of a border between these two towns provides a clear indication of where both sides still considered the border between their kingdoms to be, despite the temporary transfer of territory.

The change in terms from Bohemia to Moravia is revealing. The substitution of Moravia for Bohemia in the Olomouc treaty recognizes the complications created by the alienation of the lands in these treaties. Yet, the stability of the choice of meeting places shows that while Moravia may have been attached to Hungary, the boundary between the Bohemian and Hungarian kingdoms had not changed; although safe conducts may have been necessary, Bohemian representatives should have faced no serious difficulty in crossing a region that technically belonged to another kingdom in order to fulfill the requirements to regain that region.

One further change is clearly present and clearly meaningful, yet not remarked upon in the treaty. In the final article before the closing sentences, the Buda treaty focused on King Vladislav fulfilling the terms of the treaty in order to reattach Moravia, Silesia, and the Lusatias to the Bohemian kingdom.¹²¹ Yet, the Olomouc treaty did not focus on any actions of King Vladislav in fulfillment of the treaty, but rather only on King Matthias’s right to release him

¹¹⁹ “Otvřené pole mezi Skalicí a Stážnicí na hranicích Uherské a České země.” AČ IV, 491, #22. Italics are mine.

¹²⁰ “Pole otevřené mezi Skalici a Strážnicí na mezích Uherských a Moravských.” AČ V, 381, #13. Italics are mine. Today Skalici is a town just on the Slovak side of the Czech-Slovak border, south of Brno. Strážnicí is a town ten kilometers northeast on the Moravian side of the border.

¹²¹ “And also immediately when the release by King Vladislav happens, His Grace [King Matthias] also should fulfill [the treaty] and acknowledge [the obligation] to be void, and from this moment all such [assets and people] will belong to and become subjects of His Grace King Vladislav.” “A to i hned když propuštění se stane od krále Wladislawa, JMt také naplniti má a je prázdny býti wyzná a od té chwile že takowí budú příslušetí a poddani mieti býti králi Wladislawowi JMti.” AČ IV, 495, #22. In the original, this article seems to be intentionally ambiguous and does not spell out the agreement concretely.

from his obligations.¹²² Additionally, the right of the kingdom of Hungary to participate in such a release is absent. This change switches the balance of power from King Vladislav, to the extent that he retained any power, and also the kingdom of Hungary as a separate entity to King Matthias personally. This clause also expressed the agreement between the two kings, and not any agreement between the two kingdoms.

The Olomouc treaty closes by setting the date for another meeting between King Vladislav and King Matthias, ideally one that would also be attended by other kings. This *rok* would be in late winter or spring of the following year (two possible dates were agreed upon).¹²³ The purpose of the meeting was not clearly stated, but the intention was to invite all of the regional leaders to a summit to discuss pressing issues, likely to build upon the accomplishments of the assemblies in Brno and Olomouc.

From the negotiation of these treaties, we see the role that the estates and the assemblies played in the protection not only of their own rights and privileges, but also in the expression of authority by the king, and in the determination of how that authority ought to be understood and defined. While the possession of Moravia was a right allocated to princes, exercise of rights in the margraviate required the consent of the estates in Moravia. This consent could not be expressed through the election of their ruler as in Bohemia, but it could be articulated through instruments such as land peace agreements, and by requiring kings to negotiate at an assembly and make their final agreements in the presence of the estates.

¹²² “And when it happens that they are released by King Matthias and they are proclaimed free, then they have to become and be subjects of His Grace King Vladislav.” “A když se to propuštění od krále Matiaše stane a swobodně powí, tedy mají slušeti a poddání býti králi Wladislawowi Jeho Milosti.” AČ V, 386, #13.

¹²³ It does not seem that this meeting was conceived of as a meeting of the estates or an assembly, although the ambiguous word *rok* is used. In older Czech, this word is clearly used to indicate a substantial meeting, and in this treaty the word is coupled with *shledání* (reunion) and *sjeti* (to meet or get together).

A New King

The tensions between the vying parties were not fully resolved with the 1478 Peace of Olomouc. In the aftermath, King Vladislav took advantage of his new, stronger position in Bohemia to attempt to convert many Utraquists to Catholicism; this was not well-received, and in September 1483 the Utraquists took part in an uprising in Prague during which King Vladislav's administrators were either forced out of office or executed.¹²⁴ In part because of this event, he was forced to come to a settlement with both religious groups. This settlement took place at the Diet of Kutná Hora in 1485, in which both sides agreed to recognize the Basel Compacts, creating a situation of relative religious toleration for Catholics and most Utraquists in which no one, regardless of social status, was able to legally convert another by force.¹²⁵ A few years later, on April 6, 1490, King Matthias died without any legitimate heirs, leaving the Hungarian estates free to elect a new king. On July 26, 1490, they sent a list of conditions to king Vladislav, offering to elect him king, and after he was crowned king of Hungary on September 18, 1490, he immediately moved his court to Buda.¹²⁶

After King Matthias's death, King Vladislav announced to the Moravian estates his plans to reunite Moravia with the kingdom of Bohemia.¹²⁷ In this announcement, he explained his perspective on how the situation arose, as well as how he intended to move forward with reattaching Moravia, Silesia, and the Lusatias to the kingdom of Bohemia, "so that the Bohemian

¹²⁴ Boubín, "The Bohemian Crownlands," 181.

¹²⁵ Boubín, "The Bohemian Crownlands," 181; The Decree of Kutná Hora was originally signed for 31 years, but was continued in perpetuity in 1512. Jaroslav Čechura, *České země v letech 1437-1526, vol. II (1471-1526)* (Prague: Libri, 2010-2012), 344. Although the Taborites had been beaten in the 1430s, other radical groups, such as the Bohemian Brethren, had sprung up, and were not covered by this treaty. These developments are discussed in greater detail in Chapter 6.

¹²⁶ Marczali, *Enchiridion Fontium Historiae Hungarorum*, 329-333.

¹²⁷ This was recorded in the *Codex Weneslai de Iglavia*. AČ X, 303, #65.

kingdom and the Moravian margraviate will not remain unlawfully and by force in such bifurcation.”¹²⁸ The tone used in this announcement, addressed “to the lord *hejtman* and the lords and prelates, knightage and cities,” of Moravia shows the assumption of the king and his audience that the separation of Bohemia and Moravia was undesirable.¹²⁹ King Vladislav insisted that the separation came about from necessity, not his choice.¹³⁰ He suggested that the margraviate of Moravia and the kingdom of Bohemia had already been ravaged by war, and the 1478 treaties merely formalized a situation that had previously arisen through extenuating circumstances.

King Vladislav was essentially apologizing for his inability to repair the damage that he had inherited, and was making an excuse for having made what appeared, from the promises and language laid out, to have been an unpopular decision. King Vladislav emphasizes how his decision to come to an agreement with King Matthias was the only tenable option at that time:

We made the treaty with King Matthias (of renowned memory), not such [a treaty] as would please us, but [rather] such as we could reach at that time, while always keeping in mind that if the head is preserved, which is to say the Bohemian crown, that the individual limbs would also be easier to attach to this crown in time.¹³¹

King Vladislav’s statements take for granted that his audience – the leading inhabitants of Moravia – assumed strong and vital connections between Bohemia and Moravia. He argues that

¹²⁸ “Aby království České a markrabství Moravské bezprávně a mocí v takovém rozdvojení nestálo.” AČ X, 304, #65.

¹²⁹ “Panu hajtmanovi i pánóm a prelátóm, rytieřstvu i městom.” AČ X, 303, #65.

¹³⁰ He declared that “As it stands, the margraviate of Moravia was torn away now from the Bohemian kingdom some years ago, but within recent [memory]; this event did not happen during our reign, indeed we were bound to a kingdom already torn.” “Markrabství Moravské teď před některými léthy nedávnými od království Českého odtrženo jest; kterážto věc nestala se jest za našeho kralování, ale my jsme se již v království roztržené uvázali.” AČ X, 303, #65.

¹³¹ “Udělalí jsme smlúvu s králem Mathiášem slavné paměti ne takovú, kteráž by se nám dobře líbila, ale takovú, kteráž nás v ten čas potkati mohla, prohlédajíce vždy k tomu, že když se hlava zachová, totižto koruna Česká, že také údové pod časem snáze k té koruně připojeni budú.” AČ X, 303, #65.

by retaining Bohemia, he made possible the conditions for reuniting all of the territories, even if it meant suffering temporary separation.

At the time this address was made, the men to whom he appealed were the inhabitants of a province attached to another kingdom – albeit one without a king. Yet, he did not address them as foreign citizens, but rather as he might address advisors or leading men within his own kingdom. The assumption that strong connections and loyalties remained between Bohemia and Moravia, even while the provinces were divided, is at the heart of understanding their relationship and the impact that these divisions had on it. This assumption is clearly reflected here in King Vladislav’s approach to the situation.

Next, King Vladislav addressed the means by which Moravia and Bohemia had been separated, namely the treaties concluded at the assemblies in 1478. He asserted that according to these treaties, “We are already the lord heir to the Moravian land without any [further] negotiation [needed].”¹³² He claimed that because the margrave of Moravia was dead with no heir, the territory reverted to the king of Bohemia, as it had in every similar situation.¹³³ Yet, this contravened the Olomouc treaty. While King Matthias’s position as a natural choice for election to the Bohemian throne was clearly addressed, King Vladislav was not similarly entitled to inherit should King Matthias die without heir. He was repeatedly granted the right to redeem Moravia for a significant sum of money, but that is far from being the heir to Moravia.¹³⁴

The Olomouc treaty assumed that any heirs of King Matthias would continue to hold Moravia until the payment was made. Yet, King Matthias had not produced any heirs, and had no natural successor to the Hungarian throne. King Vladislav did not specifically address with

¹³² “Učiněných jsme již pánem dědičným té země Moravské beze všeho prostředku.” AČ X, 303, #65.

¹³³ See Chapter 1 for further details.

¹³⁴ AČ IV, 377-387, #13.

the Moravian lords any claim he might make to Hungary now that the throne was empty and there was no hereditary heir. Yet, as the great-grandson of Emperor Sigismund, the grandson of King Albrecht, and the nephew of King Ladislaus, King Vladislav was in a strong position to assert a claim to Hungary as well as Bohemia.¹³⁵ This status was not as important as it might have been elsewhere in Europe because both Bohemia and Hungary were elective monarchies, but even in these elective monarchies successors were often elected from among the previous ruler's heirs.

We can see in this document that while King Vladislav implied approval of his rule by the inhabitants of Moravia, nowhere does he claim to have been elected by them, as he had been in Bohemia and would soon be in Hungary. King Vladislav suggested that he had made promises “to the lords, prelates, knightage, and cities,” that

As your hereditary lord, we have no intention to surrender them [Moravia, Silesia, and the Lusatias] into foreign hands either by pledges or by any other means, but as your hereditary lord, we most happily want to bring [them] together (God willing) so that such a division as has happened now never happens again.¹³⁶

He emphasized that he should rule in Moravia by hereditary right, and attempted to buy time in order to remove any obstacle to his rule. The main such obstacles were of course the pledges that he mentions here – pledges agreed to by him and by the assemblies twelve years earlier.¹³⁷

The language he uses here also echoes that used by King George twenty-six years earlier.

Yet, King Vladislav also wished to abide by the treaty, although he declared in no uncertain terms that, without the threat to his rule posed by King Matthias, the continued division

¹³⁵ All of these progenitors had also been recognized as kings of Hungary.

¹³⁶ “Pánom, prelátom, rytieřstvu i městóm,” “jakořto pán jich dědičný, nejsme toho úmysla, bychme je komu v cizé ruce dále poddati chtěli ani zástavú, ani kterým jiným obyčejem, ale jakořto pán jich dědičný k sebě přivésti chceme, dá-li Buoh, šťastně tak, aby takového odtržení, kterež jest se nynie stalo, potom nikdy se nepřiházelo.” AČ X, 303, #65.

¹³⁷ The English term “pledge” is often connected to a bailment. Garner, *Blacks Law Dictionary*, 1341.

of Bohemia and Moravia was unacceptable. He required the Hungarian lords to abide by the treaty to which they were obligated – as, unusually, the 1478 treaties obligated the kingdoms as well as the kings – just as he himself was claiming to do.¹³⁸ Yet, King Vladislav’s refusal to allow the separation of Bohemia and Moravia to continue was clearly at odds with those treaties, unless he chose to pay the four hundred thousand gold pieces, although the means by which he could exchange payment and documents with a kingdom without a king was not clear.

Just a few months later, the Hungarian assembly offered King Vladislav the Hungarian throne, submitting to him conditions that concerned the status of Moravia, Silesia, and the Lusatias, among many other topics.¹³⁹ The conditions began by announcing that the “lords, prelates, and barons, and the other leading men, and all of the inhabitants of the same kingdom [Hungary],” submitted “to him the below-written conditions, sections, and articles” to which they required King Vladislav’s agreement in return for his election.¹⁴⁰ The document does not specify the circumstances of the composition of these articles, but does clearly indicate, on more than one occasion, the different groups within the Hungarian kingdom who at least nominally participated in their creation: “the lords, prelates, and barons, all the church, clergy, and people, and the nobles and cities, and also the other residents and inhabitants of this kingdom.”¹⁴¹ The

¹³⁸ AČ X, 303, #65.

¹³⁹ Marczali, *Enchiridon Fontium Historiae Hungarorum*, 307-311.

¹⁴⁰ “Domini praelati et barones, caeterique primores et universi incolae regni eiusdem,” “sibique cum infrascriptis conditionibus, partis et articulis.” Marczali, *Enchiridon Fontium Historiae Hungarorum*, 307-308.

¹⁴¹ “Dominosque praelatos et barones, omnes ecclesias, ecclesiasticasque personas ac nobiles et civitates, nec non caeteros incolas et inhabitatores ipsius regni.” Marczali, *Enchiridon Fontium Historiae Hungarorum*, 308. In most cases in this document, the list was shortened to “the lords, prelates, and barons,” “domini praelati et barones,” (Marczali, *Enchiridon Fontium Historiae Hungarorum*, 308 and three times on 309), and occasionally also “the inhabitants of the kingdom,” “caeterique primores et universi incolae regni eiusdem,” (Marczali, *Enchiridon Fontium Historiae Hungarorum*, 307, 311), or “the counselors of the kingdom,” “regniique consiliariorum,” (Marczali, *Enchiridon Fontium Historiae Hungarorum*, 310).

inclusion of such a cross-section of the kingdom gave the document gravitas, particularly when it was created and submitted in the absence of a king, in order to secure the accession of a king.

Many of the conditions relate to the way in which the Hungarian estates wanted King Vladislav to rule Hungary. They addressed many topics similar to those set out by the Bohemian estates when offering their crown to kings: the preservation of ancient laws; the right of the estates to elect their king (in the proper manner); the importance of utilizing the advice of Hungarian advisors for Hungarian matters; and appointing Hungarians to Hungarian offices.¹⁴² They also focus on topics that appear implicitly in conditions sent by the Bohemian estates, such as the full power of regents, as well as some conditions that had very different formulations in the Bohemian context, such as the role, power, and freedoms of the clergy.¹⁴³

The Hungarian estates were very clear about their expectations concerning the lands formerly belonging to the Bohemian crown:

We promise that we will alienate neither Moravia, nor also Silesia or both Lusatias, from the crown and kingdom of Hungary, except during the period of redemption; according to the inscriptions and obligations made at the diet of Olomouc, we will always hold [them connected] to this Hungarian crown.¹⁴⁴

The Hungarian estates were attempting to tie Moravia, Silesia, and the Lusatias to the kingdom of Hungary, just as King George had decreed Moravia inalienable from the kingdom of Bohemia in 1464.¹⁴⁵ Similarly, as King George had issued his decree in an attempt to forestall military engagements and threats to his crown, so the Hungarian estates included this condition in order to pre-empt any attempt by King Vladislav to simply transfer Moravia, Silesia, and the Lusatias

¹⁴² Marczali, *Enchiridon Fontium Historiae Hungarorum*, 308-310, paragraphs 1-2, 4, 8-9. For examination of the conditions sent to Bohemian kings, see Chapter 3.

¹⁴³ Marczali, *Enchiridon Fontium Historiae Hungarorum*, 310, paragraphs 11 and 14.

¹⁴⁴ “Promittimus, quod Moraviam, nec non Silesiam et Lusatiam utrasque, a corona et regno Hungariae non alienabimus, sed infra tempus redemptionis, juxta inscriptiones et obligationes, alias in diaeta Olomueensi factas, ad ipsam coronam Hungariae semper tenebimus.” Marczali, *Enchiridon Fontium Historiae Hungarorum*, 309.

¹⁴⁵ Moravský zemský archiv v Brně, Stavovské Listiny #369; AČ X, 274.

to the Bohemian crown after he had obtained the Hungarian crown. We see in these conditions and in King Vladislav's assurances to Moravia that a personal union between the kingdom of Bohemia and the lands formerly tied to it was insufficient for their reunion.

The Hungarian estates clearly sought to safeguard the large sum of money which they were due according to the 1478 treaty of Olomouc. They agreed that the territories could be repurchased, as long as the funds were delivered to the kingdom of Hungary. Their concerns were further elucidated by their insistence that should this money be paid, it must be used in Hungary.¹⁴⁶ This was not an unreasonable demand, particularly considering the strong threat posed by Ottoman encroachment for nearly a century, but it did forestall any potential efforts by King Vladislav to simply move money from one account book to another: the money needed to be paid in actual coin. The huge sum stipulated in the treaties, combined with the personal union of the two crowns under King Vladislav, would virtually preclude the payment ever being made.¹⁴⁷

This stipulation highlights a key point: for the estates of the kingdom of Hungary, keeping Moravia, Silesia, and the two Lusatias tied to their kingdom was more important than receiving a re-negotiated benefit. This was true because of their symbolic importance and the status that they conveyed. Unlike when the territories were being demanded by King Matthias, who would win the right to assume lordship over them, the Hungarian estates themselves won no titles or official power. They were unlikely to have even won offices, as promises had frequently

¹⁴⁶ While it is difficult to precisely define the value of this sum, it can be approximated. In 1440, Emperor Frederick III paid off King Albrecht's troops for 80,000 pieces of gold, according to Aeneas Silvius Piccolomini, and in 1422 Elizabeth of Luxembourg was given a dowry of 100,000 gold pieces for her marriage to King Albrecht, although this amount was immediately loaned back to Emperor Sigismund. Čornej, *Velké Dějiny vol. 5*, 305; Piccolomini, *Europe*, 127. In both of these cases, equivalent value in silver or commodities could have been used, yet in this case the agreements insist upon the presentation of Hungarian gold coins.

¹⁴⁷ AČ IV, 489, # 22.

been made to the estates in Bohemia and Moravia to appoint only inhabitants of the territories themselves to offices within those territories, just as in the Hungarian conditions above.¹⁴⁸ The particular kingdom to which Moravia, Silesia, and the Lusatias was tied was clearly important to the estates of the claimant kingdoms, just as it was to their kings. They were a status symbol, and possession of these territories was a symbol of power and status in the region.

Upon the death of King Vladislav's son and successor, King Louis, in August 1526, in preparation for the accession of his brother-in-law Ferdinand of Habsburg, the status of Moravia and the other attached lands was addressed again. The 400,000 gold pieces had never been paid, so legally Moravia, Silesia, and the Lusatias still belonged to Hungary. Yet, the kingdom of Hungary had been greatly diminished, particularly after the battle of Mohács in which King Louis lost his life. In November 1526, Jan Zapolya, who had been King Louis's regent in Hungary during his minority, wrote to the Moravian estates to remind them that they were still tied to the kingdom of Hungary.¹⁴⁹ The Moravian estates responded "that we have little knowledge of such agreements and records."¹⁵⁰ While it was possible that after thirty-six years the Moravian estates knew nothing of King Vladislav's election promises to the Hungarian estates, this is extremely unlikely. Rather, it seems that they used this dynastic change, and the accompanying loss of most of the territories of the kingdom of Hungary, to fully effect their reunion with the kingdom of Bohemia.

¹⁴⁸ See Chapter 3 for examples.

¹⁴⁹ František Dvorský, *Sněmy české od leta 1526 až po naši dobu*, volume 1: 1526-1545 (Prague, 1877), 89, #42.

¹⁵⁰ "Že my o takovych smluvách a zápisích malú vědomnost máme." Dvorský, *Sněmy české*, 90, #43.

