

# Nations and Denominations in Transylvania (13th - 16th Century)

Ioan-Aurel Pop

Universitatea Babeș-Bolyai din Cluj-Napoca



În posesia caracterului său oficial de stat de confesiune creștină apuseană, investit cu misiune apostolică, Ungaria medievală era foarte eterogenă sub aspect etnic și confesional. Transilvania nu făcea excepție de la acest tablou variat și complex. Împreună cu Banatul, Crișana și Maramureșul – regiuni care făceau parte, din punct de vedere administrativ, din Ungaria propriu-zisă – această provincie era locuită, în principal, de creștini răsăriteni (ortodocși) și apuseni (catolici). Ortodocșii erau mai ales români (plus câțiva ruteni și sârbi), iar catolicii erau maghiari (de origine fino-ugrică), secuii (fundatul de origine turcică, maghiarizată) și sași (germanici).

Transilvania avea, de asemenea, o situație complicată și din punctul de vedere al regimului de stări: grupuri privilegiate cu forță și prestigiu în viața politică și social-economică, acestea având la bază atribuțiile lor și anumite criterii etnice. Prima și cea mai importantă „clasă” era nobilimea, eterogenă cu origine etnică, dar pe cale de uniformizare în jurul nucleului său maghiar; celelalte erau sașii, secuii și rutenii, toate având substrat etnic și etnolingvistic. Pe parcursul secolelor XIV – XV, românii au fost decedați din statutul de stare și îndepărtați din adunările Transilvaniei, motivele acestei excluderi fiind, în principal, de natură religioasă și social-economică. Ca urmare a consilierii, în 1437, a „uniunii frățești” (*fratres unio*), puterea a rămas exclusiv în seama nobililor, sașilor și secuilor, cu toți adepții ai credinței apusene (catolice).

Pe parcursul secolelor al XV-lea și al XVI-lea, componenta națională a regimului de stări din Transilvania se accentuează și, treptat, ajunge să treacă pe primul plan. El va deveni, în această perioadă, un regim al celor trei națiuni, termenul de „națiune” având aici un înțeles social politic, cât și unul etnic teritorial. Acest tablou, oricum destul de complex, se complică și mai mult odată cu apariția Reformei. Din secolul al XVI-lea, sistemul politic-religios al Transilvaniei a fost bazat pe cele trei națiuni recunoscute (maghiari, secuii și sași) și patru „religii recepte” (catolică, luterană, calvină și unitariană). Din punctul de vedere al stărilor (națiunilor politice), societatea transilvană era una „tolerantă”, fiindcă permitea existența pasivă și chiar preudența, alături de vechii catolici, a membrilor confesiunilor născute prin Reforma. Pentru românii ortodocși însă, aceeași „toleranță” însemna menținerea lor într-o stare de inferioritate, de acceptare silită, „până va dura bonul plac al cetățenilor” (*usque ad beneplacitum regnicolarum*).

Sistemul națiunilor politice și al religiilor recepte din Transilvania secolului al XVI-lea (și din secolele următoare) a fost o realitate sui generis, surprinzător de modernă (prin acceptarea celuilalt, prin egalitatea între diferiți deținători ai puterii) și, în același timp, surprinzător de medievală (prin perpetuarea și legitizarea discriminării, a privilegiului). În pofida lipsurilor de care a dat dovadă, sistemul politic și confesional al Transilvaniei de odinioară rămâne o fascinantă experiență, demnă de studiat și de comunicat cu bucurie amănunțit.



A specialist in Romanian medieval history and in Latin Paleography, Ioan-Aurel Pop holds the chair in medieval history and historiography of the Faculty of History and Philosophy of the Babeş-Bolyai of Cluj-Napoca: He is corresponding member of the Romanian Academy, director of the Romanian Institute of Culture and Humanistic Research of Venice, author and co-author of numerous volumes, studies and articles published in Romania and abroad (in Italy, England, USA, Germany, Hungary, Poland, Czech Republic, Moldavia, Argentina etc.). His most recent books are *Istoria, adevărul și miturile* (note de lectură), Bucharest 2002 and *Contribuții la istoria culturii românești*, Cluj-Napoca, 2003.



As a voivodat of the Hungarian Kingdom, Transylvania followed the denominational and political rules of the state. Officially, Hungary was a Western Christian state, Marianic (under the protection of St. Mary), endowed with an apostolic mission, concretely aiming at converting “heathens, heretics and schismatics” within the state and in the neighboring territories. In any case the country was quite heterogeneous, ethnically and denominationally speaking. Besides Hungarians, a territory of over 300,000 square kilometers (as Hungary had around 1200) was also inhabited by Slovaks, Croats, Ruthenians, Serbs, Bulgarians, Romanians, Germans, Cumans, Jews, etc. Most of them were not western but eastern Christians (Romanians, Ruthenians, Bulgarians, Serbs) and some of them were not even Christians, but Jewish, Muslim, “heretics” or adepts of other persuasions <sup>1</sup>. Many of these populations, faiths and denominations had cohabited quite peacefully until the Fourth Crusade (1204) and, in certain respects, even until the ascent to the throne of the Angevin dynasty (1308). During the reign of king Louis I of Anjou (1342-1382), the most substantial effort was made to bring (even by force) all the peoples and populations of other persuasions in Hungary and the neighboring countries to the unity of the Roman faith <sup>2</sup>. At that time, the Western denomination actually imposed itself as “official religion” (*religio recepta*). Following the wide program of conversion, the Italian humanist chronicler Antonio Bonfini estimated that due to the joint effort of the king and the Church around 1380 more than a third of the kingdom “was part of the holy Church” <sup>3</sup>. That is, almost half of Hungary’s inhabitants at that time were Catholic and this was the outcome of an unprecedented effort at proselytizing. The picture became even more complicated in the first half of the 15th century, when the “Hussite Revolution” brought about a religious reformation *avant lettre*. In spite of interdictions, the Czech population that followed Hus and chiefly Hussite ideas penetrated the territories of Hungary, Poland and Moldavia.