Conclusions

Throughout the last half of the fifteenth century, the ties between Bohemia and Moravia were keenly felt by everyone connected to these territories. The ties were not simple, and were certainly not uncontested. These connections were reflected in the interests of the inhabitants of Moravia, but they clearly stemmed from something other than religious or linguistic hegemony – something undefined even by those involved. It was the Moravians, and not the Bohemians, who demanded King Vladislav find a way to reunite Bohemia and Moravia after King Matthias died. Moravia, Silesia, and the Lusatias were considered so valuable by the Hungarian estates that they clarified the terms of the peace treaty to indicate that a personal union of the kings of Bohemia and Hungary would not necessarily reunite the provinces with Bohemia.

These negotiations also reveal the separate roles of the king and the kingdom. The kingdom, represented by the estates meeting in assemblies, asserted their ability to control decisions within their kingdom. In both Bohemia and Moravia, the estates used assemblies to make demands of their kings or would-be kings, and in turn asserted their authority and right to exist as an extra-royal body. In Bohemia and Hungary, in multiple instances, this resulted in the issuance of conditions for kings upon their election, and in attempts to define the nature and scope of the lordship of the king. Yet, in Moravia the estates did not have the power to elect their own margrave; this title had always been granted by the king of Bohemia and confirmed by the Emperor. Nonetheless, they did have the power to ensure their own rights. Particularly in the 1478 land peace agreement, the power of the collective estates meeting in the assembly is clearly stated in their defense of their own privileges, and in their assertion of the right to demand adherence to the land peace agreement from others in Moravia. The assemblies served

as an important location of exchange and negotiation, and one of the main places in which decrees issued to or by the estates originated.

The assemblies offered a formal location in which decisions could be deliberated and carried out, with the (implicit or explicit) consent of the estates of the margraviate. This consent was necessary for any significant actions to be taken, particularly in the constantly-shifting political environment of this generation. The estates were able to meet in assemblies and issue decisions with or without the presence of the king – giving them a voice to rival that of the king. The assemblies thus served a key function in facilitating the governance of the kingdom and the negotiation of power structures within it. The assembly itself was one of these negotiated power structures, yet the rights of those convening at the assembly to make decisions seems never to have been questioned.

CHAPTER 6
**Continuous Renegotiation:
Institutionalization in the Last Quarter of the Fifteenth Century**

Many of the developments in late fifteenth-century Bohemia can trace their roots to the civil war that ended in 1478. This conflict had lasted over a decade because of seemingly intractable disagreements between King George of Poděbrad, the nobility, and the Catholic church, and at its core was at least the pretext of a second great religious conflict. Yet, by the first years of the sixteenth century, not only had a religious peace had been negotiated and maintained for over a decade, but also a law code had been drawn up, both to ease some of the tensions between the monarchy and the estates (while creating some new tensions) and to settle some of the unknowns created by one-third of a century without a functioning land court.¹

The most important decisions that led to these agreements were either taken at or confirmed by assemblies, yet these assemblies themselves, and participation therein, also became a subject of debate. The quarter century examined in this chapter opened with the 1478 Peace of Olomouc concluded between King Matthias Corvinus and King Vladislav Jagiellon. This agreement brought peace, but it also separated Bohemia from the other crown lands (Moravia, Silesia, and the Lusatias). A few years later, the 1485 Peace of Kutná Hora finally established a maintainable religious equilibrium and a basic level of acceptance for both Utraquists and followers of Rome. Five years after that, the administrative balance was upset when King Vladislav became king of Hungary as well, moving his court to Buda and assuming personal rule over not only Bohemia, but also Moravia, the other crown lands, and all of the Hungarian lands.

¹ Petr Kreuz and Ivan Martinovský, eds., *Vladislavské Zřízení Zemské: a navazující prameny (Svatováclavská smlouva a Zřízení o ručnicích)* Edice, Jana Vojtíšková, language revision (Prague: Scriptorium, 2007), 35-37, 478.

Finally, in 1500, the Vladislav Land Ordinances – a codification of the common law – were issued.

Each of these developments was codified and confirmed through the assemblies, although the formal structure of the assembly was not yet itself fully codified. Many of the institutions that facilitated the functioning of the kingdom – particularly the monarchy, the assembly, the estates, the land court, and the land rolls (although not the Church) – were all formalized in the last quarter of the fifteenth century. The monarchy also regained some level of stability during the long reign of King Vladislav; the relationship between those following Utraquist and Roman practice was settled with the Peace of Kutná Hora, as was the composition and purpose of the land court; and the estates and their participation in the assembly were largely defined in the Vladislav Land Ordinances, as were procedures related to the land rolls and their authority.

To some extent, the formalization of these institutions was done purposefully – although to suggest that in 1478 any inhabitant of Bohemia could have laid out a plan for their formalization is to assume greater foreknowledge and singularity of purpose than could have been possible.² While the Peace of Kutná Hora was a half-century in the making, it was prompted both by real, long-term efforts to find a peaceful solution (visible no less in the assemblies of the 1440s than in the 1478 Peace of Olomouc) to religious disagreements, as well as recent revolts in various cities. Its ability to stand as the arbiter of religious parity between Utraquists and followers of Rome was its true triumph, and proved more successful than could have been expected.

² This suggestion is made in the introduction to Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 478-479.

The Vladislav Land Ordinances of 1500 codified the agreements – such as the Peace of Kutná Hora – that had been made at the various assemblies that met throughout the prior century. This law code also formally established the composition of the assembly, mandating that the participation of the cities was only required – indeed, only allowed – in matters directly affecting the cities.³ This provision ran counter to the actual practice of the assembly as it had functioned throughout the century, and caused significant unrest until the St. Wenceslas Treaty was concluded in 1517. The Vladislav Land Ordinances, like many similar codifications, was both a formalization of existing practice, and an attempt to alter the status quo in favor of those writing the law.

The last quarter of the fifteenth century saw attempts to implement legal means of creating and maintaining a more stable kingdom. During the forty-five years of King Vladislav's rule (1471-1516), we can see at least three different eras of monarchical power, demarcated by the king's ability to exercise authority in Bohemia. At their simplest, these would be 1) 1471-1478, when King Vladislav's legitimacy was challenged by King Matthias, who also claimed his lands; 2) 1478-1490, when King Vladislav shared the title King of Bohemia with King Matthias and did not have jurisdiction over Moravia, Silesia, and the Lusatias; 3) 1490-1516, when King Vladislav was also king of Hungary and ruled both kingdoms and their attached lands from his court in Buda.

Multiple civil wars had negatively affected many of the institutions in the kingdom, as well as the unity of the Bohemian crown lands. Yet, the assembly maintained and even gained authority over course of the century, as did both of the noble estates participating in the assembly. As institutions were reestablished in the last decades of the century, the relationships

³ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 266, #576.

and relative balances of power between various religious, political, and status groups became more clearly defined. In the case of the Peace of Kutná Hora, this led to diminished religious strife within the kingdom, while in the case of the Vladislav Land Ordinances, this exacerbated perceived differences of power between the cities and the other estates.

These developments do not follow a clear progress narrative. Rather, we see that while many problems are solved in this period, their solutions exacerbated other tensions and created new problems that would need solutions in the sixteenth century. This chapter traces a transformative moment for many of the problems examined throughout the dissertation, but that does not mean that these problems were truly solved. Rather, people living in their moment in the later fifteenth century were attempting to create a more stable situation – but without the foreknowledge necessary to do so conclusively.

The Peace of Kutná Hora

When Vladislav Jagiellon became king in 1471, he was fifteen years old and his new kingdom was already embroiled in a civil war. The king of Hungary had taken advantage of this civil war to allow himself to be declared king of Bohemia as well, with the support of the League of Zelená Hora. When the Peace of Olomouc treaty was negotiated in 1478, it finally created the opportunity for King Vladislav to stabilize his power in the kingdom, as it was the first time he did not face a viable threat to his rule. He undeniably lost power, territory, and standing as a result of the treaty, but he gained the legitimacy that he had not been able to claim during the first seven years of his reign.⁴ Also as a result of this peace, the primarily Catholic Bohemian

⁴ As a result of the treaty, King Vladislav handed over the margraviate of Moravia, the duchy of Silesia, and the margraviates of Upper and Lower Lusatia to King Matthias, and was required to share the title King of

adherents of King Matthias of Hungary retook their places within Bohemian institutions, including the assembly.⁵ Their return changed the religious balance after 1478, and thus also changed the power dynamics in the kingdom.

This situation put new pressure on Utraquists to adopt Roman doctrine; ironically this pressure was greater in the early 1480s than during the civil war of the previous decade whose *casus belli* had nominally been a crusade to effect exactly this change. One of the three main goals of the 1478 Peace of Olomouc had been to ease relations between the Papacy and the kingdom of Bohemia, but none of the signatories truly had the authority to do so.⁶ While neither the Peace of Olomouc nor the Peace of Kutná Hora seven years later was able to secure papal agreement to the consecration of an archbishop in Prague, the Peace of Kutná Hora did result in a lasting religious peace within the kingdom of Bohemia.⁷ This lasting solution held in practice at least until the introduction of Reformation doctrines at the end of the first quarter of the sixteenth century, and held in the law until the Letter of Majesty in 1609.⁸

Bohemia with him, although King Matthias had no actual jurisdiction within Bohemia. See Chapter 5 for further details.

⁵ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 477.

⁶ See Chapter 5 for further elaboration.

⁷ These developments are examined in Veronica Macháčková, “Cirkevní správa v době jagellonské (na základě administrátorských akt),” *Folia historica Bohemica* 9 (1985), 235-280; Josef Macek, *Víra a zbožnost jagellonského věku* (Prague: Argo, 2001); and Winfried Eberhard, *Konfessionsbildung und Stände in Böhmen 1478-1530* (Munich: R. Oldenbourg, 1981), among few others.

⁸ Multiple documents issued from the assembly in Kutná Hora can be found in František Palacký, *Archiv Český*, vol. V (Prague: V Kommissi u Knihkupce Fridricha Tempského, 1862), 418-427, #31 (hereafter AČ V). It should be noted that the literature that does exist for the impact of the first stages of the Reformation in Bohemia is surprisingly sparse, and consistently defaults to the assumption that “German speakers” adopted Lutheranism and had not adopted Utraquism, while “Czech speakers” remained either Utraquist or Catholic (primarily the former). This perspective is much clearer in older scholarship. For example, Frederick Heymann, “The Impact of Martin Luther on Bohemia,” in *Central European History* 1:2 (1968) 125-126 states explicitly that he is treating the Czech-speaking and German-speaking populations separately. Heymann, “The Impact of Martin Luther,” 109-114 addresses the historiographical tradition directly, and while he challenges some of the ideas put forth by nineteenth century German-speaking Church historians, he continues to make traditional assumptions about the influence of language on religious practice, and about the emergence of “Old” and “New” Utraquists by the early sixteenth century, the former aligning with Catholicism and the latter aligning with Lutheranism. Thomas Fudge, “The Problem of Religious Liberty in Early Modern Bohemia,” *Communion Viatorum* 38 (1996), 66, acknowledges this

Much of the literature describes the proximate cause of this peace as a 1483 revolt in Prague against efforts of King Vladislav to impose Roman doctrine there, following an immense increase in his power due to the resolution of tensions that accompanied the 1478 Peace of Olomouc.⁹ Yet, the revolt in Prague was simply the final event in a long build-up of tensions that had begun two generations earlier. The tensions that underscored the need for a peace agreement can be seen in the archive of the city of Kutná Hora. A series of letters between the administrators of the archbishop of Prague and the consul and councilors of Kutná Hora in 1480 shows how these tensions were exposed not only in Prague, but also in other cities.¹⁰

strain of scholarship, citing Josef Polišínský, *The Thirty Years War*, trans. R. J. W. Evans (Berkeley and Los Angeles: University of California Press, 1971), 43, as he discusses the juxtaposition of “questions of religion and nationality” becoming more pressing in the sixteenth century, although he does not really weigh in further. More recently (2008 in Czech, 2009 in English), Jaroslav Boubín, “The Bohemian Crownlands under the Jagiellons (1471-1526),” in Jaroslav Pánek and Oldřich Tůma, et al, *A History of the Czech Lands* (Prague: Charles University in Prague Karolinum Press, 2014), 183, repeats the traditional stereotypes about Old and New Utraquism. In his 2003 book, however, Zdeněk David, *Finding the Middle Way: The Utraquists’s Liberal Challenge to Rome and Luther* (Baltimore: Johns Hopkins University, 2003), 45-78, reviews the literature on the supposed divisions of the Utraquist church into Catholic and Lutheran branches (Old Hussite and New Hussite, respectively) and rejects them, an analysis with which I agree. Phillip Haberkern, *Patron Saint and Prophet: Jan Hus in the Bohemian and German Reformations* (New York: Oxford University Press, 2016) largely ignores this debate while focusing on the specific ways in which Hus was used by later generations through the mid-sixteenth century in both Bohemia and the Empire.

⁹ This event has received light attention in English, even in those works that might treat the subject. The event is barely mentioned in Jaroslav Pánek, “The Question of Tolerance in Bohemia and Moravia in the age of the Reformation,” in *Tolerance and Intolerance in the European Reformation*, Ole Peter Grell and Bob Scriber, eds. (New York: Cambridge University Press, 1996), 233. The event is not mentioned at all in Zdeněk David, *Finding the Middle Way: The Utraquists’s Liberal Challenge to Rome and Luther* (Baltimore: Johns Hopkins University, 2003) although the Peace of Kutná Hora is briefly mentioned in David, *Finding the Middle Way*, 32. The event is mentioned in passing in Phillip Haberkern, *Patron Saint and Prophet: Jan Hus in the Bohemian and German Reformations* (New York: Oxford University Press, 2016), 107, and in greater detail in Haberkern, *Patron Saint*, 136-137. Boubín, “The Bohemian Crownlands,” 177, mentioned it in passing while discussing it as a main cause of the Peace of Kutná Hora on Boubín, “The Bohemian Crownlands,” 181. The recent authoritative works on the uprising are František Šmahel, “Pražské Povstání 1483,” *Pražský sborník Historický* 20 (1986), 35-102, and a shorter treatment, Kamil Boldan, “Passio Pragensium – tištená relace o pražském povstání,” *Documenta Pragensia* 19 (2001), 173-180, while Macek discusses this event and the Peace of Kutná Hora only briefly in the context of religious tolerance (Macek, *Víra a zbožnost*, 394-398), and Eberhard treats the Prague uprising in the context of religious development in 1483 and 1484 (Eberhard, *Konfessionsbildung*, 52-55), and the Peace of Kutná Hora in the context of developments between 1478 and 1485 in Eberhard, *Konfessionsbildung*, 56-60.

¹⁰ The term “consul” seems to be the only appropriate translation of *ssephmistr* in this context. This position was not held in other Bohemian cities, but was exclusive to Kutná Hora, and was separate from the position of mayor (*purkmistr* or *rychtář* – each of which had a slightly different usage).

In 1480, the “Administrators in the clerical archbishopric of Prague, etc.” wrote to the “wise and prudent lords, the consuls and councilors on the Silver mountain, our friends in the beloved lord God” in order to instruct the Utraquists “so that they stand manly and bravely together and faithfully for our freedom and oppose the adversaries.”¹¹ These administrators were the officials maintaining the functions of the archbishopric of Prague, although the episcopal seat had been vacant since 1421.¹² This warning shows concern with mounting debates related to religious practice, as well as pending decisions in the ongoing religious (and sometimes political) assemblies that routinely took up the matter.¹³ It also shows a clash between one of the most outspoken Utraquist cities and the Catholic administrators who were attempting to control practices that did not follow Roman doctrine.

A document issued by the administrators of the archbishop of Prague two years later shows the continuing development of policy regarding communion, and how that policy was transmitted to key cities.¹⁴ This document shows the slow development of the basis for the religious peace that would be concluded in this city three years later. After reporting that communion was discussed at an assembly in Nuremberg, the document essentially set up a standing committee to continue to investigate the matter. The document specified that “people [shall be] elected for the management and harmonization of this matter between the lords on the

¹¹ “Urzedniczi w duchowienstwy[m] Arcibiskupstwie prazsky, etc.” “Mudrym a opatrnym panom ssephmistrom a konsselom na horach strziebrnych przatelom nassim w panu Bo[h]u milny.” “Aby zmierzile a swiele swornie a wiernie o swe swobody sie zastawowali a protiwnikom otpierali podle slussnosti.” Aktová Sbirka AMKH kart. 2 #165.

¹² The bishop of Olomouc took over some of the functions and power of the archbishopric, and some of the day-to-day functions were carried out by administrators. The absence of an archbishop meant that there was no one to represent the Church in Bohemia or to ordain priests, but it did not mean an end to all episcopal activity.

¹³ A 1478 *sněm* was called specifically to discuss the issue of religion. Aktová Sbirka AMKH kart. 2 #148.

¹⁴ Aktová Sbirka AMKH kart. 2 #183 is a half-sheet of paper with no visible seals and very minimal wear and tear. This document was either jotted down quickly or copied another source, but its origin is not entirely clear. The archivists for this collection have designated it as originating in October 1482, although the document itself does not provide a date or location for its transcription.

one hand and between you and us on the other hand.”¹⁵ This letter shows that religious peace was already being sought, and indicates that the participation of the cities was needed to effect this general peace.¹⁶

When a lack of harmonization led to an uprising in Prague the following year, it became clear that more concerted efforts to find religious peace would be needed. Uprisings in Prague had a tendency to spread, as they had with the First Defenestration of Prague at the start of the Hussite Wars in 1419 (and as they would with the Second Defenestration of Prague that started the Thirty Years’ War in 1618). An uprising in Prague thus merited attention, and the causes thereof merited amelioration, even if that amelioration resulted in the recognition of Utraquist practice as legitimate.

The religious peace was finally concluded at the assembly in Kutná Hora between March 13 and March 20, 1485, records of which exist in a variety of editions and manuscript versions.¹⁷ One of the most important and long-lasting aspects of the Peace of Kutná Hora was its extension of the freedom to adhere to either Roman or Utraquist doctrine to all people regardless of status.

Item, each of us will preserve the peace of the custom of receiving [communion] according to their belief for their salvation, whether in one kind or in both kinds, of any of our subjects who we have and we hold, or who we will have or hold, whether by inheritance or by pledge,¹⁸ we have to preserve the peace of their custom of receiving

¹⁵ “Wolny osob k rziezeny a srownany te wiczzy mezy pany sgedne a mezy wami a name strany druhe.” Aktová Sbíрка AMKH kart. 2 #183.

¹⁶ This passage also raises questions about the authorship of this document and the divisions between the different parties. The note bears no signature or other means of identification, nor does it bear a clear addressee. Thus, the “lords on the one side” cannot be clearly identified in contrast to “you and us on the other side,” as both of these descriptions could describe any number of different parties.

¹⁷ The version from the Fürstenburg manuscript in Prague is published in AČ V, 418-424, followed by other documents from the Kutná Hora sněm, AČ V, 424-427. AČ V, 422 also cites a variation in a Třeboň manuscript, and František Palacký, *Archiv Český volume IV* (Prague: Kommissí u Kronbergra I Řiwnáče, 1846), 512-516 (hereafter AČ IV), includes yet another version. The introduction to the 2007 edition of the Vladislav Land Ordinances suggests that this peace was just one stage in the decades-long process of limiting the participation of the cities in the assembly.

¹⁸ These terms could refer to the nature of holding lands, subjects, or towns. The words are used today to refer to settlements that were, at some point in the past, either inherited or pledged.

[communion] as is their belief for their salvation, whether in one kind or in both kinds; we will not, by any power, force or persuade them ourselves or through the clergy, against their will, so that each may seek their salvation according to their own beliefs in the act of this glorious sacrament. And this will be preserved by us in the cities and the towns and everywhere.¹⁹

The focus here is on the form in which communion would be taken, as that was the clearest outward sign of difference between Utraquists and followers of Rome. The freedom to choose their form of communion was extended to all inhabitants of Bohemia, including the inhabitants of the cities, effectively creating a situation of individual confessional freedom for members of these two confessions. Indeed, the document bears the name not only of King Vladislav, but also of Vok of Rožmberk and one of the sons of King George of Poděbrad, showing that the agreement had the support of leaders from multiple parts of the kingdom and from various backgrounds.²⁰

The document establishing the Peace of Kutná Hora also reminded its audience that this peace was not an innovation. The peace was based on the “bull of Pope Eugene and the body or council of Basel,” concluded in the mid-1430s.²¹ According to the Basel Compacts, the inhabitants of Bohemia had been accustomed to taking communion either *sub una* or *sub*

¹⁹ “Item, každý z nás poddané naše buď na dědinách neb na zástavách, kteréžkoli máme a držíme a držeti nebo mieti budeme, w pokoji při obyčeji přijímání jich, buď pod jednu neb pod obojí spůsobu w nich dowěřeníe k jich spasení (jest), zachowati je máme, žádnú mocí jich nenutiec ani připrawujic skrze se samy neb skrze kněžstwo bez jich wuole, aby hleděl swého spasenie podlé dowěřeníe swého při skutku té welebné swátosti. A to má buď w městech neb městečkách neb we wsech wšudy zachowáno od nás býti.” AČ V, 421, #31.