Transylvania was no exception in this variegated and intricate picture. Confessionally speaking, the voivodat of Transylvania, the Banat, Crisana and Maramures were chiefly inhabited by Eastern (subsequently called Orthodox) and Western Christians (later called Catholic). The Orthodox believers were mainly Romanians (several Ruthenians and Serbs) and the Catholics were Hungarians (of ugro-Finnic origin), Secklers (probably of Turkish roots) and Saxons (Germanic people). Voivodal Transylvania and the neighboring areas, from the confluences of rivers Tisza and Danube to the springs of the Tisza, had also known

the “estate” regime, which gradually emerged after the 13th century in the entire Hungarian Kingdom. Due to the specific evolution of the feudal society and the heterogeneous composition of the country, chiefly in some of its regions, the estate regime was not able to take the traditional western shape based on the old threefold structure of the social fabric (*oratores, bellatores, laboratores*). Thus, the Hungarian “estates” remained socially and politically underdeveloped: the clergy and aristocracy constituted the very strong dominant estate (*Nobiles*); the towns (chiefly inhabited by Germans, at least until 1350) <sup>4</sup> remained for a long time outside the body politic, while some ethnic groups (such as the Cumans) came to be acknowledged as estates and temporarily represented in the country’s councils.

In Transylvania things were even more complicated with regard to the estate system. Transylvanian estates were privileged groups or *universitates* (the central power acknowledged some collective or communal “liberties”) with power and influence in socio-economic and political life; nevertheless they were organized according to certain ethnic criteria as well. As in the rest of the kingdom, the first estate was the aristocracy (lay and ecclesiastic), ethnically heterogeneous, but undergoing a process of homogenization around its Hungarian nucleus. As early as the 13th century, Hungarian public consciousness held the idea, a cliché, that noblemen were descendants of the genuine, true Hungarian settlers and the commoners descended from non-Hungarians, conquered by the former after their arrival in Pannonia and neighboring countries <sup>5</sup>. The basic document that granted privileges to the entire aristocracy was the Golden Bull issued by king Andrew II in 1222. The other estates were Saxons, Secklers and Romanians, all with an ethnic and ethno-linguistic basis. The Saxons, who had settled in southern Transylvania in the 12th-13th centuries, were granted privileges in 1224 by the Saxons’ Golden Bull, also called the *Andreanum*. Secklers and Romanians were not regarded as newcomers (colonists) in Hungary, although the Secklers were believed to descend from pre-Hungarian Turkish (Turanic) populations migrating in waves from Hungary through Crisana (where they stopped for a while) to the Târnava rivers valley (where they stopped next) and to the Carpathians (where they settled for good). As they were not colonists, Secklers and Romanians were granted not general but partial privileges. While Secklers kept on consolidating these privileges and extended them over the entire ethnic group, Romanians had difficulty keeping their old privileges in certain areas (*terrae Vlachorum* or *districtus Valachicales*) and ended up by losing the rank of a distinct estate. Nevertheless, in the 13th-14th centuries, when they summoned the general assembly of Transylvania (her congregation or “university”), presided over by the king or the voivod – at least between 1291 and 1355 – it was also attended by noblemen, Saxons, Secklers, Romanians and “other people of rank and position” in the voivodat <sup>6</sup>. The estate assembly had mainly supra-legislative powers in Transylvania, but it sometimes took measures regarding order in the country, relationships between the privileged, military issues, etc.

Gradually, after 1351-1366 and 1437, Romanians lost their status as an estate and were excluded from Transylvania’s assemblies <sup>7</sup>. The main reason was religion: during Louis I’s proselytizing campaign privileged status was deemed incompatible with that of “schismatic” in a state endowed with an “apostolic mission” by the Holy See. Another reason was socio-economic: the status of nobleman was determined not only by ownership over land and people, but (from 1366 on) by the possession of a royal donation certificate (diploma)