²⁰ Vok II of Rožmberk (1459-1505) was the grandson of Oldřich of Rožmberk, and the son of Jan II of Rožmberk, who had become head of the family following his brother’s death in 1457. From 1475-1493, Vok was Land *hejtman* in Bohemia and leader of the Rožmberk family. Robert Šimůnek and Roman Lavička, *Páni z Rožmberka, 1250-1520: Jižní Čechy ve středověku: kulturně historický obraz šlechtického Domina ve středověkých čechách* (České Budějovice: Veduta, 2011), 25-26. George of Poděbrad’s son, Hynek of Poděbrad, was the fourth son of George of Poděbrad and shared lands in multiple provinces with his brothers. He was, by this point, no longer an Utraquist.

²¹ For a recent treatment of the Basel Compacts, see František Šmahel, *Basilejská kompaktáta: Příběh deseti listín* (Praha: Nakladatelství Lidové noviny, 2011). “Bulle otce sw. papeže Eugenia a sboru aneb konciliium Basilejského,” AČ V, 420, #31.

utraque, and various communities had established their own customs in this respect.²² The goal of this treaty was to enshrine these practices in law and thus to diminish the opportunity for future conflict.²³

The documents issued from this assembly in Kutná Hora also addressed membership in the land court and firmly established how that membership would be divided between the upper and lower nobility.²⁴ This indicates that while the assembly in Kutná Hora that produced this peace agreement was concerned with religious practice, it was just as concerned with peace more generally, as well as with the stability and administration of the kingdom. The promotion of the general good of the entire community of the kingdom of Bohemia required religious peace, as well as the means to maintain law and order.

The Peace of Kutná Hora served a variety of purposes. First, it stopped potential rebellions that had been fomenting due to a lack of religious parity in the kingdom. In order to do so, it created a true religious peace that recognized both Catholic and Utraquist practice. This religious peace opened the way for greater stability than had existed for the previous seventy

²² *Sub una* describes taking communion as only the wafer, while *sub utraque* describes taking communion as both the wafer and the wine. “And what relates to the compacts and agreements with the council of Basel, these you should keep in their same extent, and you should maintain their same authority, as they were in themselves [originally]. At that time, the lords, knightage, and cities were maintaining the custom of receiving the body and blood of the Lord Christ in both kinds, [and] if it seems fitting to them, they should send their petitions to the Holy Father; and the princes, lords, knightage, and cities of the party having the custom of receiving the body and blood of the Lord Christ in one kind, they also should, according to [the Basel Compacts], share their concerns and pleas with the Holy Father to make [it] so that a fair way may be found [for both manners of communion to be licit] with His Holiness, which could [then] be preserved for eternity.” “A což se dotýče kompaktát a smlúvy koncilium Basilejského, ti na swé mieře stuojte a w swé moci zuostaňte, jakž w sobě jsú. W tom času páni, rytiefstwo i města obyčej majíce přijímati tělo a krew pána Krista pod oboji spuůsobú, mají, budeli se jim zdáti, swé poselstwie učiniti k otci swatému; a kniežata, páni, rytiefstwo i města z strany obyčej majíc přijímati tělo a krew pána Krista pod jednu spuůsobú též podlé nich mají swú pilnost a péči učiniti k otci swatému, aby slušné cesty mohly nalezeny býti u Jeho Swatosti, kteréžby na wěčnost zachowány býti mohly.” AČ V, 419, #31.

²³ “And it should remain and be defended without alteration by both sides, always in effect, for thirty-one years from the present date.” “A to státi má a zachowáno býti bez pohnutie oběma stranoma až do xxxi léta od nynějšího času pořád zběhlého.” AČ V, 419, #31. Boubín, “The Bohemian Crownlands,” 180.

²⁴ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 478; AČ V, 424-426, #31; they also discuss robbers (AČ V, 426-427, #31).

years. To support this stability, the Peace of Kutná Hora also reestablished the land court, allowing for greater legal and administrative stability.

The Institution of a New Law Code

The years following the Peace of Kutná Hora seem to have been relatively peaceful, and to have included the regular function of the administration of the kingdom, including the assembly. During this calm, the 1487 and 1488 assemblies proposed and ratified the creation of a commission to codify the common law, which would ultimately result in the creation and dissemination of the Vladislav Land Ordinances.²⁵ This law code drew upon decisions from assemblies and the land court throughout the fifteenth century, and compiled them into a single place. As such, this new law code made widely available supposedly “ancient” laws and practices, in the process legitimizing some of the innovations that had taken place in the fifteenth century and delegitimizing others.

The effort to codify the laws of the kingdom continued throughout the rest of the century, even after King Vladislav became king of Hungary as well as king of Bohemia. When King Matthias of Hungary died in Vienna in April 1490, a number of hopeful candidates for the throne emerged. As Hungary was, like Bohemia, an elective monarchy, each of these candidates had reasonable expectations for their election for the throne.²⁶ Although each had a reasonable claim

²⁵ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 35-37 and 478.

²⁶ The candidates were John Corvinus, illegitimate son of Matthias Corvinus; Emperor Frederick's son and heir, Maximilian, King of the Romans; King Vladislav's brother John Albert of Poland; and King Vladislav himself. Antonín Kalous, *Matyáš Korvín (1443-1490): Uherský a český král* (České Budějovice: Veduta, 2009), 331; Jaroslav Čechura, *České země v letech 1437-1526, vol II (1471-1526)* (Prague: Libri, 2010-2012), 113. John Corvinus was crowned in Bělehrad in mid-September 1490, but gave up his claim and instead supported King Vladislav in the expectation that he would get Bosnia and Croatia. Kalous, *Matyáš Korvín*, 333; Bernd Rill, *Friedrich III: Habsburgs europäischer Durchbruch*, (Graz: Verlag Styria, 1987), 310. Maximilian's claim came from a 1463 treaty concluded by Emperor Frederick III and King Matthias. Kalous, *Matyáš Korvín*, 333, Čechura,

to be elected, the Czech literature takes a fairly triumphalist tone in declaring King Vladislav the eventual successor following election by the assembly on June 15, 1490, and a peace agreement with his brother Jan Albert in February 1491.²⁷ With the support of King Kazimierz of Poland, both King Vladislav and his brother then took the field against King Maximilian, and a peace agreement was reached in November 1491.²⁸ In return for recognition of his rule in Hungary, King Vladislav bartered away a certain amount of political capital, which helped the Habsburgs cement their position in Central Europe.²⁹ Yet, the actual succession was achieved relatively quickly, considering the recent history of civil and regional war.³⁰ At this point, King Vladislav also moved his court to Buda, which was his capital from the early 1490s until his death in 1516.

The records within the Vladislav Land Ordinances show that even after King Vladislav had moved his court to Buda, assemblies took place fairly regularly for the next decade, and that the decisions made at these assemblies were of some consequence.³¹ Many of the decisions codified in the Vladislav Land Ordinances date from the 1490s, no doubt in part because they were the most recent decisions, but likely also because the effort to codify the law provided an

České země v letech 1437-1526, vol II, 113-114. When King Matthias died, Emperor Frederick III was busy with a war with the Bavarians. Rill, *Friedrich III*, 309.

²⁷ Čechura, *České země v letech 1437-1526, vol II*, 115-116. King Vladislav was elected in the presence of the papal legate on June 15, 1490. John Albert Jagiellon gave up claim to Hungary in return for his brother unequivocally giving up any claim to Poland. See Chapter 5 for the conditions of King Vladislav's election in Hungary.

²⁸ Čechura, *České země v letech 1437-1526, vol II*, 116. Maximilian was at this time King of the Romans, and would not become emperor until 1508 (his father Emperor Frederick III died in 1493).

²⁹ While this reading of the situation seems a bit retrospective, at this time I have no evidence that would allow me to present a different perspective – primarily because these issues are beyond the scope of this dissertation.

³⁰ As is typical of the view of this accession in much of the Czech literature, Boubín downplays the war over the election, but does acknowledge it, as well as the fact that the Habsburgs did not get Hungary, although the treaty gave the Habsburgs the political advantage and the treaty with Poland meant that King Vladislav gave up his claim to Poland in return for John Albert giving up his claim to Hungary. Boubín, "The Bohemian Crownlands," 176.

³¹ Many examples can be found in the 576 articles of the Vladislav Land Ordinances listed in Kreuz and Martinovský, *Vladislavské Zřízení Zemské*. It should be noted that the number of articles listed in this edition is different from the number of articles listed by František Palacký. AČ V, 5-265. This chapter follows the numbering in Kreuz and Martinovský's edition.

impetus to clear up disagreements, causing the assembly to take up matters that may not have been clearly decided before. The Czech literature generally takes the view that after King Vladislav moved his court to Buda, his involvement with Bohemia affairs was minimal.³² Yet, despite his physical absence from Bohemia, King Vladislav appears prominently in many of the articles that the Vladislav Land Ordinances record for this period.³³ While this does not, of course, necessarily indicate that he was an active participant in the deliberations, it does indicate continued involvement, as do records from city archives from the years immediately following the publications of the Vladislav Land Ordinances.³⁴

The Vladislav Land Ordinances were particularly concerned with the rights of the estates in relation to the king. As these rights were most clearly expressed in the right of the estates to elect the king, this right was addressed specifically on more than one occasion. The law code stated that:

It is found in the law: So that the Bohemian king is elected, as it was done from ancient times, according to the customs, laws, and freedoms of the Bohemian kingdom. And when he would have been elected and come [into the land], we having already agreed that he would be king and come into the land, the highest burgrave of Prague current and future should promise (about which we would already agree) to the lords, the knightage, the Praguers, and the other cities, and all the communities of the Bohemian crown, that

³² This perspective is often repeated. For selected examples, see Jaroslav Boubín, "The Bohemian Crownlands," 177; Jaroslav Čechura, *České země v letech 1437-1526*, vol. 1, (Prague: Libri, 2010), 118-120 discusses the reasons for which King Vladislav moved his court to Buda; Petr Čornej, *Český stát v době jagellonské* (Prague: Paseka, 2012), 78-79 discusses how the Hungarian kingdom gained primacy over the Bohemian kingdom after 1490, and that King Vladislav visited Prague only three times thereafter, in 1497, 1502, and 1509-1510. Yet, although these discussions give an indication of why the Hungarian kingdom may have garnered more intensive attention (certainly before peace was reached with the Ottomans in 1495 and in preparation for the eventual end of peace, as happened in 1512), none of these discussions prove that he was not still involved in and concerned with Bohemia.

³³ His participation can be seen on at least a superficial level as the authority producing the original document or decree contained in the Vladislav Land Ordinances in the preamble, articles 2, 8, 9, 179, 187, 215, 217, 218, 231, 236, 238-240, 243, 259, 303, 304, 323, 327, 394, 429, 431-433, 437, 445, 446, 455, 462, 480, 484, 486, 488-491, 493, 496, 500, 527, and 564. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*.

³⁴ See the next section of this chapter for more detail.

the palace of Prague castle would now be readily given over to him, into his power, without resistance.³⁵

This article, which originated from an assembly in 1497, clearly reflects the role of the estates in the election of kings that was discussed in Chapter 3.³⁶ This article also makes clear reference to the events of the fifteenth century, many of which were instrumental in fomenting rebellion and the resistance to the rule of various kings.

The main goal of this article was to lay out the connection between the accession of a new king, his election, his entry into the kingdom, and his possession of the key physical symbols of the kingdom, here Prague castle. The right of all of the estates to participate in the election of the king was confirmed. After he was elected – and only after he was elected – the king would have the right to enter the kingdom and take possession of Prague castle, and thus the seat of authority in the kingdom. This connection was a clear reference to Emperor Sigismund’s unsuccessful attempt to hold Prague Castle when he had not yet been elected in 1420, but it was also meant also to illegitimate the actions of those who might wish to imitate those who had rebelled against King Albrecht after he had been elected in 1438.³⁷ The article was thus intended to increase the stability of the kingdom during periods of transition, by clearly laying out the protocol to be followed.

A few articles later, the Vladislav Land Ordinances further clarified that after the king had been elected by the estates in unison, the crown and the castle of Karlštejn would also be

³⁵ “Nalezli na právo: Aby král český volen bil tak, jakož od starodávna bylo, podle obyčeje, práva a svobody Království českého. A když by volen byl a přijel, že nejvyšší purkrabie pražský nynější i budoucí má slíbíti pánóm, rytieřstvu, Pražanóm i jiným městóm i všie obci Koruny české, o kteréhož bychom se kolivěk svolili, aby králem byl a do země přijel, aby mu zámek Hrad pražský bez odporu v moc jeho hned povolně [sic!] postúpil.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 224, #433. (Editor’s sic.)

³⁶ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 224, #433. The original document can be found in AČ V, 465-466, #51.

³⁷ For more information about both of these events, see Chapters 1 and 3.

handed over to the newly elected king.³⁸ The castle of Karlštejn held particular significance as it was the location in which many of the records of the kingdom were required to be held, although another article of the Vladislav Land Ordinances implied that the land rolls could also be kept in Prague Castle.³⁹ This article confirmed that the election of the king was the mark of his assumption of power, more so even than his coronation.⁴⁰

Despite the common presence of the king, the estates, and the assembly (if implicit), the Church and its officers appear very rarely in the Vladislav Land Ordinances.⁴¹ On the few occasions that the Church does appear, its appearances center on proving and maintaining the ownership of gifts to church institutions, and on how the possessions of the Church (particularly those given to it by the king) ought to be maintained.⁴² Moreover, the articles addressing the Church reflect the power of the king, and his relationship to the Church, rather than the rights of

³⁸ “Should the lord God deign to let His Grace the king, our gracious king, pass over into death, and should His Grace die without heirs, in that case neither the castle of Karlštejn nor the crown should be given to anyone, but rather when the lords, the knightage, the cities, and the other communities of the Bohemian kingdom should agree from one voice on a king and truly elect him, and so themselves take him as [their] lord, as it was done since ancient times according to the customs, laws, and freedoms of the Bohemian crown. Then immediately and first we promise and we should give over the crown without any impediments to the lords, the knightage, and the cities.” “Pakli by pán Buoh na krále Jeho Milost, pána našeho milostivého, smrt dopustiti ráčil, že by Jeho Milost bez dědicuov umřel, tehdy zámku Karlštejnu nemáme žádnému postupovati ani koruny vydávati, než když by se páni, rytieřstvo, města i všecka obec Královstvie českého z jenostajné vuole o krále svolili a jej skutečně volili a sobě za pána vzali tak, jakž od starodávna bylo podlé obyčeje, práva a svobody Královstvie českého; tehdy hned a najprvé máme a slibujeme korunu beze všie odpornosti pánuom, rytieřstvu a městuom vydati.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 225, #437.

³⁹ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 164, #179.

⁴⁰ The article does continue to discuss the punishment that would be inflicted if the crown and Karlštejn were still not given over, or if they were taken back, after the king’s coronation, but the coronation is presented as the latest moment by which the transfer of property should have taken place, and not as the cause of the transfer. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 225, #437.

⁴¹ Words related to the Church and its officers appear in only a few instances in the Vladislav Land Ordinances (although they also appear in a few more places in the St. Vacláv’s Day Agreement): article 34 (Pope), 98 (church building, spiritual institution), 207 (church building), and 486 (archbishop, spiritual institutions). Kreuz and Martinovský, *Vladislavské Zřízení Zemské*.

⁴² Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 133, #98; 240-241, #486.

the Church itself.⁴³ The Vladislav Land Ordinances regulate the behavior of the clerical estates on only one occasion, and even this regulation only goes so far as to require them to abide by the wording of the records of their privileges.⁴⁴

Unlike the Church, the land court and the land rolls are ubiquitous throughout the Vladislav Land Ordinances.⁴⁵ In many instances, the terms are used simply to refer to the origin of the article (i.e., a ruling of the land court), but in a few places the roles of these institutions are clarified.⁴⁶ Although to some extent the articles of the Vladislav Land Ordinances are presented unsystematically, with various topics appearing in many places, both sixteenth century manuscripts and modern editions include section titles, and in some places the manuscript titles

⁴³ This can be seen in article 98: “It is undeniably found in the law: All the gifts or reprieves of His Grace the king, [given] by His Grace the king to the clergy, to the churches, to the convents, to the alters, to the chaplaincy, and to each cleric for the community – do not put those things into any register without the secretary of His royal Grace; and this is also true for the *dědinnici*.” “Nalezli vuobec za právo: Všescka dáníe krále Jeho Milosti neb jakéžkoli milosti od krále Jeho Milosti k duchovenství, k kosteluum, k klášteróm, k oltářóm, k kaplanství i každému duchovenství k obci, ty věci se do žádných desk bez relátora od Jeho Milosti královské nekladou; i ni také dědinikuom.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 133, #98. A *dědinnik* was a person of free, inheritable noble status, subject only to the king, whose status was granted by an edict from the king and included the right to crest; people of this status would use the name of their village as their surname. The term does not appear in Josef Macek, *Jagellonský věk v českých zemích, 1471-1526: Volume 2 Šlechta* (Prague: Academia, 1994), nor in Petr Mařa, *Svět české aristokracie: 1500-1700* (Prague: Nakladatelství Lidové noviny, 2004), but Jan Gebauer, “*dědinnik*,” *Slovník staročeský*, vol. 1: A-J (Prague, 1903), accessed August 4, 2018, <http://vokabular.ujc.cas.cz/hledani.aspx>, does include the above definition. An archaic word for village is *dědina*, and this could be a derivative term.

⁴⁴ “Rather while this is being specifically stipulated that all the clerical estates each have to behave according to the records and edicts of each individual, as they have them either from the emperors, from the kings, and also from His Grace the king, our lord, or they will have it as an inheritance of the future kings. That each should stand by this, as long as he shows his record from his grace or he will show [his record] from the future kings; either for the lives or for the amounts of each, they should stand by it, according to the wording of his record.” “Než toto jest přitom znamenitě vymieněno, že všichni duchovní stavové každého mají zachovati podlé zápisuov a majestátuov jednoho každého, ješto je mají bud’ od ciesařuov, od králuov I od krále Jeho Milosti, pána našeho, aneb nápaduov of budúcích králuov mieti budú. Každý zuostaň při tom, pokudž zápis jeho od jich milostí ukazuje aneb napoto ukazovati od budúcích králuov budú; bud’ na životy neb na sumy každý podlé znění svého zápisu zuostati má.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 240-241, #486.

⁴⁵ The land court appears in the preamble to the Vladislav Land Ordinances, as well as in articles 1-3, 5, 7-9, 12-13, 17-20, 25-28, 34, 41, 70-71, 99, 105, 117, 140, 168, 170, 183, 186, 188, 194, 205, 219, 222, 230-231, 251-253, 256-258, 265-266, 278, 297, 301, 312, 320, 322, 394, 401, 403, 407, 428, 431-432, 439, 442, 445-448, 451, 459, 462, 466-467, 483, 486, 501, 506, 508, 514-515, 523, 525, 531, 559-560, 564, 567-568, and 570. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*.

⁴⁶ Sources included both the land court and the lesser [land] court. The lesser land court dealt with issues concerning smaller value disputes and the lower nobility.

indicate the source of the articles.⁴⁷ The Vladislav Land Ordinances begin with articles concerning the land court. Following the introductory article, the next sixty-nine articles fall under the subtitle “Vo soudu” or “about the court.”⁴⁸ While some of these articles branch out to include other topics as well, they frequently return to the topic of the land court. A wide variety of other sections in the law code, all much shorter than this introductory section, also receive titles, and beginning with article 154 these subtitles occur frequently, and seem to match closely with the topics of the articles contained within their sections.⁴⁹

The Vladislav Land Ordinances also address the land rolls, although the treatment of these records seems primarily to concern the request and issuance of confirmations sent out from the records contained therein, as well as the registration of laws, decisions, and other records in the land rolls.⁵⁰ Aside from regulating the issuance of records from the land rolls (for example, requiring that such records be sealed with red wax) and the fees to be paid for such records, most of these articles are not particularly relevant here.⁵¹

The estates appear in passing throughout the Vladislav Land Ordinances, much as the king is consistently a background presence. In addition to particular articles addressing the treatment and status of Jews and foreigners, a few articles treat the estates in particular, or their

⁴⁷ For an example, see the digitized manuscript available from the Historické knihovní fondy, Moravská zemská knihovna in Brno, signature MK-0000.065. The title is first found on folio 4r, and continues periodically for dozens of folia. <http://www.digitalniknihovna.cz/mzk/view/uuid:a6663320-04f5-484a-b414-a929ca047e5e?page=uuid:b936ee5f-317c-4535-b0ab-165dd3a1f135>. See also Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 108-110.

⁴⁸ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 108.

⁴⁹ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 147.

⁵⁰ The land rolls appear in articles 2, 16, 18-19, 117, 165, 171, 175, 182, 259, 297-298, 304, 313, 319, 364, 378, 381, 386, 397, 442, 451, 455, 490-491, and 500. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*.

⁵¹ The stipulation that these records should be sealed with red wax can be found in article 390. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 210, #390.

relations with each other and with the king.⁵² In particular, articles #237-242 define the estates in various contexts, and article #493 addresses interactions between the estates and the king.⁵³ The shorter articles (articles #237-242) address specific rules for members of the estates, and definitions of what offices those members should hold and how.⁵⁴

The Vladislav Land Ordinances do become more specific when discussing the privileges of the various estates, and the circumstances in which these privileges might be changed or reduced.

It is undeniably found in the law: It was specifically stipulated, that if the lordly and knightly estates would agree about this for whatever reason, since this promise was contrary to the law and the freedoms, or grants, of the Bohemian kingdom, or contrary to the freedoms and privileges of whichever of the members of these estates, then if one or more of them should resist what was agreed, they should not be pressured in any way to agree to anything against their freedoms, unless from their own good will they would freely want to do so. If there would be an argument about this, about these their freedoms, then His Grace the king and the future Bohemian kings have to distinguish and judge between the parties in the Bohemian lands, and none other.⁵⁵ And so that he would not be denied these [rights and freedoms] until the judgement is made, if anyone should request anything from His royal Grace or from any kind of privilege or freedom, and it would be against our ancient rights and freedoms and privileges, [or those] of any of the above-written estates, then it must be turned into nothing. And also the same is true for the estate of the cities in this agreement, that they would not be deprived of these [rights and freedoms].⁵⁶

⁵² Jews are addressed in article 571, and foreigners are addressed in article 429. Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 221 and 263.

⁵³ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 178-179, #237-242; 244-245, #493.

⁵⁴ For example, article 241 states that “It is undisputably found in the law: that no two offices of the kingdom, whether lesser or greater, should be held by any person from the lords or from the knightage.” “Nalezli vuobec z právo: Že z pánuov ani z rytieřstva aby žádný dvů úřaduov zemských nemieval menších ani větších.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 179, #241.

⁵⁵ The Czech reads “a jinde nic,” or “and nowhere nothing,” which I have rendered as “and none other.”

⁵⁶ “Nalezli vuobec za právo: toto se znamenitě vymieňu je: Jestliže by se panský a rytieřský stav z jakéžkoli příčiny oč svolily, ješto by to svolenie proti právéma svobodám aneb obdarování Královstvie českého bylo aneb proti svobodám a výsadám kteréhožkolivěk jeho obyvatele z stavuov těch, tehdy proti tomu svolené jestliže by se jeden nebo viece jich zepřeli, nemají k tomu tištění býti žádnú měřú, by proti svým svobodám měli to jemu svoliti, leč z dobré vuole a svobodné budú to chtieti učiniti. Pakli by o to pře byla, o ty jeho svobody, tehdy král Jeho Milost i budúci králové čeští mají to rozeznati a rozsúdití mezi stranoma v Čechách, a jinde nic. A on aby od toho utiskán Milostí neb na budúcích králiech českých jakú sobě výsadu aneb svobody, ješto by proti našim starodávným právóm a svobodám a výsadám bylo, kteréhožkoli stavu svrchu psaného, to má v nic obráceno býti. A též dotýkalo-

The rights and privileges that had already accrued to each of the estates are presented here as sacrosanct. This article indicates, essentially, that without unanimous agreement from all of the members of the estate, that estate's privileges could not be reduced, as any member of the estates would have the right to challenge the diminution before the king and the king would be bound to overturn the law abridging their rights. This clause was central to affirming, and by some measures increasing, the rights of the (two noble and one municipal) estates in comparison with the Church and the monarchy.

The Vladislav Land Ordinances was the first codification of the law in the kingdom of Bohemia, and while it was extensive, it did not address all topics or institutions equally. The law code addressed the Church only very briefly, and left matters of religious practice largely unaddressed. Rather, it upheld the institutions of the land court and land rolls – largely by relying on the documentation of both institutions – and regulated the affairs of the estates and the monarchy (also relying on the authority of both of these institutions to do so). Yet, the roles that the Vladislav Land Ordinances granted to the monarchy, the assembly, and the estates varied widely.

The Cities and the New Law Code

As many of the articles of the Vladislav Land Ordinances originated in the laws and decrees promulgated by the assembly, and the code itself was authorized, approved, and promulgated by men meeting in an assembly, it is only natural that many of the articles would refer clearly to the assembly. It is worth noting that throughout the Vladislav Land Ordinances,

li by se co stavu městského v tom svolení, že od toho nemají tisknuti býti.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 179, #244-245, #493.

the word *sněm* is consistently used, while the word *sjezd* does not appear until the 1517 amendment known as the St. Wenceslas Agreement.⁵⁷ Yet, although the assembly was frequently referred to, most of these references were made merely in passing.

In addition to referring to the assembly generally, the Vladislav Land Ordinances contained a number of articles related in particular to the privileges and obligations of the estates of the cities at the assembly.⁵⁸ In general, the Vladislav Land Ordinances were a clear codification of the common law. Yet, as with similar attempts, the context and consequences of some provisions were changed in unobtrusive ways.⁵⁹ The status of the cities and communities in the Bohemian kingdom was more or less maintained until the final article of the law code, article #576, which drastically reduced the authority of the cities.

This final article encapsulated the core issue in a bitter dispute that lasted until the conclusion of the St. Wenceslas Agreement in 1517. It clearly asserted that the cities were only able to participate in decisions that related directly to the cities, and that otherwise the only votes would be held by the upper and lower nobility:

⁵⁷ The *sněm* appears in the preface to the Vladislav Land Ordinances, as well as articles 2, 7, 26, 27, 47, 100, 170, 179-181, 205, 236, 237-241, 248-250, 253, 256, 257, 259-262, 280, 299-301, 303, 309, 313, 404, 406, 428-429, 431-432, 436-437, 441, 444, 446, 463-465, 481, 485-486, 490-492, 494, 496, 556, 558-561, 564, 570-571, 573, 576. The *sjezd* first appears in article 39 of the St. Wenceslas's Day Agreement.

⁵⁸ Many of these articles do not concern the topics discussed here – they simply codify or define payments of various types, or the relationships between and among cities and nearby institutions such as monasteries. Examples include Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, articles #132 (about cloisters and mayors), #165 (about markets and payments), #168 (taxes and payments for offices), #175 (about payments), #181 (inheritance in cities), #290 (city rights in nearby lands), #390 (what should go before the land court and the fees), #393 (prices for the chamber court), #394 (confirmation of Prague's separate laws and courts), #447 (criminals who go through cities), #473 (king's rights concerning fairs, markets, and fortresses), #480 (inheritance for all of the estates), #485 (cities, towns, lords, and *vládyci* can have markets according to custom), #555 (taxes on noble and city estates), #556 (foreigners buying horses in cities), #557 (city rights in environs), #559 (pubs and wine rules for each estate).

⁵⁹ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 478. A similar shift in the emphasis of the laws took place after a fire in Prague Castle in 1541 destroyed all but one volume of the land roll records. Jaroslav Pánek, "The Czech Estates in the Habsburg Monarchy (1526-1620)," in *A History of the Czech Lands*, 198.

It is established undeniably in the law: that the lords and knightage in these books, which stand written above, are established and affirmed in the law, and they should not be altered by any person without the assenting vote (*hlasu*) of the lords and knightage, because the lordly and knightly estates always had the resolve (*vuoli*) and freedom to enact and carry out their laws. And also still both of these estates would reserve for themselves their freedoms, as in any case what these two estates should assent to at the general *sněm*, they would have the authority to enact and carry out [as] the law. Whatever agreement might be made by the land court or the other courts, they would have the power to establish, get involved in, and carry out the law, as it was since ancient times. Whatever is written in the above-written books that should relate to the estate of the cities, should they help with some of the articles, then they [these articles] should not be enacted and carried out without their third vote (*hlasu*).⁶⁰

This article insists on the immutability of the power of the upper and lower nobility – completely ignoring the clergy – and of their vital role in carrying out the law. In so dismissing the role of the cities and relegating them essentially to the position of specialists in matters related to the cities, the nobility was ignoring nearly a century of institutional development. Particularly as there was no exception to allow even the participation of Prague, this article was not descriptive, but rather prescriptive.

It is worth noting that this article does not seem to support one religious group over another. Nowhere are distinctions made based on religion. Although leading Utraquist cities such as Prague and Kutná Hora were not made exceptions, neither were Catholic cities such as Plzeň. Indeed, as both religious groups were represented in both the upper and lower nobility, and the rights of these groups to enact laws were confirmed, the Vladislav Land Ordinances seem to have upheld the principles of the Peace of Kutná Hora.

⁶⁰ Nalezli vuobec za právo: že páni, rytieřstvo v těchto knihách, což nahoře psáno stojí, za právo sú nalezli a utvrdili a tiem hýbáno nemá býti od nižádného člověka bez svolenie hlasu panského a rytieřského. Než panský a rytieřský stav měl jest vždycky vuoli a svobodu práv svých přičiniti aneb ujeti. A též ještě sobě oba dva stavové svobodu pozuostavují, oč by se kolivěk ta dva stavy na obecniem sněmu svolily, budú moci práva přičiniti aneb ujeti. A též o soudu zemském aneb u jiných souduov oč by se svolili, že budú moci za právo ustaviti, přičiniti neb ujeti, tak jakož od starodávna bývalo. Než což by v nahoře psaných knihách psáno bylo, ješto by městského stavu se dotýkalo a oni by také toho některého artikule pomáhati měli, také bez jich třetieho hlasu nemá se přičiniti ani ujímati.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 266, #576.

Yet, this final article contradicts the participation of the cities as recorded in many earlier articles within the Vladislav Land Ordinances. In addition to divisions specifically referring to cities as decision-makers, article #492 refers to decisions made in Pressburg the preceding November, with all forty royal towns in attendance, and regulates the interactions of the various estates at the assembly.⁶¹ This article reads:

It is established undeniably in the law: what relates to the votes (*hlasuov*) in general matters of the lords and the knightage and the Royal Bohemian cities in the presence of His Grace the king: for these, we, each and every [man] for himself, approaches and consents to what would in the future bear upon the general good; and for such things, they should set the public (*valní*) general *sněm* so that the poor and the rich could [all] go to such *sněmy*. And what would be here concluded freely, this would be kept by all. And then, that should someone from whichever estate stand apart before not agreeing or not coming to this *sněm*, this would not be to the detriment of the general assent.⁶²

This example alone, concluded just a few months before the Vladislav Land Ordinances were printed, indicates clear precedent for the right of the cities to participate as an estate in any public assembly that took up matters related to the common good – which is to say, most matters. The cities are not here limited to participation in matters touching themselves, but are instead acknowledged as rightful participants in a wide variety of decisions. Yet, the upper and lower nobility claimed that this right had never been formally granted, and the cities could not easily prove otherwise.⁶³

⁶¹ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 45-51; 479; 244, #492; AČ V, 496-516.

⁶² “Nalezli vuobec za právo: Kterěž se jest mezi pány a rytieřstvem a městy Královstvie českého v přítomnosti krále Jeho Milosti, což se hlasuov dotýček obecním věcem; kterémuž přistupujem a svolujem každý sám za se, což by se obecního dobrého budúcně jednati mělo; a na takové věci aby sněmové obecní valní pokládání byli tak, aby na takové sněmy chudí i bohatí jeli. A což by tu z svobodné vuole zavřieno bylo, to aby držáno bylo ode všech. A by pak z kteréhožkoli stavu niekoľiko osob se vytrhlo, k tomu že by nesvolovaly aneb že by na sněm nepřijely, to aby obecnímu svolení ke škodě nebylo. V kvaternu trhovém léta etc. [14]99 v pátek o suchých dnech adve[n]tních.” Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 244, #492. This sentiment is expressed in the following year in Aktová Sbíрка AMKH kart. 3 #1, František Palacký *Archiv Český*, vol. VI (Prague, 1872), 227, #7 (hereafter AČ VI).

⁶³ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 479-480.

The article continues with a clause the full meaning of which is not clear until it is examined in conjunction with article #576. The last clause specifies that the absence of a member, or members, of one or more of the estates would not negate actions taken by an assembly. This could be seen as a rule intended to ensure the function of the mechanisms of government, even in the face of the absence of key lords or the separation of parties attempting to hold their own party assemblies, as happened in the 1440s.⁶⁴ It would also, however, provide a justification for the exclusion of the cities – whose voice, they might argue, perhaps could consent to the general good on occasion, but whose attendance or lack thereof would not affect the regular functioning of the assembly.

All of the royal cities, as well as the king, had attended the 1499 *sněm* in Pressburg, at which the final acts to be included in the Vladislav Land Ordinances were produced.⁶⁵ The following year, an assembly was held without the cities, and the upper and lower nobility asked that the Vladislav Land Ordinances be accepted and printed – only afterward drawing attention to the diminution of the power of the cities.⁶⁶ A number of assemblies were set for 1501, at least partially in response to the outcry produced by the limits placed on the participation of the cities in decisions regarding the affairs of the kingdom.

Letters that King Vladislav sent to the mayor and council of Kutná Hora in the first years of the sixteenth century provide an idea of who attended these assemblies and why. On July 14, King Vladislav informed the leaders of Kutná Hora about a *sněm* that was set for July 25, as well

⁶⁴ Indeed, this clause had precedence in warnings given to those delaying the assembly in the 1440s. The frequent postponement of the assembly and the absence of *hejtman* Oldřich of Rožmberk in the early 1440s is addressed in Chapter 3, while the party assemblies of the later 1440s are the subjects of Chapter 4.

⁶⁵ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 479.

⁶⁶ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 479-480.

as a *sněm* in Prague on November 30.⁶⁷ In this full page letter, King Vladislav expressed interest in the concerns of the representatives of the city of Kutná Hora and urged them to air these concerns before assemblies to be held in summer and fall, regretting that his obligations elsewhere precluded his attendance – but leaving open the possibility of his attendance at an assembly the following year.

King Vladislav and the city of Kutná Hora also communicated with each other some months later, when the king invited the representatives of the city of Kutná Hora to attend an assembly in early 1502 or 1503.⁶⁸ This very short invitation was addressed “To the honorable consuls and councilors of Kutná Hora, to our dear faithful [men].”⁶⁹ It announced to Kutná Hora:

We are letting you know that the general *sněm* of the whole kingdom [will be] on the first Sunday of Lent; therefore, we set this time, that you would choose people from among yourselves and that you would send them to this *sněm*, with full power, for the whole deliberation and also for our and the kingdom’s other needs, where there will be nothing hidden from you [on account of your having] sent our councilors and messengers to this *sněm*.⁷⁰

Although it was not uncommon to note that nothing would be hidden, this phrase had particular significance in this context. As the most important change of the Vladislav Land Ordinances, the

⁶⁷ Aktová Sbirka AMKH kart. 3 #35. The invitation includes a medium-large red wax seal on the outside, and minimal wear except on the folds of the paper.

⁶⁸ This document was dated by the archivists as having been sent on January 13, 1502, but the document clearly states that it was “given in Buda on the Octave of the Epiphany in the thirteenth year of our reign in Hungary, but in Bohemia the thirty-second,” which would mean that it was sent in early 1503, for a *sněm* to be held during Lent 1503, and not for the *sněm* from which the representatives of Kutná Hora walked out. “Data Bude in Octava Epiphanie. Anno Regnorum nostroru[m] Hungarie tredecimo Boemie uero Tricesmiostrou.” Aktová Sbirka AMKH kart. 3 #35. The history of this collection is not available, as the catalog is not published and is only available as a working document in digital form, without all the appurtenances that would be contained in a true catalog.

⁶⁹ “Pocztiwym sseffmistruom a Consseluom na horach Cuthnach wiernym nassim milym.” Aktová Sbirka AMKH kart. 3 #35. See Figure 19.

⁷⁰ “Wiedieti wam dawame ze sniem obecnni wssemy kralowstwie w prwnii Nedieli w puostie gsme polozili protoz k tomu czasu osoby z sebe wybrwcz abysste na hrad prazsky k tomu sniemu s plnu mocy ke wssemu gednaniu y take k ginym potrebami nassim a kralowst[wie] toho wyslali kdez was o tom skrze rady a posly nasse k tomu sniemu wyslane tayno nebude.” Aktová Sbirka AMKH kart. 3 #35.

limitation of the participation of the cities in the assembly, had been kept secret, it is evident that this promise was not simply a trope, but an actual promise – even if it was made when the “secret” matters had already been enshrined in the law, and so could not be easily changed.

The frequent assemblies continued. King Vladislav also wrote “to the honorable mayor and councilors of the city of [Kutná] Hora, to our dear faithful [men]” on the fourth day of Easter 1502 (March 23).⁷¹ The document asks that Kutná Hora send some of its elders from the city to him on the “field of Prague,” in order to treat about the feuds between the estates. It seems that the representatives from Kutná Hora had walked out of the assembly without the king’s permission, giving great offense. King Vladislav wrote to Kutná Hora:

And let it be known to you that we had to talk to them about many urgent and needed matters, which also relate to our and the common good, and we ordered them not to go anywhere, and thus tomorrow they should be standing before us to hear these concerns ... and having spurned us in this matter, they withdrew and went away and willfully slighted us; yet, we don’t believe that they did this according to your will and order.⁷²

These concerns were a continuation of the many concerns discussed the previous year. Since the meeting was taking place to discuss existing disagreements between the estates, it is safe to assume that the unpermitted exit of the representatives of the second city of the kingdom was related to either an insult to Kutná Hora in particular, or to the status of the towns more generally. These disagreements focused on the relationship between the different estates, or at least were magnified by differences between the estates in the wake of the promulgation of the

⁷¹ “Poztiwym purgmistru a consselom miasta hory wiernem nassy milym.” Aktová Sbíрка AMKH kart. 3 #42; AČ VI, 269, #21.

⁷² “Y wiezte ze gsme my k n[im] gmlieli wo mnoho pilnych a potrebných wieczy kterez se obecnie[h]o dobre[h]o y nas take dotykali mluwiti rozkazewsse gim aby nika[m] newodgizdieli nez jako nazagtrzie przed nimi stali a ty potreby slyssel] ... kterziz nicz se w to[m] na nas newohledsse yakz se zdwihli tak precz tahli a nam takowou lehkost swowolnie vcznili kdez my to[mu] newierzime aby to mieli vcziniti z wuole a rozkazanie wasse[h]o.” Aktová Sbíрка AMKH kart. 3 #42; AČ VI, 269, #21.

Vladislav Land Ordinances, and the disagreements were expected to be hashed out with the king at Prague.

King Vladislav did not immediately seek to punish the city of Kutná Hora or its leaders for the actions of their representatives, but he did demand immediate redress: “[we are] asking you to regret this great slight [which you paid] us, which was willfully done to us, and so you will treat them as if they acted from their own will, so that we know that you have remorse, and that you did not intend to slight us in this way.”⁷³ King Vladislav called new representatives from Kutná Hora to the assembly to continue the discussion for which it was called, but he also demanded that the leaders of the city disavow the action of their representatives. The king’s demand for attendance by the city of Kutná Hora is not out of line with the limited participation suggested by article #576 of the Vladislav Land Ordinances, but nonetheless confirms the right of the cities to participate. Indeed, it would have been easy for the king to disallow further participation from Kutná Hora, but their recall implies that their consent was at least valuable, if not required.

No further indication exists in the archive of the city of Kutná Hora of the outcome of this summons, but the fact that representatives of Kutná Hora were again invited to attend an assembly the following Lent is an indication that any disagreement between the representatives of Kutná Hora and the king was worked out, or at least was not as important as the presence of representatives from Kutná Hora at the *sněm*. This invitation also confirms the continued participation of Kutná Hora in the *sněmy*.

⁷³ “Zadagicze na was ze wto[m] gmieta budete yakzto k swewolny abychme znali ze nas wto[m] litugete a ze g[es]t ta wuoli wasse nebyla kteru gsu na[m] lehkost vczinili takowe lehkosti nassie kteruz gsie na[m] swewolnie vcziniti litowati a tak se k ni[m].” Aktová Sbirka AMKH kart. 3 #42; AČ VI, 269, #21.