for the land owned<sup>8</sup>. Thus, the Romanians' social elite, chiefly made up by aldermen (*iudices*) or 'knezes' (*kenezii*), who managed to a small extent to procure writs of donation and who ruled over their villages according to the old law of the land (*ius valachicum*, with its feudal version, *ius keneziale*) came to be expropriated to a great extent. Lacking landed property and the official status of owner, the Romanian elite, belonging to the Eastern Church, was not able to form an estate and participate in the country's assemblies. In 1437, Transylvania witnessed the official setting up of the "brotherly union" or *fraterna unio*, that is, a community or gathering (*universitas*) of aristocrats, Saxons and Secklers, with the view of defending the country against the Ottoman threat and the inner danger of rebellious peasants. Consequently, in the 15th and the beginning of the 16th centuries, before the Reformation, authority was held in Transylvania by the three estates or privileged groups (*Nobiles*, *Saxoni* and *Siculi*), all adherents to the Western (Catholic) faith. The Romanian elite, so far as it was preserved, adjusted to these circumstances and was forced to take great pains to enter the ranks of the aristocracy. The other Romanian knezes (and voivods), who did not gain the desired privileges, gradually fell among the ranks of subjects or even bondsmen. But the ennobled Romanians had gradually left their ethnic and religious community and thickened the ranks of the Hungarian Catholic aristocratic estate. At one point, in the 15th century, during the reign of Ioan/Iancu of Hunedoara (Romanian from Hateg-Hunedoara, who gained by military valor the position of voivod of Transylvania, governor of Hungary and then captain general of the kingdom), noblemen of Romanian origin in Transylvania, the Banat and the Western Lands were numerous enough to attempt again to constitute an ethnically based Romanian estate<sup>9</sup>. For a time they were officially called, in the documents, *nobiles Valachi*: their ownership over the land was specific to Romanian districts and they ruled according to the principles of Romanian law (or of the "Romanian country" – *ius Volahiae*, according to the formula present in certain documents from the Banat, called *Valachia cisalpine*)<sup>10</sup>. The attempt made by the influential Romanian elite in the mid-15th century came to no avail; the most important noblemen of Romanian origin became Catholic and gradually entered the ranks of Hungarian aristocracy. The petty Romanian aristocracy from certain areas maintained its confessional and ethnic character at the cost of keeping a low profile and descending the political and socio-economic scale. The economic status of the petty nobility was similar to that of the peasantry. Nevertheless, until the Reformation, the Transylvanian aristocracy of Romanian origin, whether or not it was aware of this situation, was quite numerous, either having joined the ranks of the great Hungarian elite or having survived at a modest local level. This situation was also revealed in a testimony on the great Ottoman victory of Mohacs in 1526, recorded by Gheorghe Sincai: "And prince Louis had but 26,000 [soldiers], as Broderit put it, who was the bishop of Vad at that time; for Paul Tomori, the archbishop of Caloccea, did not let the prince wait for the Transylvanians and others, as Sigler noted. Some say that Paul Tomori had also said about Transylvanians that why do Hungarians need Romanians to join in their victory! which turned out to be quite ill-spoken as Hungarians had always been victorious so long as they were one with the Romanians, and after they broke up with the Romanians, they did worse and worse as seen in the previous years"<sup>11</sup>. Besides Paul Thomory's national pride in competition with the Romanians<sup>12</sup>, well-known from other testimonies, the quotation shows that even Hungarian officials regarded the Transylvanians, the army of the voivodat at the beginning of the 17th century, as consist-

ing of Romanians in the first place, even though the latter were deprived of global privileges. Sometimes, Transylvania was even equated with her great mass of Romanians, though she had nothing Romanian in her government.

At the end of the 15th century, the national element of the Transylvanian estate system was more emphasized and, gradually, throughout the Early Modern period, moved to the fore. During the reign of king Matia Corvinul (Matthias Corvinus), in 1463, it seems that the term nation (*natio*), under the form *universitas trium nationum Transylvanicarum, Nobilium videlicet, Siculorum atque Saxonum*<sup>13</sup>, was used for the first time instead of the term estate (*status*). It became common after 1506, when the country's assembly at Sighisoara took crucial decisions on behalf of the *tres nationes, Nobiles videlicet, Siculi et Saxones*<sup>14</sup>. In 1541, Transylvania and the Western Lands were separated from Hungary (occupied by Ottomans and Austrians) and turned into an autonomous principality under Ottoman sovereignty. From then on, the new terminology for the Transylvanian estates, of Humanist inspiration, was established for a long time. In the diets held between 1542-1548 in Turda and Cluj, noblemen, Secklers and Saxons were called "lord citizens" or rightful inhabitants (*domini regnicolae*) of the three nations of the Transylvanian country (*trium nationum Regni Transilvaniae*).

Consequently, beginning with the 17th century, the Transylvanian estate regime was in fact the regime of the three nations. The term had a socio-political and ethnic-territorial meaning. The nations were the ruling elite in Transylvania because they held political power in the state: the representatives of the three nations would participate in 430 Diets between 1540-1690 (an average of three per year) and they would also hold all local and central high positions. The ethnic-territorial character was not visible from the beginning among the aristocracy. At first, noblemen were all those who had military functions and owned landed property (land and, as a rule, bondsmen), irrespective of their ethnic or denominational community. Thus, *nobilis Hungarus* meant at the beginning a nobleman from the Hungarian Kingdom and, after the 15th century, more and more often, a Hungarian nobleman of ethnic origin. This evolution was favored by the fact that most of the aristocrats were or felt Hungarian from an ethnic point of view. In time, the true noblemen of Transylvania had to be or become Hungarian and Catholic. Thus, in the 16th century, *natio Nobilium* came to be synonymous to *natio Hungarica*. The Saxon and Seckler nations had from the very beginning a strong ethnic character. Under the prince's authority, the three nations governed the country in full equality (the vote in the Diet of the aristocrats, Saxons and Secklers was equal) – at least theoretically speaking – though, in practice, the power and influence of noblemen or Hungarians was by far stronger. A 1551 Diet asked Ferdinand of Habsburg to appoint the voivod of the country *ex natione Hungarica* only and, after 1600, that is, after a Romanian prince came to rule Transylvania in the name of the Austrian emperor, the Diet again asked the latter to govern the country only by means of officials of Hungarian origin, to accept only people of Hungarian origin in the provincial militia, to grant local positions only to Hungarians and high ranking Transylvanians (Saxons) and to allow the Diet to elect the prince only from among the Hungarian nation<sup>15</sup>. In any case, throughout the Principality epoch (1541-1691), all the princes elected by the Diet without external pressure or interference were high noblemen from the Hungarian ethnic group.

The Transylvanian estates or nations also had a territorial character: noblemen or Hungarians lived and owned counties or *comitates* (also called “Hungarian lands”), the Secklers lived in their seats, called “Seckler Land” (*Terra Siculorum*, *Székelyszékelyföld*) and the Saxons on “Royal Land”, also called *Fundus Regius* or even “Saxon Land”. Romanians, spread almost everywhere (more sparsely in urban areas) had no “land” or territory officially declared to be their property as they were not part of any estate or nation. Consequently, three political nations with ethnic bases ruled Transylvania and all three were still Catholic at the beginning of the 16th century.

This quite complex picture was even more complicated by the penetration and spreading of the Reformation. The causes of this major change in the faith of the Transylvanian nations were those which affected Europe in general, as well as more particular ones: the conflict between the Transylvanian Saxons (organized in an old bishopric of Sibiu and two deaneries in Sibiu and Brasov) and the Transylvanian bishopric of Alba Iulia and then with the Hungarian archbishopric of Strigoni (Esztergom, Gran); the fact that at the head of the Catholic bishopric of Alba Iulia and Oradea were elected priests of no vocation, lacking the required qualities, interested only in increasing their income, some of them even under age; the inner strife over who would rule Hungary and Transylvania after 1526, the year when king Louis II died at Mohacs; the lack of confidence in the clergy; *scandala in ecclesia Dei*. The Transylvanian estates were eager to emancipate themselves not only from the central royal tutelage, but also from the authority of the church, dominated by the strong Catholic hierarchy. The spreading of Reformation ideas was followed by harsh measures taken by the state and the Catholic Church (the eradication of “heretics” between 1525-1545; expulsion and punishment of the messengers of the new ideas; the use of the Habsburg military force, etc.), counteracted by the establishment of the foundations of the Principality separated from Hungary, side by side with a local armed response, carried out with the military support of the extra-Carpathian Romanian princes and the Ottoman sultans.

The rapid success of the Reformation in Transylvania was also due to the fact that it had been received by two estates or nations – Saxons and the aristocracy – even by prince Ioan Sigismund, who, during his life, passed through four Christian denominations: Catholicism, Lutheranism, Calvinism and Unitarianism. Saxons, in close connection to Germany and in tense relations with the Catholic hierarchy, were the first to pass to the Lutheran Reformation, mostly due to several learned pastors, such as Johannes Honterus and Valentin Wagner. Sibiu was the center of Lutheranism. In parallel with the Saxons, the aristocracy of the Banat and Western Lands also passed to Lutheranism and organized its own hierarchy, distinct from the Saxons’. Shortly after, Calvinism also spread in Transylvania, chiefly among the Lutheran aristocracy and the Hungarian population. Its center was Cluj. Soon enough, almost the entire aristocracy of the Principality (the noblemen’s nation) had become Calvinist. A most significant part in the spreading of Calvinism and the organization of the Calvinist Church of Transylvania was played by the German natives Gaspar Heltai and Francisc David (both first passed to Lutheranism). Francisc David, after being the leader of the Calvinist Church, converted to Unitarianism (anti-Trinitarianism), like the prince of the country, and organized the new Unitarian Church. More radical Unitarian ideas found fewer adherents, mainly among the poorer strata of the

population of Cluj and Turda. Cluj was the world center of anti-Trinitarianism. Between 1542-1572, the new denominations were solidly consolidated and officially sanctioned by the Transylvanian Diets. In 1564, “the religion of Cluj” (Calvinism) and the older one, “of Sibiu” (Lutheranism) were declared by the Diet “free or received religions”. In 1572, the Diet also acknowledged the new Unitarian religion, forbidding any other religious innovation in the future. Reformation timidly penetrated among the Secklers, but they remained Catholic to a great extent.

Thus, in the 17th century, the political-religious system of Transylvania was based on the three nations (Hungarians, Secklers and Saxons) and four “received religions” (Catholic, Lutheran, Calvinist and Unitarian). The acknowledgement of the new denominations born out of the Reformation was, naturally, an outcome of the evolution of the idea of freedom at the end of the Middle Ages. It occurred not without conflicts or rivalries with the old Catholic Church and even between the new confessions. In 1556, the old and influential Catholic bishoprics of Alba Iulia and Oradea were closed and expropriated; the Catholic clergy was persecuted. In most towns and boroughs activity of Catholic priests was forbidden. All in all, the passage to the Reformation in Transylvania, in spite of some turmoil <sup>16</sup>, occurred without bloody armed conflicts like in other parts of Europe. The system according to which the new denominations enjoyed the right to manifest themselves legally and coexist was called the “tolerance system”. It stirred, rightfully up to a point, the admiration of contemporaries and, especially, of that of historians of later ages.