The Vladislav Land Ordinances stated that the cities did not have a voice in the assembly except in matters related to the rights of the cities, and yet the assemblies called in its immediate aftermath show that regardless of the articles in the Vladislav Land Ordinances, the cities' participation and consent were still vital to the regular functioning of the assembly. Custom had developed to include the cities as key political and economic forces. Because this custom had developed when there was no king, or there was a king whose authority and legitimacy were challenged, this custom had never been formalized. Because this custom was never formalized, the upper and lower nobility could make the argument that they could find no proof for it in the records kept at Karlštejn.⁷⁴ Yet, the king and assemblies' own actions show how empty this argument had become.

The Relative Authority of Different Assemblies

The records from the last quarter of the fifteenth century also hint at the different types of assemblies that took place, and how they fit into the other institutions that asserted themselves in this period, specifically the monarchy. The assembly was, for much of the fifteenth century, the main source of law in the kingdom – particularly before the stabilization of King Vladislav's reign in 1478 and the reestablishment of the land court in 1485. Thus, in the administration of the assembly we can see the clash of authority between the assembly, the estates that comprised it, the monarch, and eventually the law code that sought to regulate all of these institutions.

The highest form of assembly was the general assembly. This name could apply to a general assembly of the whole of Bohemia – as discussed in Chapter 4 – and to the more rare assembly including representatives from the other crown lands, as well as very occasionally

⁷⁴ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 477.

including the other lands ruled by a particular king of Bohemia. In addition to the general assembly, there are a variety of assemblies called under various names: *sněm*, *sjezd*, or, more occasionally, *rok*. Moreover, assemblies of individual parties were sometimes called, as were assemblies of a few specific regions. Understanding the different meanings that these assemblies took on, and how the cities and other estates participated in them, allows us to understand more clearly the function of the assembly in the kingdom.

The most general type of assembly was an assembly of multiple domains held by multiple rulers.⁷⁵ The term might also refer to a general assembly of the Bohemian crown lands, in contrast to assemblies of the various principalities. Finally, it might refer to a general assembly called just for the kingdom of Bohemia, without the crown lands, in contrast to the regions within the kingdom. Scholarship has tended to posit this last understanding of the term general *sněm*, but little evidence remains of these sorts of regional assemblies, except for occasional meetings of the *sjezd* of the Čáslav region.⁷⁶ As examined in Chapter 4, the different groups more often met as parties divided for reasons separate from geography.⁷⁷ Indeed, regional administrative structures existed, and had since the start of the interregnum in 1440, but their meetings were not referred to as assemblies, although it seems that some scholars may have conflated the two.⁷⁸

⁷⁵ Examples of this are discussed in chapters 3 and 4, in which Emperor Frederick called assemblies that included representatives from Bohemia, Hungary, Austria, and even the Empire. He ruled only the Empire and was a guardian for his nephew, who was heir-presumptive to the kingdoms and ruler of Austria. Emperor Frederick II was the second cousin of King Ladislaus's father. Rill, *Friedrich II*, 32.

⁷⁶ Two of the very rare examples of a *sjezd* of the Čáslav region include Aktová Sbíрка AMKH kart. 1 #76 (1472) and Aktová Sbíрка AMKH kart. 2 #154 (1479).

⁷⁷ See Chapter 4 for a detailed analysis.

⁷⁸ Kenneth Dillon, *The King and Estates in the Bohemian Lands, 1526-1564* (Bruxelles: Editions de la librairie encyclopédique, 1976), 47, explicitly refers to district captains (*hejtmany*) being elected, although this is not born out in the evidence from the fifteenth century.

Throughout the three treaties drawn up in 1478 to end the civil war between King Vladislav and King Matthias, a variety of words were used to describe the general assembly in Olomouc at which the final peace would be concluded. In the Brno treaty, the meeting is described both as an *obecný sněm* (general *sněm*) and a *sjezd*, while in the Buda treaty it is described as a *sjezd*, and in the Olomouc treaty, the few references made to the meeting appear as *sněm*.⁷⁹ Despite the fact that only one of the three treaties described the meeting as an *obecný sněm*, the participation of attendees from all of the lands is clearly evident in the list of men who issued the Olomouc treaty, making it a general assembly. This provides an example of how the name of an assembly did not define it, but rather it was defined by the participation within the assembly.

Amidst the conclusion of the peace treaties in 1478, other negotiations were taking place within Bohemia. An invitation was sent by three of the highest Bohemian officials in the name of the king to invite the city of Kutná Hora to send delegates to a *sněm* of all sides, to be held in Prague on August 10, 1478.⁸⁰ In addition to whatever discussions were planned concerning the peace treaty with King Matthias, the invitation also indicates that this assembly would take up the “urgent and significant” matter of taking communion under both kinds.⁸¹ This assembly is described as having been called on account of “the petition of the honorable masters and priests,

⁷⁹ For examples in the Brno and Buda treaties, see František Palacký, *Archiv Český*, vol. V (Prague: V Kommissi u Knihkupce Fridricha Tempského, 1846), 483, 484, 486, 491-494. The following examples appear in the Olomouc treaty: “One well-known *sněm* was held in the city of Olomouc,” “držán byl jeden slavný sněm w městě Olomúci,” AČ V, 383, #13; “at the already mentioned Olomouc *sněm*,” “na již řečeném sněmu Olomúckém,” AČ V, 383, #13; “to schedule the *sněm*,” “sněm položiti,” AČ V, 385, #13.

⁸⁰ This invitation bore the names of three of the highest men in the land: Jan of Janovic and Petršpurk (Petrahrad), Highest Burgrave of Prague; Jan Tovačovský of Cimburk and Boleslav, highest judge of the Bohemian kingdom and *hejtman* of the Boleslav region; and Samuel of Hrádec and Valešov, sub-chamberlain of the Bohemian kingdom. “Opatrym panom ssephmistrom a Raddie na horach Cuthn[ach] pretelom nassim milym.” “Jan z Janowicz a z Petrsspurka, naiwyssy purkrabie prazsky; Jan Towaczowsky s Czimburka na Boleslawi naiwyssy Sudy kralowstwy Czeskeho a haitman krage Boleslawsekeho; Samuel z hradku a z Waleczowa, pod komorzy krakowstwi Czeskeho.” Aktová Sbirka AMKH kart. 1 #147.

⁸¹ “Pilne a znamenite.” Aktová Sbirka AMKH kart. 1 #147.

and also the noble, brave, illustrious, and prudent lords, knightage, and the cities of our party.”⁸²

This letter does not indicate any expectations that a local assembly would take place before the *sněm*, whether to choose representatives for the *sněm* or for any other reason. The consul and councilors were clearly deputized to choose who might represent the city of Kutná Hora, and they were not asked to share this representation with any other cities. Indeed, the post-script indicates that the local lower nobility and even *zemané* of undetermined status could attend the general *sněm* for themselves. Should the local lower nobility chose to send representatives rather than each coming individually, this was in no way formalized or mandatory. The plea that they issued included a request for the leaders of the city of Kutná Hora to invite the neighboring lower nobility also indicates that while there were formal distinctions between the estates, these distinctions did not preclude cooperation, and indeed perhaps even invited it.⁸³

This letter also provides an example of the participation of all three estates: members of the upper nobility issued to a key royal city an invitation to the *sjezd*, and the city was in turn asked to send its own representatives and to invite members of the local lower nobility. This

⁸² “K prosbie pocziwych mistruow a kniezy y take vrozenych statecznych slowutnych a opatrných pannow rytierzstwa y miest strany nassie.” Aktová Sbíрка AMKH kart. 1 #147 In this situation, the phrase “our party” is further glossed with the explanation “who, according to our beliefs, take the body and blood of Jesus Christ in both kinds, so that a general *sněm* of our whole party (*strana*) would be called in Prague on the first upcoming Day of St. Lawrence [August 10], and it [is being held] for the honor and glory of God almighty.” “Kterziz z wiery przyimame tielo a krew pana Gezissie Krysta podobogi z puosobu raczil gest k tomu powoleny dati aby polozen byl sniem obecany wssy strany nassie w Praze na den S. Wawrzincze naiprwe przissa a to na przed pro czest a Chwalu pana Boha wssemohuczih.” Aktová Sbíрка AMKH kart. 1 #147. The invitation was addressed “to the prudent lords, the consul and councilors on Kutná Hora, our dear friends;” “Opatrnym panow ssephmistrom a Raddie na horach kuthnach przetelom nassim milym.” Aktová Sbíрка AMKH kart. 1 #147

⁸³ “That you could let know about these matters whosoever from the knightage and from the *zeman* who is favorable to the law of God and the holy truth; since perhaps they were not notified by this special letter of ours in this matter, we trust that you will make this matter known to the others, because we do not have information we need to notify many about this purpose, and so that they do not miss [the information].” “Kterebysstekoli z Rytierzstwa a z zeman mohli wiedieti k zakonu Boziemiu a k swatym prawdam gehu przichilne gessto by snad zwlasstnim listem nassim nebyli w teto potzebie obeslani wierzmiet’ wam ze giny tu wich znati date atby toto sie nezmessekwali neb my mnohouch swiedomi negsme kterebychom kte potrebie zegmena obeslati mieli.” Aktová Sbíрка AMKH kart. 1 #147.

sněm concerned participants from Bohemia, as the other crown lands were in the process of being separated from the kingdom. Yet, the Bohemian *sněm* was clearly, by its timing, intended to accompany the general *sněm* that would take place a few months later and would include participants from not only Bohemia, but also the other crown lands and Hungary.

The following December, King Vladislav Jagiellon himself called a regional *sjezd* on January 10, 1480, one of the few examples we have of this type of assembly. He invited the “prudent consul and councilors at Kutná Hora” to attend a “*sjezd* of the Čáslav region.”⁸⁴ For the king to call a meeting of a regional *sjezd* is somewhat incongruous with how the assemblies are portrayed in the literature.⁸⁵ One of the changes that scholars often claim was made by King Ferdinand was his 1528 prohibition on regional assemblies meeting without the express permission of the king, indicating that these assemblies previously met without such authorization.⁸⁶ Yet the extant records, largely for the Čáslav region, indicate that on the rare occasion that a regional assembly met, it was often called by the king or one of the leading men of the kingdom who functioned as governors.⁸⁷ Pánek also suggests that assemblies of all of the

⁸⁴ “Opatrnym Ssephmistrom a Raddie na horace Cuthnach wiernym nassim milym.” Aktová Sbíрка AMKH kart. 2 #154.

⁸⁵ This portrayal is common throughout the literature. One example can be found in František Šmahel’s assumptions in “The Hussite Revolution (1419/1471),” in *A History of the Czech Lands*, 164, concerning elections and regional groups in the 1440s. Other examples can be found in Boubín, “The Bohemian Crownlands,” 178, when he discusses representation at the “Land Diets,” and Pánek, “The Czech Estates,” 192-193, where he discusses representatives of Bohemia and the involvement of the Crown Lands in elections in a way that is counter to what I have proven in this dissertation.

⁸⁶ For a description of regional assemblies in the late 1520s that gives them a far more important position than that which appears in the fifteenth century documents, see Dillon, *King and Estates*, 47-48. Pánek, “The Czech Estates,” 198-199, also relies on this interpretation, using Ferdinand’s restriction of the right for regional assemblies to meet without his express permission to show that he was taking a more heavy-handed approach to his administration in Bohemia than had his predecessors, but this really relies on assumptions about how the assembly and administrations had functioned under the Jagiellonians.

⁸⁷ Pánek refers to the “Great Councils of Burghers,” but I have not seen evidence of these for the fifteenth century. Pánek, “The Czech Estates,” 198-199. Dillon claims that these district *sjezdy* had played a significant role in the administration of the kingdom, but again there is little evidence for this in Bohemia in the fifteenth century. Dillon also claims that they were able to elect the district captains (likely the *hejtmany*), but these *hejtmany* were initially appointed and only rarely if ever elected. Dillon, *The King and Estates*, 47-48.

significant cities met, and that Ferdinand also prohibited these, but while this may have been true in the sixteenth century (after the Vladislav Land Ordinances limited the regular participation of the cities in the traditional general assembly), it was not true in the fifteenth century.⁸⁸ In this way, even relatively recent scholarship relies on assumptions about the appearance of “Czech” representative government in the sources, which the sources themselves rarely bear this out.⁸⁹ While Bohemia did possess a fairly robust institutional assembly, it was not necessarily representative and certainly not democratic.

Turning to the period around 1500 provides further examples of scholars reading into documents to postulate frameworks and expectations concerning the organization of the assemblies, when the assemblies themselves were far less systematized. King Vladislav sent two letters to Kutná Hora concerning the convocation of a general *sněm*, one each in 1499 and 1500. The 1499 letter was addressed to the Čáslav region, while the 1500 letter was addressed to the city of Kutná Hora directly.⁹⁰ Like his 1479 invitation for inhabitants of the region to attend the regional assembly, this 1499 invitation is one of the few extant documents to address people by region. Although it was issued for an assembly, it did not address a body seated together at an assembly within that region, but rather addressed the lords in the region as a whole, inviting them

⁸⁸ For example, see Jaroslav Pánek, “The Czech Estates,” 198-199.

⁸⁹ For a description of the “power dualism” of the “estates monarchy” in Bohemia under the Jagiellonians, see Boubín, “The Bohemian Crownlands,” 176-179. This depiction is significantly more regimented, codified, and democratic than the understanding of the institutional structure of the assembly offered by the primary sources. His description also portrays developments under the Jagiellonians as if they were distinct from those of the previous half-century, rather than part of a slow and negotiated recalibration of the balance of power in the kingdom. Pánek, “The Czech Estates,” 196-197, depicts relations between the estates and Ferdinand I at the beginning of his reign (1526-1564) as particularly antagonistic in a way that presupposes modern institutions and separation of powers. We have seen antagonism, as well as cooperation, between the estates and the ruler throughout the fifteenth century, but Pánek describes the positioning of powerful nobles (often loyal to the king) as leaders in the estates as if that were not the way in which the estates had functioned throughout the century.

⁹⁰ Aktová Sbirka AMKH kart. 2 #297/1 kart. 2 #297/2. The 1499 document was addressed “to the noble lords of the Čáslav region” and was issued “at the command of his grace the king, himself,” on August 27, 1499, in Buda. “Urozeny pa[nnuom] krage Czasle[ho].” “Ex commissione propria maiestate Regie.” Aktová Sbirka AMKH kart. 2 #297/1.

to come to Prague.⁹¹ That this document makes no references to any regional assembly is informative. Indeed, this letter was sent to a disparate group of lords within the region, while the similar 1479 invitation (referring to the Čáslav region) had been sent to the consul and councilors of Kutná Hora. In both situations, the letter was clearly addressed to those who could be entrusted with promulgating the information about the assembly to potential participations in the region – even if these trusted people changed over time.

We cannot overlook the fact that the invitation sent in 1499 was sent as the Vladislav Land Ordinances were being finalized. The assembly to which King Vladislav invited the lords of the Čáslav region would take place in Prague – outside of the Čáslav region – on October 1, and thus would precede the November assembly in Pressburg, which was attended by all three Bohemian estates and King Vladislav. Unlike most extant invitations to assemblies, this invitation specifically asks that representatives of the region be chosen and sent to Prague.⁹² While the lords were asked to choose six men from among themselves to attend the assembly in Prague, there is no discussion of the circumstances of their choosing – that was left up to them to determine. It does not seem that these men were chosen by a formal mechanism, such as a regional assembly, but rather simply at the request of the king and for a single purpose.

It is noteworthy also, as King Vladislav himself emphasized, that the men who were specifically addressed were lords; the letter was addressed neither to the cities, nor to the lower nobility, although it is now stored in the collection of the archive of the city of Kutná Hora. The

⁹¹ “So that you, the lords and also the knightage, would get together in Prague castle on the day after St. Jerome, and so that there [we are] wanting you to look into the findings on the matter.” “Aby pani y take Rytierzstwo sgela ste w tem dni po S Jerom[emu] na hrad prazsky a tu aby wto na hledli czoz sie nalezuow dotyczie wuoliecz.” Aktová Sbirka AMKH kart. 2 #297/1.

⁹² The document does continue with further specification about which of these men should attend: “from among themselves six [men] from each region, so that these [men] would get together and they would be present for such investigation.” “Wybrali gsu z sebe z kazdeho krage ssest aby sie kti[rzyz] zasu sgeli a przitakowy wyhledawani byli .” Aktová Sbirka AMKH kart. 2 #297/1.

men would be representatives of their region, and the invitation implies that the king sought the participation primarily of trustworthy men of high status who could participate in deliberations and make decisions for the rest of the kingdom. There is simultaneously a delegation of power to those representatives, and a sense that this was done for expediency and because of the men's status – rather than some sense of representative government.

A document from the following year is housed under the same call number in the collection in Kutná Hora. King Vladislav issued this paper letter to the “honorable consul and councilors in Kutná Hora, our dear faithful [men].”⁹³ While the meeting the previous year had not been specifically described as an assembly, in this letter the phrase “general *sněm*” is used, and furthermore the meeting is described as customary. “So that you, for this great and important need, and also for the many other needs, do come to Prague on the very next day of St. Jerome, and so that the following day you will come together at Prague castle according to custom.”⁹⁴ This description of the meeting as customary, coupled with clear evidence that it was held the year before, provides some of the only evidence in the extant documents for a regular meeting of the assembly. Both of these assemblies were held on the day of St. Jerome, and yet they clearly had different compositions and purposes.

If this meeting was customary, it was a new custom, and the description King Vladislav Jagiellon includes of the invitees is markedly different from who had been invited to represent the region the year before. While he had then primarily addressed the lords, mentioning the

⁹³ “Pocziwym ssephmistruom a consseluom na horach kuthnach wiernym nassym millym.” Aktová Sbíрка AMKH kart. 2 #297/2; AČ VI, 222, A. The letter bears a medium red wax seal that was cut through and removed to open the letter, and the outside bears only minimal evidence of wear along the creases. Similar to its companion letter, this letter primarily serves as an invitation to come to Prague to an assembly planned for the feast day of St. Jerome (September 30). Aktová Sbíрка AMKH kart. 2 #297/2; AČ VI, 221.

⁹⁴ “Abyssste pro takwou weliku a znamenitu poterzebu y take pro gine mnohe potrebu do prahy s sgeli na den swateho Jeronyma nayprw przisstyho a nazaytryz abyssste se na hrad prazsky podle obyceze sessli.” Aktová Sbíрка AMKH kart. 2 #297/2; AČ VI, 221, B.

knights once, here he addressed a much expanded group. This expanded group of participants arouses questions concerning what about the assembly was customary, and how that custom related to the participation of the various estates.

It will not be unknown to you [that] it was brought to our attention in the name of [by] the lords, knightage, and the Prague cities, and also the other messengers from the cities, who were together at Prague castle during the Pentecostal Ember days; for many reasons, the general *sněm* would be of tremendous need in the Bohemian kingdom.⁹⁵

This assembly clearly included the participation of a wide group of people, at least because the issues to be discussed were issues that affected the common good. The Vladislav Land Ordinances had just been issued in the summer of 1500, leading to significant complaints, as King Vladislav mentions in his invitation. It is unclear who ultimately attended the assembly, but it is clear that King Vladislav was concerned about the response to the Vladislav Land Ordinances.

King Vladislav was clearly involved in and concerned with these assemblies, even while living in Buda. King Vladislav himself would not personally attend the *sněm*, but he gave the *sněm* his approval and expressed interest concerning the matters that would be discussed, and how they would be viewed by the cities and the other estates.⁹⁶ As these invitations have demonstrated, King Vladislav was still very much involved in Bohemian affairs. From Buda, he would invite his subjects to participate in assemblies in Prague, whether or not he attended those assemblies in person. Indeed, even without his physical presence, King Vladislav was an active facilitator of, if not indeed a participant in, Bohemian affairs.

⁹⁵ “Potecztiwy wierny nassy mily. Tayno was nabud ze g[es]t na nas wzneseno gmenem pannow Rytierstwa y miest prazskych y ginych posluow z miest ktryzy su o suchych dnech letnicznich spolu na hradie prazskym byli kterak by z mnohich prziczin sniem obecnieho w kralowstwm Czeskym znamenticz potrebie bylo.” Aktová Sbirka AMKH kart. 2 #297/2; AČ VI, 221, B.

⁹⁶ “Through sending through our councilors and messengers to this *sněm*,” “Skrze rady a posly nasse k tomu sniemu.” Aktová Sbirka AMKH kart. 3 #3.

Questions concerning participation in the assembly were at the center of the turmoil that followed the issuance of the Vladislav Land Ordinances. The documents discussed here demonstrate the frequent participation of the cities in the assembly, and how that participation was generally requested by the king or the leading officials in order to legitimize actions taken by the assembly. Even in light of the final article of the Vladislav Land Ordinances, the cities were permitted to participate in assemblies that considered matters affecting the cities. We have also seen that most matters that were related to the common good and were considered by the assemblies did affect the cities in some way.