Nevertheless, the freedom of the three nations and four confessions was rather exclusive as it left beyond its boundaries many inhabitants of the country, among whom Romanians, Jews, Armenians or Gypsies, with their religions and confessions. In 17th-century Transylvania a most interesting and quite simple thing happened: the old Catholic masters, making up three estates or nations, almost all passed to Protestant confessions, which they themselves legalized and sanctioned. It would have been rather unusual if such thing had not happened as they were the same people who had turned from being Catholic to Protestant. They had led the country before the Reformation and would lead her in the future. The most serious problem was related to the Romanians – the majority of the country’s inhabitants – and their Eastern denomination, because they and their religion were excluded from Transylvania’s “constitutional system” for many centuries, and the establishment of the Principality in the mid-16th century confirmed this exclusion at the very moment in which there was an opportunity for innovation in this field too.

As seen above, even in the Middle Ages the Romanians were held inferior, being “schismatic”, subject to the new masters, excluded from offices and restricted to a local level. Their aristocratic elite, officially acknowledged and imposed by military valor, got lost to a great extent in the mass of Hungarian aristocracy and gradually changed its ethno-confessional status. Only the elite (the boyars) of Fagaras and the petty aristocracy of Hateg-Hunedoara, the Banat, Beius, Chioar, Maramures and several other places (former royal lands) remained Romanian. Nevertheless, most Romanians were Orthodox subject peasants, so that the term Romanian became synonymous with “bondsmen” and “schismatic”. The Calvinist Principality strengthened the Hungarian political structures of Transylvania. At a certain point, the Calvinist princes seemed prone to encourage the Romanian aristocracy and clergy to pass to the Reformation, but when these elements of the Romanian

elite attempted to take the opportunity to organize themselves as an estate (privileged group) the entire project failed. Some Romanians distinguished themselves by outstanding individual careers (lay or ecclesiastic), but within the ranks of the Catholic or Protestant aristocracy. The attempt at bringing Romanians as a mass, a distinct group, to Lutheranism and chiefly to Calvinism failed for several reasons. First of all, the Reformation was conceived for Catholics, not for Orthodox believers, who had no connection with the Pope's authority, indulgences, magnificent ceremonies, the celibacy of priests, and so forth. Secondly, for simple minded and ignorant Romanian peasants the oversimplification of the dogma and ritual, the attacks against tradition, saints, icons, the cult of the dead, candle burning, etc. meant the ruin of the old foundations of the faith. Thirdly, the Romanians' almost general illiteracy, their poor material conditions and miserable life as bondsmen made them less receptive to lofty theological disputes and to the rationalization of the faith as suggested by the Protestants. In the fourth place, the Romanian princes and clergymen from Wallachia and Moldavia (to whom the churches of the Transylvanian Romanians were subordinated as early as the 14th century) urged them to resist. Nevertheless, the Romanians had an ephemeral Calvinist hierarchy in Transylvania (1566-1582), which quickly disappeared due to the indifference of the masses and the Counter-Reformation supported by the Báthory princes, who set up a parallel Orthodox hierarchy in 1571. Thus, owing to the Counter-Reformation and the churches south and east of the Carpathians, the Orthodox Romanians of Transylvania came to be hierarchically organized in a Metropolitan See residing in Alba Iulia. Consequently, while the churches of the official nations were declared "received", that is, stable power structures in society, the Romanians' church was eventually allowed to exist and function, but without any access to state power.

Anyway, under several aspects, the Reformation had a beneficial impact on Romanians because it hastened the use of Romanian in church and culture and stimulated the printing, in Romanian (and Slavonic), of several ritual books either in support of Protestant ideas or to counteract them and strengthen Orthodoxy. A great cultural center involved in this phenomenon was Brasov, where the most important printing enterprises were founded and where the unification of the literary language started. The financial supporters of the printing endeavors of the 16th century were the Lutheran Saxons of the citadel of Brasov, the Calvinist leaders, the Romanians of the "Romanian town" Schei (adjacent to the Saxon citadel of Brasov) and the Romanian princes south and east of the Carpathians. Other great cultural centers of the Transylvanian Reformation were Sibiu (chiefly for Saxons) and Cluj (for Hungarians and Saxons), where many books in German and Hungarian were written and printed.

At the same time, there was a gradual process of passing from medieval to modern nations. The Transylvanian nations strengthened their constituent ethnic, confessional and territorial elements on the basis of a body of distinctive elements, some of which were typically medieval, while others anticipated the modern world. Hungarians were Calvinist and lived in counties; Secklers were Catholic and inhabited the Seckler Lands; Saxons were Lutheran, mostly lived on Royal Lands and were proud of being members of what was called *Universitas Saxonum*. Romanians – Orthodox and living throughout the country – were not officially acknowledged as a political nation, but they were sometimes described as one, ethnically speaking. Officially, Romanians in Transylvania did not have the right to be called a "nation" because they did not have access to the exercise of power, but, in several writings, they were

also called a nation from an ethnic point of view. For instance, the humanist Nicolaus Olahus (1493-1568) speaks about the many nations (13) that make up Hungary, among which he lists the Romanians as well. The same Olahus writes about his native country, Transylvania, that: "There are four nations in her, of different origins – Hungarians, Secklers, Saxons, Romanians [...]. Hungarians and Secklers use the same language, except the Secklers have several words specific to their people [...]. Saxons are, as they say, some Saxon colonists of Germany [...]; what would support this opinion is the similarity between the languages spoken by the two peoples. According to the tradition, Romanians are colonists of the Romans. This is proved by the fact that they have much in common with the Romans' language, people whose coins are abundant in these places; undoubtedly, these are significant testimonies of the oldness and Roman rule here" <sup>17</sup>. As concerns the Romanians' confession, the humanist notes that they "are Christians, except that, following the Greeks in what concerns the Holy Spirit, they are different from our church [Catholic] in several more important aspects" <sup>18</sup>. Olahus, a humanist and Catholic clergyman of Romanian origin, born in Transylvania, knew very well what the three politically official nations of his country, organized on the basis of medieval privileges, were, but as a man of the Renaissance he chose to speak about nations as modern ethnic groups. He defined nations according to their origin, language and denomination, not by privilege. Consequently, for him Romanians were a nation like any other, even more prestigious as they descended from Romans, who were held in high esteem by humanists. Olahus did not even call the Romanians "schismatic", as was the rule, but "Christians". In his "Description of Transylvania", dedicated to Cosimo de' Medici, the duke of Florence, the Italian Giovanandrea Gromo (1518 - after 1567), the commander of prince Ioan Sigismund's guard, spoke about the Transylvanian nations but in ethnic sense. He said that there were five nations in the country, namely Hungarians, Saxons, Romanians, Poles and Gypsies, all characterized by language, origins, customs, faith, life style, inhabited territory, etc. Secklers were included in the Hungarian nation, as they spoke the same language, and the Romanians were presented as descendants of the Romans, with a language similar to Latin and of Orthodox faith <sup>19</sup>.

Those who knew best, that is the members of the privileged Transylvanian nations, did not make such "mistakes", because they used the term nation chiefly in its political sense. The Saxon Georg Reychersdorffer said that Transylvania was inhabited by three nations, Saxons, Secklers and Hungarians; Romanians were added at the end, without the name "nation", but noting that they were spread all over the country; in exchange, the Romanians of Wallachia, masters in the south of the Carpathians, were called a "nation" <sup>20</sup>. Another humanist (Hungarian-Croat), Antonius Verancius or Verancsics (1504-1573) wrote about the inhabitants of Transylvania and about the Romanians: the country "is inhabited by three nations, Secklers, Hungarians, Saxons; I would nevertheless add the Romanians, who, though they rather outnumber [the others] have no freedom, no aristocracy, no right of their own, besides a small number living in the Hateg district, where they say Decebal's capital was, and who, during the time of Ioan of Hunedoara, born there, were granted aristocratic status because they had always taken part in the struggle against the Turks. The other [Romanians] are all commoners, bondsmen to the Hungarians and having no place of their own, spread everywhere, throughout the country" and lead "a miserable life" <sup>21</sup>.

The Romanians' inferior status began to be more and more obvious in the Transylvanian Diets' decisions (laws), taken by the three nations. Several examples of such decisions

taken between 1542-1555 are illustrative: the Hungarian (*Hungarus*) accused of robbery could be defended by the oath of the village judge and three honest men, while the Romanian (*Valachus*) needed the oath of the village knez, four Romanians and three Hungarian “Christians” (1542); the Romanian could not appeal to justice against Hungarians and Saxons, but the latter could turn in the Romanian (1552); the Hungarian peasant could not be accused by three witnesses, but by seven trustworthy people and only after that he could be punished, while the Romanian received punishment after he was accused by three trustworthy people (1554); the “Christian” (Catholic) peasant could be arrested (imprisoned) following the oath of seven “Christians”, while the Romanian by the oath of three “Christians” or seven Romanians<sup>22</sup>. Consequently, justice was carried out in a discriminating manner in Transylvania, according to political and ethno-confessional criteria, depending on the membership or non-membership in official nations and received “religions” (see Source).

There also were attempts at improving the situation because the Romanians represented the majority of the population and might have become a major factor of instability. The first attempt after the Reformation was made by the Báthory princes (chiefly Stefan Báthory and Cristofor Báthory), beginning with 1571. They were Catholic, supporters of the Counter-Reformation and, wishing to hurt the Protestants, they acknowledged certain old laws of the Romanians clergy and church (threatened by Calvinism)<sup>23</sup>. The second major attempt was made by the Romanian prince Mihai Viteazul (who by force became ruler of Transylvania in the name of emperor Rudolf II), between 1599-1601, when he granted high public offices to Romanians as well, forced the Diet to acknowledge certain rights of the Romanian peasants and priests and asked the Habsburg emperor in a memorandum to include Orthodoxy among “received religions” (side by side with Catholicism and Lutheranism)<sup>24</sup>. Finally, the third attempt at “raising” the Romanians (and the last under Austrian rule) was made at the end of prince Gabriel Bethlen’s rule (1613-1629), who asked the opinion of Kiril Lukaris, the ecumenical patriarch, concerning the “homogenization” of the country and the attempt at turning Romanians to Calvinism. Among the causes due to which in 1629 it was believed that Romanians could not become Calvinists was the “bond of blood and feeling” between Transylvanian Romanians and the inhabitants of Wallachia and Moldavia. It was also possible that the princes of the neighboring Romanian countries interfered “if not military, at least with secret urgings”<sup>25</sup>. These attempts, some of which were quite unrealistic, failed, but they nevertheless showed how serious the question of the Romanians’ discrimination was in Transylvania.