While various types of assemblies have been suggested by scholars and can be presumed when one reads between the lines of documents related to the assemblies, extant records primarily concern the general assembly of the kingdom. Just as the political situation in the 1440s had resulted in the emergence of party assemblies, occasionally an assembly might primarily include participants from only one estate or religious group, but the ideal always remained a general assembly of the entire kingdom. Even the provisions of the Vladislav Land Ordinances that otherwise restricted the participation of the cities recognized that there were circumstances when the participation of representatives from all three estates and the entire kingdom would be recognized.

Conclusion

The dispute over the participation of the cities would continue for over a decade. Finally, the year after the death of King Vladislav, the St. Wenceslas Agreement was concluded at the eponymous assembly in October 1517. This agreement affirmed the right of the cities to participate in the assembly, and also addressed a number of other issues related to matters such

as taxation.⁹⁷ With these issues finally addressed, Bohemia may have been poised for stability, had it not been for the emergence of similar religious and territorial disputes within neighboring territories beginning in that year. Additionally, with the increasing threat from the Ottoman Empire and an eleven-year old king on the throne, even the conclusion of peace among the estates and between the main religious communities could not last indefinitely.

The first half of the period of Jagiellonian rule can be seen as a period of increasing stability and codification of Bohemia – after all, this quarter-century saw the introduction of peace with Hungary, the Peace of Kutná Hora, and the Vladislav Land Ordinances. Yet, to only view the achievements and their contributions to the stability of the kingdom would be one-sided. The 1478 Peace of Olomouc ended a civil war, and indeed ended a period of intermittent civil war that had prevailed for most of the century. Yet, it also created a situation that led to increased religious tensions and near rebellions.

These tensions – and others that had been simmering and sometimes boiling over for half a century – were addressed by the Peace of Kutná Hora in 1485. The next fifteen years saw the functioning of the land court and the codification of the laws in the kingdom – many of which were issued or reissued by assemblies in the 1490s. The issuance of the Vladislav Land Ordinances in 1500 sparked a new set of inter-estate tension, eventually leading to revolt before being resolved by the St. Wenceslas Agreement in 1517.

Each of these moments of escalation required the participation of all three estates, and affected the functioning of a myriad of institutions. As the form of those institutions became increasingly codified, the form and constituency of the assembly that played a key role in

⁹⁷ Kreuz and Martinovský, *Vladislavské Zřízení Zemské*, 267-284 for a recent critical edition of the St. Wenceslas Agreement in 1517.

creating laws and agreements came under closer scrutiny. The assembly had evolved to be able to increase or decrease the power of various groups and institutions, and as such participation therein became an issue.

Participation in the assemblies allowed the various estates to confirm and enhance their privileges, and these rights were eventually codified in the Vladislav Land Ordinances in 1500. For this reason, the various groups who had the potential to participate in the assemblies – the king, the nobility (upper and lower), and the cities (as in Bohemia the clergy had already lost that right) – defended their rights, as well as the influence that participation granted them over the unfolding of events. Securing favorable religious settlements and peace treaties was paramount, but so were disputes over the appropriate level of taxation and the ability to take part in future negotiations to solve future problems.

This participation took place on multiple levels. Many important assemblies took place in Prague, but they also took place in other major cities, such as Kutná Hora (where the 1485 religious peace was concluded) and Pressburg (where King Vladislav met with all three estates in 1499).⁹⁸ Because of these peace agreements, we don't see the various parties meeting in separate assemblies as they had in the 1440s, but we do see the assertion of privileges based on estate. Yet, despite the provision of the Vladislav Land Ordinances that the cities only had a voice in matters that touched them – potentially disallowing participation in matters related to the common good – they continued to participate in assemblies. Indeed, more records remain for their participation in the years after the promulgation of the Vladislav Land Ordinances than for the decade before. Although one or two estates or regions might meet without the others, the

⁹⁸ Indeed, Chapter 4 shows that in the 1440s very few assemblies actually took place in Prague. See Figure 6.

major decisions were undertaken when all three estates and all regions were present and able to participate.

CONCLUSION

Community politics are by nature complicated and filled with tension. Even the smallest community cannot be completely homogenous, either in the thoughts or in the personal characteristics of its members. Yet, these members all agree that they share something that makes them a community – even if that something is as basic as geography, language, or religion. Because no member is an exact copy of any other, members will at times naturally find themselves at odds with each other. This type of functioning within a community is not tied to time or place, and was as true 550 years ago as it is today.

As we have seen throughout this dissertation, the communities in fifteenth-century Bohemia had many characteristics that both united and divided them. The politics to which these communities belonged were part of an intricate, nested political and social hierarchy that was rarely fully defined in words. This was as true for the smallest municipal community as it was for the kingdom as a whole. Indeed, the very definitions of the institutions that supported these communities were long undefined; they were articulated only after different groups within the community became aware of their own differing opinions and sought unanimous clarification of the community's standpoint on religion, social position, political participation, and the affairs of the kingdom.

We often think about communities in modern terms because we take for granted the core assumptions and identifying characteristics of our own communities, accidentally projecting them onto communities in other times and places. For historians examining Bohemia and Moravia, this has meant reproducing modern linguistic and religious definitions and assuming that these definitions separated communities in the past as they do in the writers' present. Yet,

this dissertation has shown that these differences — so meaningful to the definitions of modern communities — can be best understood as differences between individuals within the same community, not markers of distinct communities. While religious practice appears as a negotiated aspect of communal life in fifteenth century Bohemia, language does not even take on this prominence.

The role of different institutions and the rights of people of various social statuses to participate therein do appear frequently in the sources. Individuals were defined by status, and with this status came specific privileges, yet the exercise of these privileges was not controlled by a static, ancient decision — although references to the antiquity of rights were ubiquitous — but rather they were a recurrent topic of renegotiation within the community.

This contention always took place within a framework that placed the public good as the manifest goal. This is not to say that people and groups did not look for ways to profit from actions taken for the common good, but that actions that obviously strayed from the common good were openly condemned for that reason. The estates in fifteenth-century Bohemia took for granted that the public good was the proper goal of the entire community.

This orientation was true for the king, the individual estates and their members, and indeed any group or combination of groups within the community. The way in which individuals on various levels of the community sought the common good differed, but an understanding of a shared interest in the same common good was part of what united individuals and defined them as a community. They were able to define, regulate, and maintain their community through the institutions that they created within it.

This dissertation has examined the interplay between the main institutions in the kingdom: the Church, the monarchy, the assembly, the estates, and legal structures such as the land court, the land rolls, and law codes. Each of these institutions was defined by its role in the community, but it could only assert this definition through conflict and cooperation with the other institutions in the kingdom. Thus, this dissertation had sought to illuminate how these institutions built upon their evolving relations with each other and opportunities that emerged over the course of the fifteenth century to assert their distinct positions in the kingdom of Bohemia.

The positions of both the Church and the monarchy were substantially weaker after the start of the Hussite Wars than they had been earlier. For most of the period between King Wenceslas IV's death in 1419 and the Peace of Olomouc in 1478, the status of the Bohemian throne was unclear; either there was no recognized monarch or his authority faced a viable challenger. Even after 1478, the power of the kingdom was diminished, and the role of the monarch needed to be redefined. Similarly, the seat of the archbishopric of Prague was vacant from 1421 through 1461, leading to the absence of a strong representative of the Church in the kingdom of Bohemia (although the bishop of Olomouc was still present in Moravia).

The sudden power vacuum created by the absence of a leader at the head of either of the two main institutions of the kingdom opened the way for other people and institutions to assert themselves more forcefully. Throughout the century, the estates used this situation to formalize their authority, relying on legal devices such as the land rolls, establishing and reestablishing a land court supported by the authority of the king, and eventually codifying the common law into

a single law code. One of the main forums in which different estates came together – and in which their disagreements with each other and other institutions were voiced – was the assembly.

These assemblies brought together the king or his representatives – when the throne was occupied – and the members of the estates (in Bohemia the upper nobility, the lower nobility, the cities, and sometimes in Moravia also the prelates) in order to legitimate actions taken to promote the common good of the community. Yet, as different groups within the community defined the common good differently, the meeting of and participation within the assembly itself became a matter of debate, with different segments of the community arguing that their participation was for the good of the community. These segments of the community at times took the form of parties that cut across religious and class lines (without regard for language), and at other times focused on geographic, religious, or class unity, rights, or privileges. Yet, as the dividing lines between these parties shifted, the assembly consistently remained the forum in which solutions were determined and from which they were promulgated.

It thus becomes clear that these assemblies functioned as the environment in which actions that promoted the common good were articulated and enacted. The results could take many forms: election of a ruler, confirmation of privileges, and promises of peace, to name a few. Although most of these actions could also take place outside the assembly, the participation of broad swaths of the community in the assembly lent legitimacy to any action taken therein. This did not quell all resistance or dissent, but it did provide the basis for asserting that actions were taken by the community for the common good. Indeed, when resistance and dissent did take place, the agreements that put them to rest were often formulated in or promulgated by an assembly.

Over the course of the fifteenth century, different aspects of Bohemian society went through profound changes and challenges, and yet we find that through these challenges the core institutions of the kingdom were maintained. Although their roles and relationships changed, they did not crumble in the face of challenges. Even the archbishopric of Prague, although it was not led by an archbishop, continued to limp along with the help of administrators, and the *sede vacante* was eventually filled without the need to reestablish the archdiocese.¹

The institutions that I examine in this dissertation made up the support structures that carried the kingdom of Bohemia through a series of challenges in the fifteenth century. These institutions were further defined over the course of the century, sometimes to reflect the changes taking place, and sometimes to try to forestall them. This dissertation has shown that the community that maintained these institutions cannot be defined by a single form of religious practice, language, or class, nor can it be bound by any of the other modern definitions of nationality. In this context, the institutions of the kingdom of Bohemia ultimately evolved to face the challenges set before the community, neither themselves disappearing nor allowing the kingdom to disappear or the community to disintegrate.

¹ Its second suffragan diocese of Litomyšl had been dissolved, and its second and third suffragan dioceses were not reestablished at Litoměřice and Hradec Králové until 1665 and 1664, respectively.

APPENDIX

Figure 1 **Bishoprics in Europe**

| Geographic or Political Unit ^a | Year | Population (in millions) | Geographic Size (in sq. mi.) | Number of Bishoprics (excl. <i>sede vacante</i> and suppressed) | Bishoprics per million people | Bishoprics per 10,000 sq. mi. |
|---|-------------|--------------------------|------------------------------|---|-------------------------------|-------------------------------|
| Scotland | 1500 | 0.5 | 30,000 | 13 | 26 | 4.3333 |
| England (and Wales) | 1500 | 2.5 | 58,300 | 28 | 11.2 | 4.8027 |
| France | 1500 | 16 | 200,000 | 141 | 8.8125 | 7.05 |
| Spain and Portugal | 1500 | 9 | 230,000 | 72 | 8 | 3.1304 |
| Austria | 1500 | 2 | 32,500 | 13 | 6.5 | 4 |
| Hungary and Croatia | 1500 | 3.75 | 200,000 | 14 | 3.7333 | 0.7 |
| Poland (incl. Silesia) | 1500 | 4 | 120,700 | 12 | 3 | 0.9942 |
| Bohemia and Moravia | 1400 | 2.5 | 30,000 | 3 | 1.2 | 1 |
| Bohemia and Moravia | 1529 | 2.6 | 30,000 | 1 | 0.3846 | 0.3333 |

Within each column, polities with lower totals than Bohemia and Moravia are in light blue, while polities with higher totals than Bohemia and Moravia are in light orange, and polities with a total in the range of Bohemia and Moravia between 1400 and 1529 are in yellow.

A few highlights from this chart deserve notice:

- Scotland had significantly more bishops per person than any other polity.
- France and the Iberian peninsula both had approximately seven times as many bishoprics per person than Bohemia and Moravia.
- Austria possessed roughly five times as many bishoprics per person as Bohemia and Moravia.
- Hungary and Poland both had approximately three times as many bishoprics per person than Bohemian and Moravia.

SOURCES: R. A. Houston and I.D White, "Scottish Society: 1500-1800," (Cambridge University Press, 1989), 32, retrieved 9/8/2017, 'www.loc.gov/catdir/samples/cam031'; Carlo M. Cipolla. *Before the Industrial Revolution: European Society and Economy 1000-1700*, 3rd ed. (New York: W. W. Norton and Company, 1993); "Appendix B Growth of World Population, GDP and GDP Per Capita before 1820 at 'www.ggdc.net/MADDISON/other_books/appendix_B.pdf'", 232; Jaroslav Miller, *Urban Societies in East-Central Europe, 1500–1700* (New York: Ashgate, 2008), 21; Marcell Sebök, *The man of many devices, who wandered full many ways* (Central European University Press, 1999), 658; Michaela Culková, "Česká reublika v historicko-demografické perspektivě: interpretace k současnému vývoji" (Master's Thesis, Masarykova univerzita, 2011), 16.

^a The borders and bishoprics of "Austria" and "Poland" correspond to modern borders, as the available studies use modern borders. In some cases, bishops also had responsibilities in other provinces. The Population estimates for Hungary and Croatia range from 3.5-4 million people include Croatia and Transylvania.

Figure 2

Bohemian Estates

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage (rytířstvo) Knights (rytíř) | Zemané Squires | Cities Communities | Inhabitants |
|--|------|---|------------------------------------|-----------------|--------|---|--|----------------|------------------------------|-------------|
| CDM II, 88-89 | 1216 | Emperor Frederick II confirms Wenceslas I's succession, with princes of the Empire as witnesses | X (Emperor, King, and Margrave) | | | X <i>magnatum et nobilium</i> | | | | |
| CJB I, 185-186, #66 | 1276 | Rudolf I invests Přemysl Otakar II with Bohemia and Moravia | X | | | | | | | |
| CJB I, 208-209, #70 | 1278 | Treaty between the Habsburgs and Wenceslas II | X | | X | | | | | |
| CJB II/1, 9-10, #1; RBM II, 910, #2112 | 1306 | The barons assert their rights following the death of Wenceslas III | Sent to the King of the Romans | X | | X <i>principum, magnatum, baronum, et nobilium</i> | | Prague | | |
| CJB II/1, 12-14, #3 | 1307 | King Albrecht attempts to have his son installed as King of Bohemia | | | X | | | | | |
| CJB II/1, 19-23, #11 | 1310 | King John confirms the privileges of the Bishop of Prague, the nobility, and the inhabitants (<i>regnicolae, terrigenae</i>) of the kingdom and margraviate; the laws of the kingdom; grants made by his predecessors; and the succession rights of male and female heirs | X | X | | X | | | X Prague and other cities | X |
| CJB II/1, 199, #131 | 1341 | King John makes arrangements for the succession in the Bohemian Kingdom and his other properties | X | X | X | X <i>(principibus and nobilibus)</i> | | | | |
| AČ III, 209-210, #15 | 1420 | Call to the communities of Prague in the names of Emperor Sigismund, Queen Sophie, and the lords, inviting them to discuss matters | X | X | | X | X | | X | |
| AC III, 225-226, #23 | 1421 | Emperor Sigismund writes to the <i>snem</i> and his messengers there | X | | | X | X | X | X | |

Figure 2 cont. Bohemian Estates continued

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage Knights (rytířstvo) (rytíři) | Zemané Squires | Cities Communities | Inhabitants |
|--|------|---|-------|-----------------|--------|------------------|---|----------------|-----------------------|-------------|
| AČ III, 226-230, #24; Ryněšová I, 38, #55; HT sign. 230a | 1421 | The proceedings of the Diet of Čáslav | | X | X | X (named) | X | | X (named and unnamed) | |
| AČ III, 256-259, #36 | 1426 | The knights and cities gathered at the assembly of the Písek region write to the cities of Prague | | | | | | X | X | |
| AČ III, 259-261, #37 | 1426 | The lords of the Pížeň region writing against Hussitism | | | | X | | | X X | |
| AČ III, 264-267, #39 | 1427 | A large number of the members of the Bohemian estates make an agreement among themselves about the Easter <i>sjezd</i> in Žebáce (makes mention of the word estate) | | | | X | | X | X X | |
| AČ III, 267-268, #40 | 1428 | Discussion of a safe conduct to Domažlice to attend to economic matters | | | | X | | | X | |
| AČ VI, 421-422, #25 | 1429 | Those meeting at the <i>sněm</i> in Prague write to the council in Basel | | | | X | X | | X X | |
| AČ III, 395, #1 | 1432 | A general call for a <i>sněm</i> in Prague | | | | X | X | | X X | |
| Urkundliche Beiträge II, 440-441, #940 | 1435 | The conditions sent to Emperor Sigismund by the attendees of the Valentine's Day assembly in Prague | | | | | | | | |
| Urkundliche Beiträge II, 445-448, #946 | 1435 | Emperor Sigismund's responses to the conditions sent to him from the Valentine's Day assembly in Prague | | | | | | | | |
| AČ I, 45, #55 | 1436 | Emperor Sigismund addresses the <i>sněm</i> in Prague | X | | | X | | | | |
| AČ VI, 444, #46 | 1437 | Emperor Sigismund's last message to the Kingdom of Bohemia | | | | X | | | X X | |
| AČ III, 455, #27; HT sign. 404a | 1437 | The <i>zemané</i> express their concerns about delays and expenses at the assemblies | | | | X | X (different ink) | | | X |

Figure 2 cont.

Bohemian Estates continued

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage (rytířstvo) Knights (rytíři) Squires | Zemané | Cities Communities | Inhabitants |
|----------------------|------|---|-------|-----------------|--------|-------------------------------------|---|--------|--------------------|-------------|
| AČ III, 459-460, #30 | 1437 | The conditions sent to King Albrecht for his election | | | | | | | | |
| AČ III, 460-461, #31 | 1438 | King Albrecht's response the conditions sent to him for his election | | | | | | | | |
| AČ VI, 449, #48 | 1438 | King Albrecht finalizes his promises in anticipation of his coronation | X | | | | X | X | X | |
| AČ I, 263-264, #4 | 1440 | The conditions sent to Duke Albrecht for his election | | | | X | X | X | X | |
| HT sign. 490b | 1440 | Duke Albrecht's response to the conditions sent to him for his election | | | | X | | | | |
| HT sign. 454 | 1440 | Queen Elizabeth addresses the <i>sněm</i> gathered in Prague | | | | X (magnates, nobiles, and proceres) | | | Prague | |

A list of conditions, no mentioned audience, although it does mention "each estate"

A list of responses, with no mentioned audience

SOURCES: Historica Třeboň, Státní Oblastní Archiv Třeboň (HT above); Antonius Boczek, *Codex Diplomaticus et Epistolaris Moraviae, volume II* (Olomouc, 1839) (CDM II above); Josef Emler, *Regesta Bohemiae et Moraviae: Diplomatica nec non epistolaria volume 2* (Prague, 1882) (RBM II above); Hermenegildus Jireček, *Codex Juris Bohemici, volume I* (Prague: I. L. Kober, 1867) (CIB I above); Hermenegildus Jireček, *Codex Juris Bohemici, volume II, part 1* (Prague, 1896) (CIB II above); František Palacký, *Archiv Český volume I* (Prague: Kommissi u Kronbergra i Řiwnáče, 1840) (AČ I above); František Palacký, *Archiv Český volume III* (Prague: Kommissi u Kronbergra I Řiwnáče, 1844) (AČ III above); František Palacký, *Archiv Český, volume VI* (Prague: Knihtiskárna Dr. Edvard Greger, 1872) (AČ VI above); František Palacký, *Urkundliche Beiträge zur Geschichte des Hussitenkrieges in den Jahren 1419-1436, volume II* (Prague: Friedrich Tempsky, 1873) (Urkundliche Beiträge II above); Blažena Rynešová, *Listář a Listinář Oldřicha z Rožmberka, volume I: 1418-1437* (Prague: Náklad ministerstva školství a národní osvěty, státní tiskárna, 1932) (Rynešová above).

Figure 3

Bohemian and Moravian Estates

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage (rytířstvo) Knights (rytíři) | Zemané Squires | Cities | Inhabitants |
|----------------------|--------|--|-------|-----------------|---------------------------|------------------|---|----------------|----------------------|-------------------------------|
| AČ III, 184, #4 | 1415 | The upper and lower nobility of Bohemia and Moravia write to Emperor Sigismund to ask for the release of Jan Hus (2 months before his execution) | | | | X | X | | | |
| AČ III, 187-193, #6 | 1415 | Protest by the nobility of Bohemia and Moravia against Jan Hus's treatment at Emperor Sigismund's hands (452 seals) | X | | šlechťici | X | | | | |
| AČ III, 193-195, #7 | 1415 | A large <i>sněm</i> of the Lords in Prague | | | | X | | | | |
| AČ VI, 398-400, #5 | c.1421 | The Moravian estates write to the Bohemian lords about protecting the 4 Articles of Prague | | | | | X | | X (Prague and Tabor) | |
| AČ VI, 411, #14 | 1423 | Prague gives the attendees from the Plzeň region a safe conduct to the <i>sněm</i> in Prague | | | | | X | X | X | |
| AČ III, 397-398, #3 | 1433 | Emperor Sigismund writes from Basil to those gathered at the <i>sněm</i> about settling matters in Bohemia | X | | priests | X | | | X | <i>hauptmann</i> and soldiers |
| AČ III, 398-412, #4 | 1433 | Record of the St. Martin's <i>sněm</i> in Prague where Aleš of Rismberk was elected administrator (<i>zpravce</i>) | | | | <i>hauptmany</i> | | X | X | soldiers |
| AČ III, 427-431, #12 | 1435 | Emperor Sigismund writes on the freedom of the churches in Brno and Uherské Bělehrad | | | X (<i>schlecht emi</i>) | X | | | X | messengers |
| AČ III, 434-436, #14 | 1435 | The Bohemian estates in Prague asking things of the Basel Council | | X | X | X | X (<i>milites</i>) | X | X | |
| AČ III, 445-446, #20 | 1436 | Emperor Sigismund asserts his right to elect the Bishop of Prague | X | | | X | X | X | X | |
| AČ III, 446-449, #21 | 1436 | Emperor Sigismund confirms the Basel Compacts for Bohemia and the attached lands | X | | | X | X | X | X | |

Figure 3 cont.

Bohemian and Moravian Estates continued

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage (rytířstvo) Knights (rytíři) | Zemané Squires | Cities | Inhabitants |
|--------------------|------|--|-------|-----------------|--------|------------------|---|----------------|------------------|-------------|
| AČ X, 258-261, #11 | 1440 | Dispute concerning Bohemia and Moravia | | 1 named priest | | marshal | | | Polička and Mýto | |
| | | Moravia. | | X | | hejtmán | X | X | X | |

SOURCES: František Palacký, *Archiv Český volume III* (Prague: Kommissí u Kronbergra I Řiwnáče, 1844) (AČ III above); František Palacký, *Archiv Český, volume VI* (Prague: Knihtiskárna Dr. Edvard Greger, 1872) (AČ VI above); Josef Kalousek, *Archiv Český, volume X* (Prague: Bursík and Kahout, 1890) (AČ X above).

Figure 4

Moravian Estates

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthood (<i>rytířstvo</i>) Knights (<i>rytíři</i>) | Zemané Squires | Cities | Inhabitants |
|----------------------|------|--|-------|--------------------|--------|--|--|-------------------|-----------|-------------|
| AČ III, 182-183, #2 | 1415 | While meeting in Mezerič, the barons write to Emperor Sigismund about Jan Hus | | | X | X (named) | | | | |
| AČ III, 183-184, #3 | 1415 | The barons at the <i>sněm</i> in Brno write to Emperor Sigismund | | | X | X (named) | | | | |
| AČ III, 234-237, #27 | 1421 | Emperor Sigismund and he many Moravian nobles who were against Hussitism (discusses people of other status as well, but not as signatories) | X | X | | X | | | Magdeburg | |
| AČ X, 246-247, #5 | 1421 | Land Peace agreement given at the <i>obecní sněm</i> in Brno | X | X | | X | | | | |
| AČ VI, 414, #19 | 1425 | A safe conduct to the Olomouc <i>sněm</i> from the city of Olomouc | | | | X | X | X | Olomouc | |
| AČ X, 250-254, #6 | 1434 | Margrave Albrecht, officers of the principality, and the lords all made a Land and Peace agreement, including 252 seals from the margrave, the bishop, the <i>hejtmán</i> , lords, and <i>zemané</i> . | X | | | X | | X | | |
| AČ X, 254-255, #11 | 1437 | Document from a Brno <i>sněm</i> | | | | <i>hejtmán</i> | | X | | |
| AČ X, 256-258, #12 | 1440 | Land Peace agreement made at the <i>obecní sněm</i> in Brno | | X | | <i>Hejtmán</i> , sub chamberlain | | X | X (named) | |
| AČ X, 262, #15 | 1442 | Record of a Loan to the estates | | | | <i>hejtmán</i> | X | | Olomouc | |
| AČ X, 263, #16 | 1445 | The Moravian estates respond to Jan Koldou of Žampach | | X | | <i>hejtmán</i> | | X | X | |
| AČ X, 263, #17 | 1446 | 4 representatives of Moravia sent to Jihlava for meeting between Austria and Moravia | | X | | X | | X | X | |
| AČ X, 265-266, #19 | 1455 | King Ladislaus appoints <i>hejtmány</i> | X | X | | X | X | X | X | |

Figure 4 cont. Moravian Estates continued

| Source | Year | Abstract | Ruler | Bishop Prelates | Barons | Officer(s) Lords | Knighthage (rytířstvo) Knights (rytíř) | Zemané Squires | Cities | Inhabitants |
|--------------------|------|--|-------|--|--------|-------------------|--|----------------|------------------|-------------|
| AČ X, 269-271, #23 | 1456 | Land Peace agreement made at the Brno <i>obecný sjezd</i> , not including King Ladislaus (19 seals) | | X | | X | | | Brno and Olomouc | |
| AČ X, 271, #24 | 1456 | Ladislaus asked Brno to send 2-3 representatives to the assembly in Vienna | X | X | | X | | X | Brno | |
| AČ X, 274-275, #28 | 1464 | King George of Poděbrad says Moravia is inalienable | X | | X | <i>nobiles</i> | | | | X |
| AČ X, 276, #29 | 1464 | King George of Poděbrad writes to the Moravian <i>sněm</i> about the tax (<i>berni</i>) | X | X | | X | X | | X | X |
| AČ X, 278, #34 | 1475 | Announcement from the Olomouc <i>sněm</i> that the <i>hejtman</i> would have the power to deal with the evils in the land, no matter who committed them. | | X | | <i>hauptman</i> X | | | | |
| AČ X, 278-279, #36 | 1477 | King Vladislav Jagiellon makes an agreement with Moravia | X | | | X | X | | X | X |
| AČ X, 279-280, #37 | 1477 | Peace agreement between Austria and Moravia | X | X | | X | X (<i>riter</i>) | | X | X |
| AČ X, 284-286, #49 | 1484 | King Matthias Corvinus to the Moravian estates | X | | | X | X | | | X |
| AČ X, 296-297, #59 | 1487 | King Matthias Corvinus gives a 2 year peace agreement to Moravia | X | | | X | X | | X | X |
| AČ X, 301-302, #63 | 1489 | King Matthias Corvinus discusses the tax (<i>berni</i>) with the estates | X | X | | X | X | | | |
| AČ X, 303, #65 | 1490 | King Vladislav Jagiellon tells Moravia that it is now connected to Bohemia | X | X | | <i>hejtman</i> X | X | | X | |
| AČ X, 320-325, #76 | 1496 | Land Peace agreement issued from the Brno <i>sněm</i> | X | X (3 named people: 2 abbots and a provost) | | X | | X (named) | X (4 cities) | |

SOURCES: František Palacký, *Archiv Český volume III* (Prague: Kommissí u Kronbergra I Řiwnáče, 1844) (AČ III above); František Palacký, *Archiv Český, volume VI* (Prague: Knihtiskárna Dr. Edvard Greger, 1872) (AČ VI above); Josef Kalousek, *Archiv Český, volume X* (Prague: Bursík and Kahout, 1890) (AČ X above).

Figure 5

Reigns and Upheavals

| Ruler | Regnal Years | Disorders during Reign |
|--------------------------|----------------|--|
| King Wenceslas IV | 1378-1419 | 1394-1396: Noble rebellion leading to king's imprisonment 1402-1403: Noble rebellion leading to king's imprisonment |
| Emperor Sigmund | 1420/1436-1437 | 1419-1436: Hussite Wars; not recognized as king until 1436 |
| King Albrecht | 1438-1439 | 1438: Alternative candidate and short war |
| King Ladislaus | 1440/1453-1457 | 1439-1453: King either not elected by the assembly or not yet crowned 1453-1457: Regency by George of Poděbrad, with the king absent from the kingdom 1455-1457 |
| King George of Poděbrad | 1458-1471 | 1466-1471: Faced crusade against the kingdom and challenge to his rule by the King of Hungary on religious grounds |
| King Vladislav Jagiellon | 1471-1516 | 1471-1478: Continued war with the king of Hungary 1478-1490: Shared the crown with the king of Hungary, although he ruled alone in Bohemia 1491-1516: Ruled the kingdom of Bohemia from Buda |

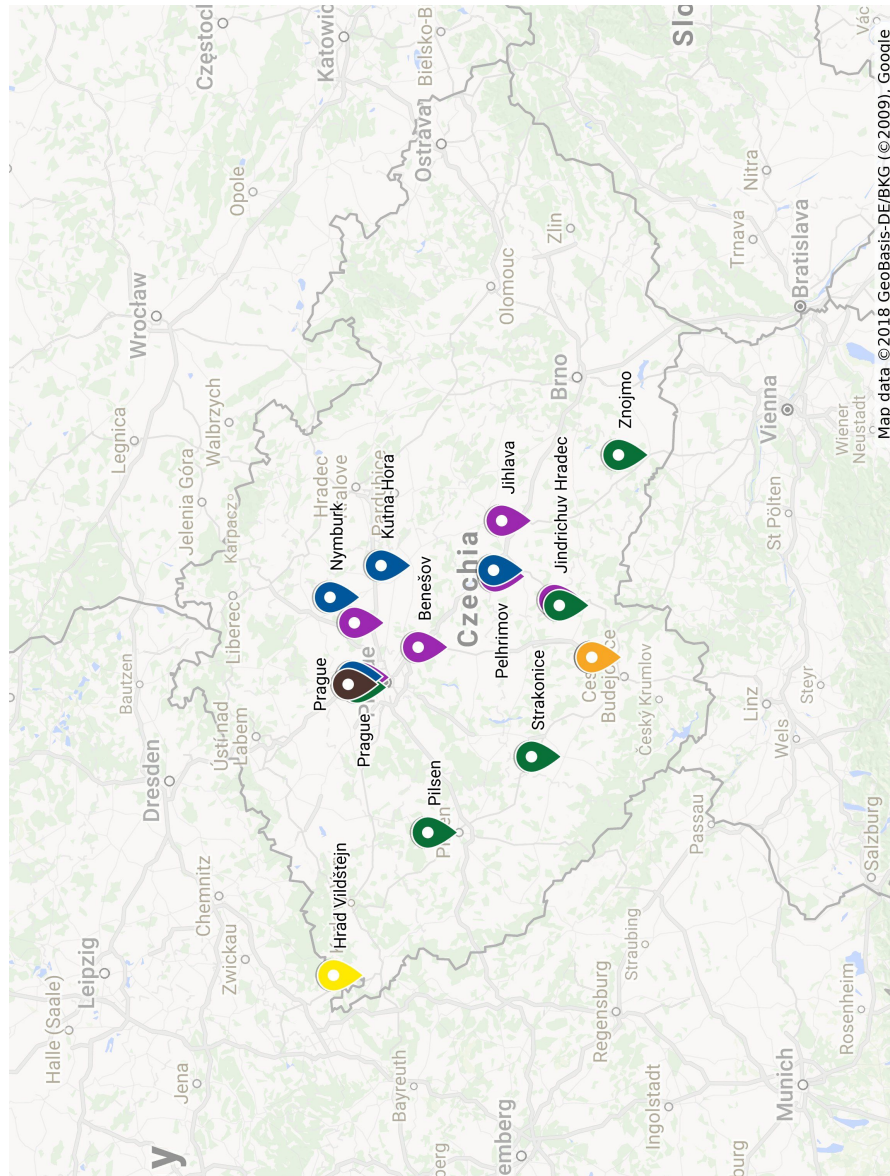
Figure 6

Assemblies 1444-1451

| Number | Type | Year | Months | Joint Location | Place A | Group A | Place B | Group B |
|------------------|----------------------------|---------------|----------------------|--------------------------------|----------------------|--|-------------------------------|-----------------------|
| 1 | General, 2 locations | 1444 | October- November | Český Brod – called General | Prague | Oldřich of Rožmberk and Menhart of Hradec | Nymburk | George of Poděbrad |
| 2 | Separate | 1445 | June | | Plzeň | Oldřich of Rožmberk and Menhart of Hradec | Kutná Hora | George of Poděbrad |
| Cancelled | General | 1445 | August | Prague | | | | |
| 3 | Separate | 1446 | April | | Plzeň | Oldřich of Rožmberk and Menhart of Hradec | Kutná Hora | George of Poděbrad |
| 4 | General | 1446 | Mid-May | Pelhřimov | | | | |
| 5 | General | 1446 | Mid- November | Prague | | | | |
| 6 | General | 1447 | Fall | Jindřichův Hradec | | | | |
| 7 | Separate | 1448 | June-July | | | | Kutná Hora | George of Poděbrad |
| 8 | Separate | 1449 | February 8 | | Strakonice | Oldřich of Hradec, Oldřich of Rožmberk, and Strakonice Jednota | | |
| 9 | Separate | 1449 | February 19 | | | | Pelhřimov | Poděbrad Jednota |
| Cancelled | General | 1449 | October | <i>Never determined</i> | | | | |
| 10 | Separate | 1449 | March- April | | Jindřichův Hradec | Strakonice Jednota | Pelhřimov | Poděbrad Jednota |
| 11 | Separate | 1449 | June | | Znojmo | Strakonice Jednota | Prague – called as General | Poděbrad Jednota |
| 12 | General | 1449 | August- September | Jihlava | | | | |
| 13 | Ubrmané | 1450 | February | Zvíkov | | | | |
| 14 | Separate | 1450 | February- March | | Plzeň | Strakonice Jednota | Pelhřimov | Poděbrad Jednota |
| 15 | Armistice | 1450 | June | Vildštejn | | | | |
| 16 | General | 1450 | July-August | Pelhřimov | | | | |
| 17 | General | 1450- 1451 | November- January | Prague | | | | |
| 18 | General | 1451 | July | Benešov | | | | |

Figure 7

Map of Locations of Assemblies, 1444-1451



Separate Assemblies

 All items

General Assemblies

 All items

Cancelled General Assemblies

 All items

Armistice Meeting

 All items

Urban Meeting

 All items

Pödebrat Party Separate Assemblies

 All items

Figure 8

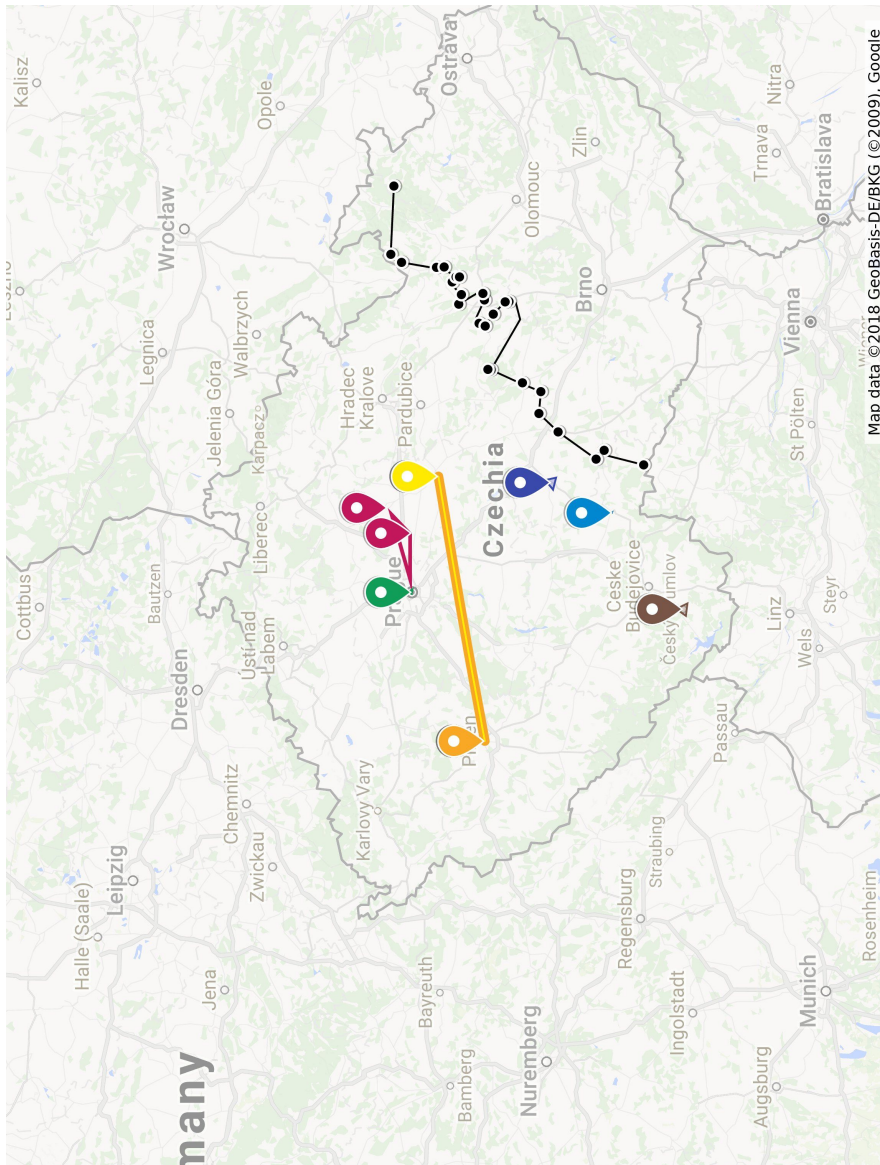
Locations of Assemblies and Identifying Information

Group A: Led by a combination of Oldřich of Rožmberk, Menhart of Hradec, and the Strakonice Jednota

Group B: Led by a combination of George of Poděbrad and the Poděbrad Jednota

| City | Status of City or Property | Religion of Location (or owner) | Owner or Controller | Date and Type of Assembly |
|-------------------|----------------------------|--|--|--|
| Český Brod | Free City | City: Mixed | N/A | General, 1444 |
| Prague | Free City | City: Ultraquist | *Mehart of Hradec (1437-1448) as Highest Burgrave of Prague *George of Poděbrad (1448 forward) as party leader and then as regent | Group A, 1444 General, 1446 Group B, 1449 General, 1450-1451 |
| Nymburk | Free City | Unclear | George of Poděbrad | Group B, 1444 |
| Píseň | Free City | City: Catholic | N/A | Group A, 1445 Group A, 1446 Group A, 1450 |
| Kutná Hora | Free City | City: Ultraquist | N/A | Group B, 1445 Group B, 1446 Group B, 1448 |
| Pelhřimov | Noble city | Owner: Ultraquist | Nicholas Trčka of Lipa | General, 1446 Group B, 1449 (twice) Group B, 1450 General, 1450 |
| Jindřichův Hradec | Noble city | Owner: Ultraquist (until 1448); Catholic (after 1448) City: Possibly Ultraquist | *Mehart of Hradec (until 1448) *Oldřich of Hradec (1448-1451) | General, 1447 Group A, 1449 |
| Strakonice | Free City | City: Presumed Catholic | N/A | Group A, 1449 |
| Znojmo | Free City | City: Catholic | N/A | Group A, 1449 |
| Jihlava | Free City | City: Catholic | N/A | General, 1449 |
| Zvíkov | Castle | N/A | Rožmberk family | Urbané, 1450 |
| Vildštejn | Castle | N/A | Gumerauer family | Armistice, 1450 |
| Benešov | Šternberk family | Unclear (possibly mixed) | Aleš of Šternberk | General, 1451 |