The political and religious system of the Transylvanian Principality, that is, the exercise of power by the official nations and received denominations of the country, endowed the respective world and epoch with a distinct character. It was surprising that, under the umbrella of a term like “tolerance”, questions of quite different meanings could be hidden. From the standpoint of the estates (political nations), Transylvanian society was “tolerant” because it enabled the peaceful coexistence and even the prevalence, side by side with the old Catholics, of the members of the confessions born out of Reformation. But for the Orthodox Romanians the same “tolerance” meant keeping them in inferior status, of forced acceptance, “so long as the good will of the citizens lasts” (*usque ad beneplacitum regnicolarum*). Therefore, the system of political nations and received religions in the 16th century Transylvania (as

well as in the next centuries) was a *sui generis* state of affairs, surprisingly modern (thanks to the acceptance of the other, and because of the equality between various power holders) and medieval (because it perpetuated and legalized discrimination and privilege) at the same time. The society that emerged in Transylvania with the triumph of Reformation was meant to last for several centuries, but it carried within itself the germs of destruction from the very beginning, permanently strengthened by modern national, liberal and democratic ideologies. Nevertheless, the former nations and confessions of Transylvania were a fascinating experience, worthy to be carefully investigated and known in detail.



## NOTES

- <sup>1</sup> See J. Szuics, *The Peoples of Medieval Hungary*, in F. Glutz (ed.), *Ethnicity and Society in Hungary*, Budapest 1990; I. A. Pop, *The Ethnic Confessional Structure of Medieval Transylvania and Hungary*, Cluj-Napoca 1994.
- <sup>2</sup> Ș. Papacostea, *Geneza statului în erul mediu românesc. Studii critice*, Cluj-Napoca 1988, pp. 76-96.
- <sup>3</sup> A. Bonfinius, *Reverend Hungaricarum decadel quatuor cum aliislibris*, I. Samliovici (ed.), Basel 1568, p. 377.
- <sup>4</sup> Szuics, *The Peoples* cit., p. 17.
- <sup>5</sup> J. Parçuy, *Les consciences nationales dans les chrôniques hongroises du XIII<sup>e</sup> siècle*, in *Le développement de la conscience nationale en Europe Orientale*, Paris 1969, pp. 51-58.
- <sup>6</sup> I. A. Pop, *Instituții medievale românești. Adunările creștine și nobiliare (botorești) din Transilvania în secolele XIV-XVI*, Cluj-Napoca, 1991, pp. 9-26; Idem, *L'Assemblée générale des États de Transylvanie de mai 1355*, "Transylvanian Review", IX, 2000, n. 1 (spring), pp. 36-45.
- <sup>7</sup> Idem, *Romanians and Hungarians from the 9th to the 14th Century. The Genesis of the Transylvanian Medieval State*, Cluj-Napoca 1996, pp. 182-193.
- <sup>8</sup> Idem, *Un privilège royal obtenu de 1366 relatif à la Transylvanie et ses implications*, "Nouvelles études d'histoire", X, 2000, pp. 73-89.
- <sup>9</sup> I. Drăgan, *Nobilișma românesc din Transilvania între anii 1440-1514*, Bucharest 2000.
- <sup>10</sup> Pop, *Instituții medievale românești* cit., pp. 125-163.
- <sup>11</sup> G. Șineai, *Cronica românilor*, vol. II, Bucharest, p. 241.
- <sup>12</sup> I. A. Pop, *Nașterea monarhiei medievale. Solidarități creștine românești în secolele XIII-XVI*, Bucharest 1998, pp. 55-57.
- <sup>13</sup> E. Halmuzaki, N. Densușianu, *Documente privitoare la istoria românilor*, vol. II, 2nd part, pp. 146-148.
- <sup>14</sup> See D. Preclan, *Supplex I bellus Valachorum. Din istoria formării națiunii române*, Bucharest 1984, pp. 94-101.
- <sup>15</sup> *Monumenta Comitatus Regni Transylvanicae*, vol. V, Budapest 1879, pp. 77-78, 80-82.
- <sup>16</sup> F. Pall, *Trănzilvăniari sociale și religioase în orașul Cluj în jurul anului 1570*, "Anuarul Institutului de Istorie din Cluj", V, Budapest 1962, pp. 7-34.
- <sup>17</sup> N. Olahus, *Hungaria et Alia sive de originibus gentis regni Hungariae...*, F. Kollarus (ed.), Vienna 1763, p. 61.
- <sup>18</sup> *Ibid.* For Olahus and an excerpt from his work see M. Holban, *Călătoria străin deșter țările Române*, vol. I, Bucharest 1968, pp. 481-500.
- <sup>19</sup> Holban, *Călătoria* cit., II, pp. 333-338. The fact that he mentions the Poles as distinct nation in Transylvania can only be explained by the fact Isabella, the prince's mother, was Polish and came from her country accompanied by several fellowmen.
- <sup>20</sup> *Chronographia Transylvanicae, quae Dacia ubior appellata...*, Victimae, 1550, f. 5; Holban, *Călătoria* cit., I, pp. 208-210; Predan, *Supplex* cit., p. 104.
- <sup>21</sup> Holban, *Călătoria* cit., II, pp. 410-411; Pop, *Nașterea* cit., p. 126.
- <sup>22</sup> Halmuzaki-Densușianu, *Documente privitoare* cit., II/5, pp. 206, 227; I. Tașcuș, *Documente istorice transilvane*, vol. I, Cluj 1940, p. 395; Pop, *Nașterea* cit., pp. 61-62.