Figure 9 Map of Party Assemblies, 1444-1447



Separate October-November 1444 Assemblies



All items

Separate April 1446 Assemblies



All items

Bohemia-Moravia Border



All items

Separate June 1445 Assemblies



All items

General June 1446 Assembly



All items

Moravian October 1445 Assembly



All items

General November 1446 Assembly



All items

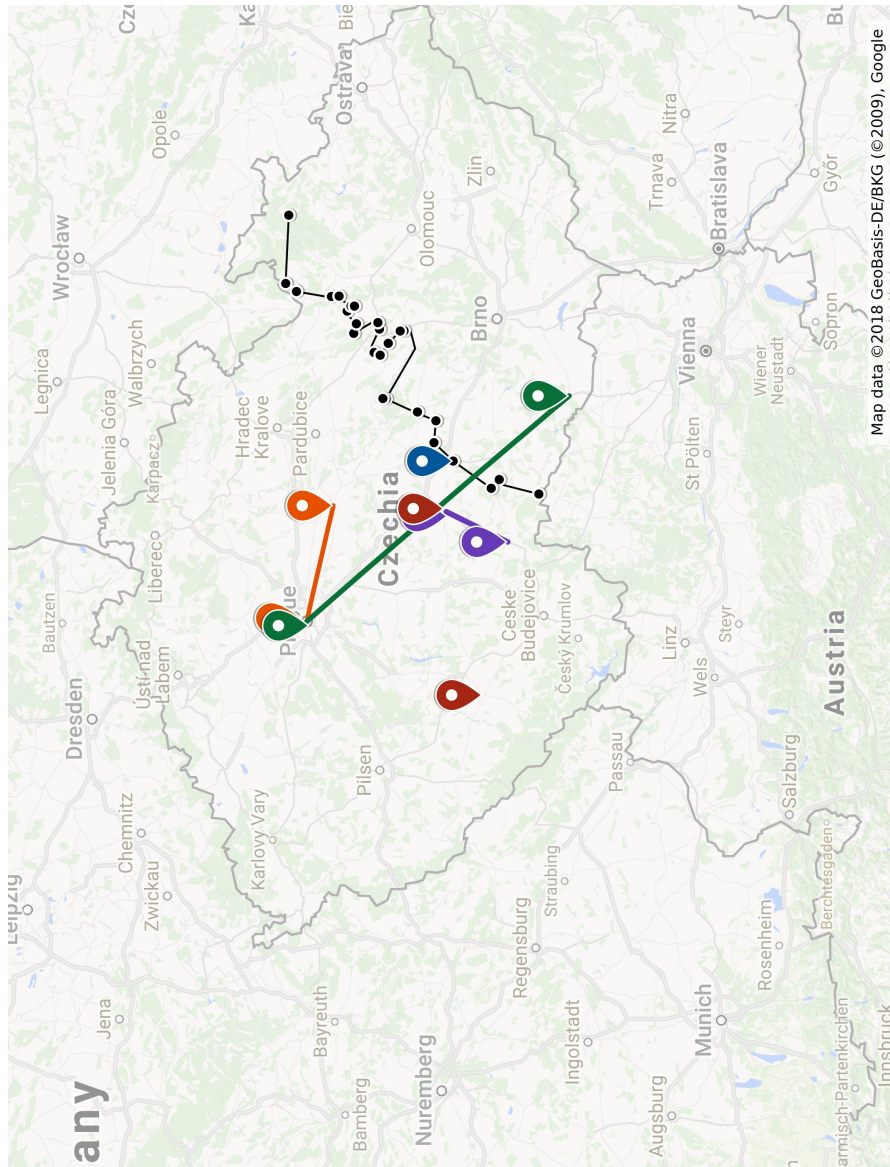
General Assembly Fall 1447



All items

Figure 10

Map of Party Assemblies, 1448-1449








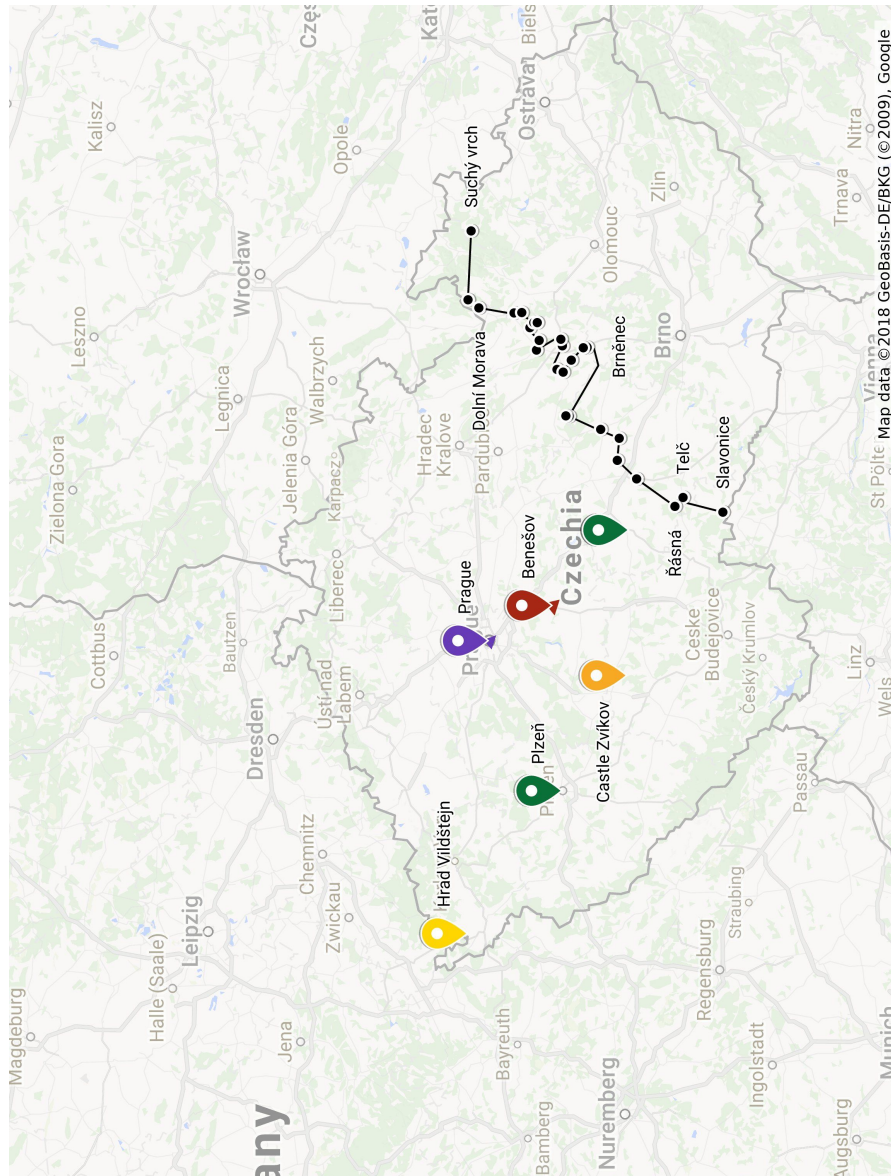
| |
|--|
| <p>Separate June-July 1448 Assembly</p> <p> All items</p> |
| <p>Separate March-April 1449 Assemblies</p> <p> All items</p> |
| <p>General August-September 1449 Assembly</p> <p> All items</p> |
| <p>Bohemia-Moravia Border</p> <ul style="list-style-type: none"> • All items |
| <p>Separate June 1449 Assemblies</p> <p> All items</p> |
| <p>Individual February 1449 Assemblies</p> <p> All items</p> |

Figure 11

Map of Party Assemblies, 1450-1451



Separate February-March 1450 Assemblies



All items

General November 1450 - January 1451 Assembly



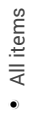
All items

General July 1451 Assembly



All items

Bohemia-Moravia Border



All items

Urbané February 1450 Meeting



All items

Armistice June 1450



All items

General July-August 1450 Assembly



All items

Figure 12

Vildštejn Agreement (1450)

Historica Třeboň sign.1451, Státní Oblastní Archiv Třeboň



Figure 13

George of Poděbrad's Proclamation Concerning Moravia (1464)
Stavovské Listiny #369, Moravský Zemský Archiv v Brně



Figure 14
Moravian Land Peace Agreement (1478)
Stavovské Listiny #394,
Moravský Zemský Archiv v
Brně



Figure 15

Moravian Land Peace Agreement (1477)
Stavovské Listiny #393, Moravský Zemský Archiv v Brně

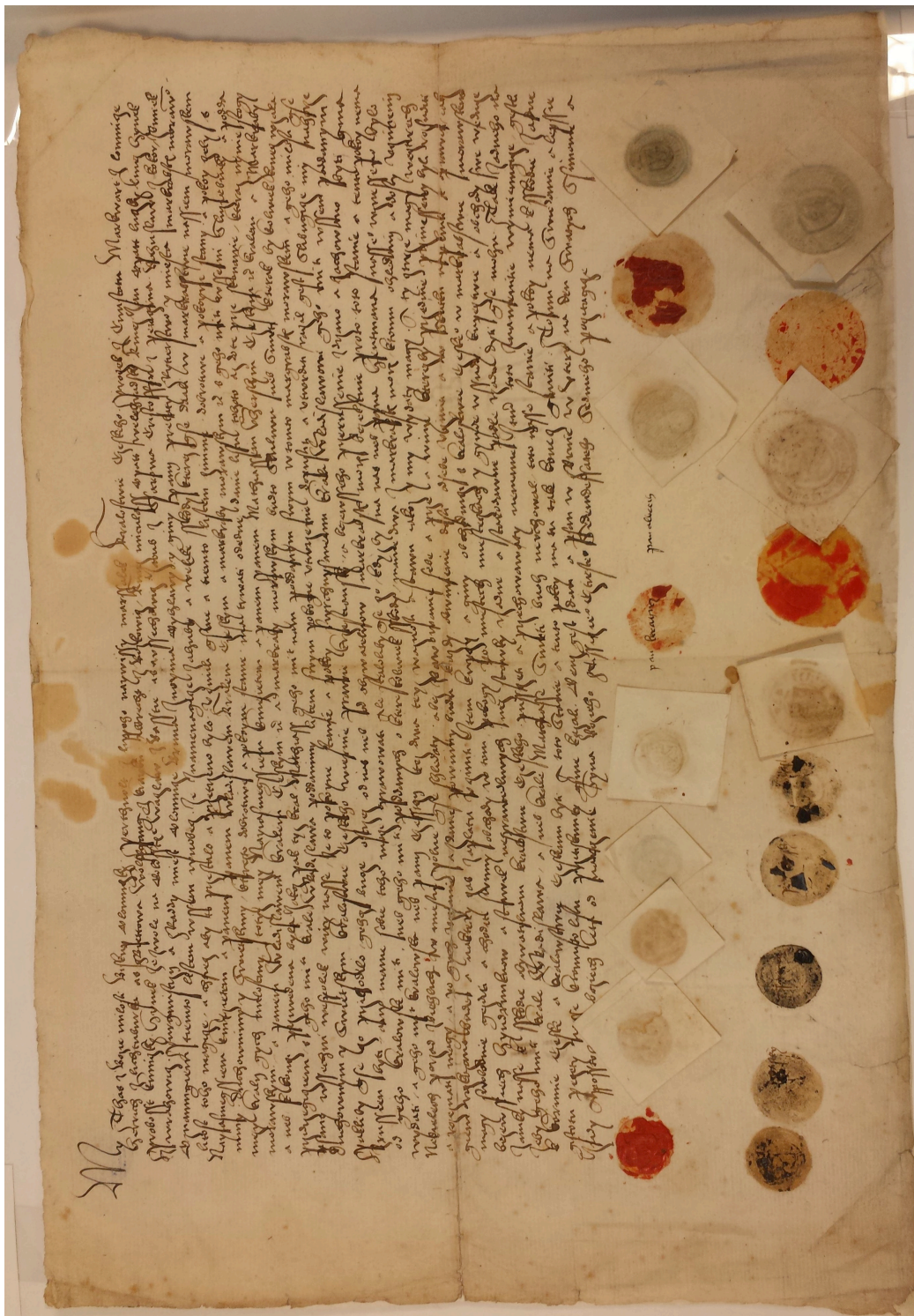


Figure 16

1478 Brno Treaty Signatories

| Vladislav Jagiellon's Side | | | | Matthias Corvinus's Side | | | |
|----------------------------|---------------------|--|--|--------------------------|-----------------------------|--|---|
| Name | Title 1 | Title 2 | Title 3 | Name | Title 1 | Title 2 | Title 3 |
| | | | | | | | Place of Origin |
| Jindřich the Older | Duke of Minsterberk | Count of Kladsko | Lord of Kunštát and Poděbrad | Jan | Bishop elect of Oradea | | Transylvania (present-day Hungary/Romania border) |
| Jan Tawačowský | z Cimburk | ana Boleslawi | Highest Judge of the Bohemian Kingdom | Štěpán z Zapolji | | Count of Špis in Hungary | Hungary (present-day Northeastern Slovakia) |
| Jan | z Šternberk | na Stáži | | Rudolf | Bishop of Vratislav | Apostolic Legate | Central Silesia |
| Beneš | Z Weitmile | Minimaster of Kutná Hora | and Purkrabě of Karštyně | Profas | Bishop of Olomouc | | Olomouc, Moravia |
| Jan | z Rúpowa | Hofmistr of the court of the Bohemian Kingdom | | Hynek (aka Jindřich) | Younger duke of Minsterberk | Count of Kladsko | South-Central Silesia, Eastern Bohemia |
| Petr Kdulinec | z Ostromiře | | | Václav | z Boskovic (Lord) | Highest Chamberlain of the court and law in Olomouc | South-Central Moravia |

Figure 17

1478 Olomouc Treaty Signatories

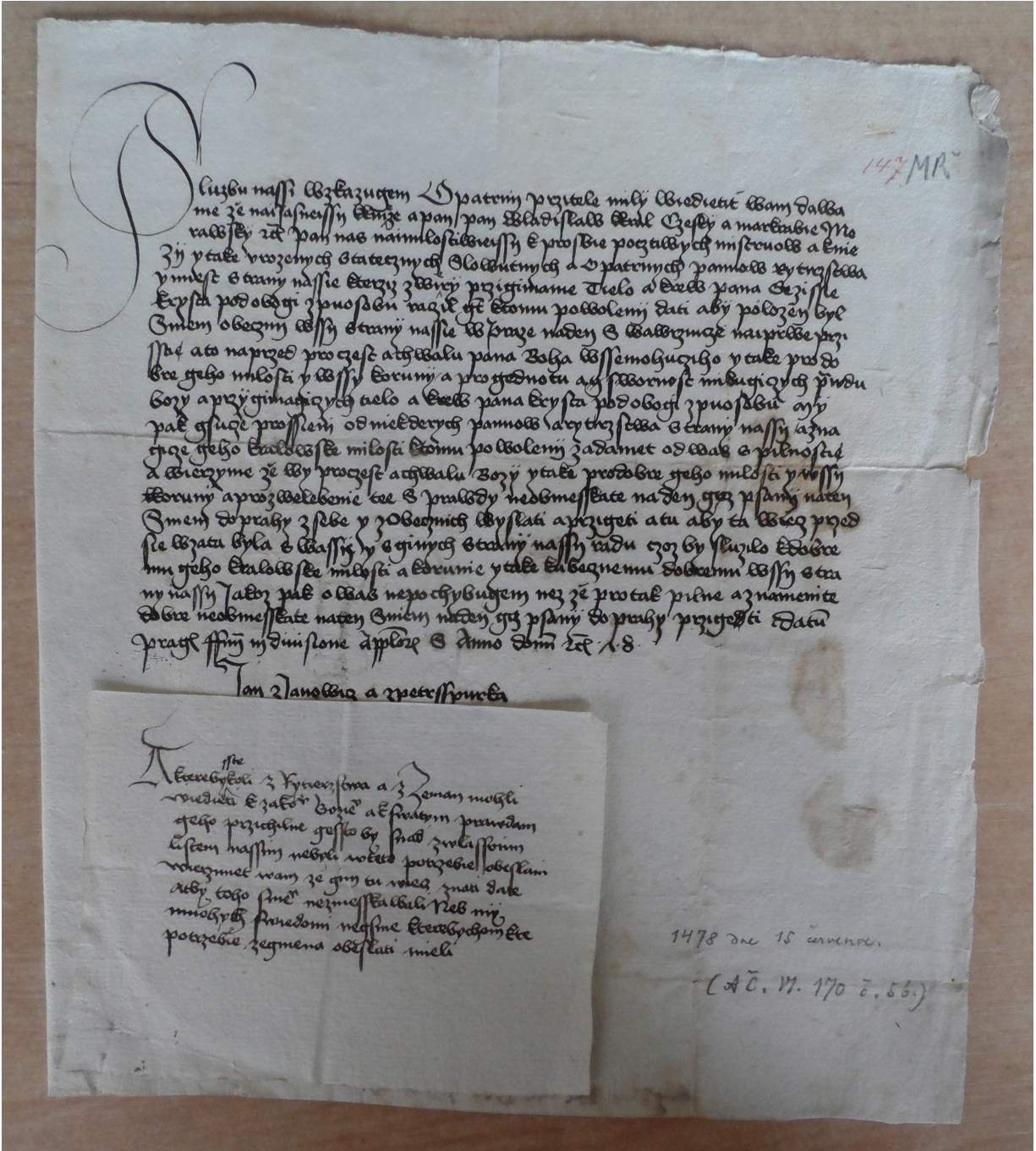
| Vladislav Jagiellon's Side | | | | Matthias Corvinus's Side | | | | | |
|----------------------------|--------------|------------------|---------------------------------------|---|---------|--------------------------|---|---------|--|
| Name | Title 1 | Title 2 | Title 3 | Place of Origin | Name | Title 1 | Title 2 | Title 3 | Place of Origin |
| Jan | z Cimburk | a na Boleslawi | Highest Judge of the Bohemian Kingdom | Southern Moravia | Jiri | Eiect of Koločenský | Highest Secretary and Chancellor of the Kingdom | | Kalocsa (Southwestern Hungary) |
| Jan | z Šeloberk | | | (Šeloberk, South-Central Bohemia, near Tábor) | Tas | Bishop of Olomouc | | | Olomouc, Moravia |
| Jan Kostka | z Postupic | | | Central/Center-South-East Bohemia | Štefan | Hejtman of Silesia | | | Silesia (from 1498 always a Silesia Duke/Prince) |
| Čeněk | z Klinšteina | Royal Prosecutor | | Northwestern Bohemia (near Hazumburk) | Jan | z Hazumburk | Chancellor of the Kingdom of Bohemia | | Northwestern Bohemia (Near Klinštejn) |
| Beneš | z Waitmile | | | East-Central Bohemia, (possibly also Karlštejn, West-Central Bohemia) | Mikuláš | z Zechowa | | | South-Central Bohemia (above Tábor) |
| Jan | z Rúpowa | | | (Roupov) Southwest Bohemia | Václav | z Boskovic | Highest Chamberlain of Olomouc | | South-central Moravia |

Silesia Moravia Bohemia Hungary

Figure 18

1478 Invitation for the Čáslav region to Attend the Assembly

Archiv Města Kutná Hora, Aktová Sbirka, kart.1 #147, Státní Okresní Archiv Kutná Hora



Službu naši vzlažujem. Spatrnj proutě mlj vbirocti sam dalka
me že našasnešy káže a pan/pan Blahoslav kral Gesty a maršalke Mo
ralsky za pan nas naimlošivšyšy E proste počatšyč mševols a kme
zij ytake vrozemč statermyč Blahovemyč a Spatrnjč pamols vytržsela
ymest stamj našie ktery zbyy prigimame Tralo a kral pana Gesty
kryta pod obogj zpusobu ma il qe kromu polbolemj dat aby položen byl
Smem obegm vssy stamj našie v praze naden s vabozmže nauptě pr
Ma ato napřed pro gje atgbalu pana Boha vsemohučyho ytake pro do
bra geho mlōšā y vssy kromj a vrozgduotu ay vroznošt mdučyqyč pndu
Boy a prigimajyč aelo a kral pana kryta pod obogj zpusobu ay
pak gjuče vrozstěni od mēkderos pamols vabozsela stamj našy azna
gje geho kralosse mlōšā kromu polbolemj zadamet od vab s vroznošt
a vrozime že by vrozst atgbalu Boj ytake vrozbra geho mlōšā y vssy
kromj a vroz vabobone kē s vrozby nedmestkate naden gje psamj naten
Smem do prahy z sbe y vrozemč vbylāi a vrozgēi atu aby ta vroz pzed
se vrozāi byla s vrozšy y vrozemč stamj našy radu gje by sluzilo vroz
mu geho kralosse mlōšā a kromj ytake vrozemč vrozemč vrozemč vrozemč
my našy Jaky pak o vroz nepo vrozbudem nez že vroz tak vrozne a vroz
vroz nedmestkate naten Smem naden gje psamj do prahy vrozgēi datu
prahy ffm m dunsione vroz s Anno domi 1478

Jan Zlanoslav a vrozemč

^{stie}
A kralosse z vrozemč a z vrozemč
vrozemč a vrozemč vrozemč a vrozemč
gje vrozemč gje by vrozemč vrozemč
vrozemč vrozemč vrozemč vrozemč
vrozemč vrozemč vrozemč vrozemč
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vrozemč vrozemč vrozemč vrozemč
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1478 dne 15. února
(A. O. M. 170 č. 56.)

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