<sup>23</sup> A. S. Andea, *Principatul Transilvaniei sub suzeranitate otomană (1541-1691)*, in A. Drăgoescu (ed.), "Istoria României. Transilvania", vol. I, Cluj-Napoca 1997, pp. 544-646.

<sup>24</sup> Pop, *Nașterea* cit., p. 30.

<sup>25</sup> Idciu, *Il jaltarnia Kiri Lakari mŃnitiu sŃno-confesională des Romeni*, in F. Ciuda (ed.), *Limba e confesiunea în Transilvania (secolul XVI-XX)*, Rome 2000, pp. 19-28.



## SOURCE

Source: 28 June 1366, Louis I, king of Hungary, gives full rights to noblemen in Transylvania to destroy the malefactors of any nation, especially Romanians...” I. Dani, K. Gündish et al. (eds.), *Documenta Romaniae Historica*, Series C, Transilvania, vol. XIII (1366-1370), Bucharest 1994, doc. 92, pp. 161-162 (excerpt).

Lodouicus, dei gracia, Hungarie, Dalmacie, Croacie, Rame, Seruie, Bulgarie, Gallicie, Lodomerie, Cumanieque rex, princeps Sallernitanus et honoris Montis Sancti Angeli dominus, omnibus Christi fidelibus, tam presentibus quam futuris, presencium noticiam habituris, salutem in omnium salvatore.

Regalis benignitatis provida deliberacio et circumspecta benignitas remediis invigilat subiectorum, quia, dum pro studio subiectorum nostrorum onera alleviamus, dum scandala removemus, nos, in ipsorum statu pacifico et tranquillo, quiescimus in pace. Proinde, ad universorum noticiam harum serie volumus pervenire quod, quia fideles nostri, universi nobiles terre nostre Transilvane, propter presumptuosam astuciam diversorum malefactorum, specialiter Olachorum, in ipsa terra existencium, eorundemque statum simul et usum inordinatum, ineam moda patiebantur cottidiana et infinita, igitur eisdem fidelibus nobilibus nostris et nostre terre Transilvane, ad exterminandum seu delendum in ipsa terra malefactores quarumlibet nacionum, signanter Olachorum, talem de plenitudine regie nostre potestatis et gracia speciali concessimus libertatem, quod quicumque homo in furto vel latrocinio aut alio criminali facto fuerit notorie inculpatus, quamvis non sit manifeste pro tunc, cum inculpatur, apprehensus, si erit nobilis, cum approbacione quinquaginta nobilium, si vero fuerit ignobilis, cum atestacione quinquaginta hominum ignobilium, iuridice interim possit per partem adversam. Is autem, qui in aliquo premissorum malefactorum publice fuerit apprehensus, necari per suum adversarium possit iuridice sub atestacione septem sibi personarum quoequalium. Et si Olachus communis fuerit inculpatus vel manifeste apprehensus, possit fieri contra ipsum probacio per quoslibet homines communes, et, e converso, Olachus communis in casu consimili contra hominem communem alterius nacionis per communes Olachos vel alios homines communes suam legitime probare possit accionem: si vero communis Olachus aliquem nobilem hominem in publico maleficio inculpans non posset totaliter per nobiles suam probare accionem, tunc probacionem ipsam faciat prout potest, videlicet vel per nobiles vel per kenezos aut per communes homines seu Olachos, usque ad plenarium numerum quinquaginta nobilium personarum, ubi unusquisque kenezus, per nostras literas regales in suo keneziatu roboratus, pro uno vero nobilij acceptetur, communis autem kenezus pro villico fidei unius fertonis computetur, et communes homines seu Olachj recipiantur pro hominibus fidei medii fertonis in approbacione prenotata et, eodem modo, Olachus communis suam accionem probare possit contra nobilem, quem publice apprehenderet in aliquo huiusmodi malefactorum.

Deinde volumus quod nobiles dicte terre et eorum iobagiones in civitatibus vel villis liberis non detineantur pro furto vel latrocinio aut alio criminali facto, si non fuerit in aliquo ipsorum

factorum ibidem manifeste apprehensi, nec in ipsis civitatibus vel villis aliquis nobilis de provincia proscriptur. Preterea volumus quod patens violenciam seu potenciam se non vindicet per consimilis violencie vel potentje perpetracionem, sed contra suum in hac parte adversarium legittime procedat, alioquin penam duppli huiusmodi perpetrata et contra partem adversam incurrat et adversus wayuodam nostrum Transiluanum in facto potencie subcumbat.

Louis I, King of Hungary grants rights to noblemen in Transylvania to destroy criminals of any nation, especialasly Romanians, 28 June 1366.

Louis, by grace of God King of Hungary, Dalmatia, Croatia, Rama, Serbia, Bulgaria, Galitia, Lodomeria and Cumania, prince of Salerno and lord of Mount Sant'Angelo, to all the faithful in Christ, both present and future to whom this letter will be known, in the Universal Saviour, greetings.

The foresightful deliberation of our royal benevolence and careful goodness watches attentively for ways of improving the lot of our subjects in that, when we lighten the burden of our subjects and we remove evil, in their peaceful and calm existence we find peace for ourselves. Therefore, we want to bring, through this lines, to everyone's notice that, because all our faithful noblemen from our land of Transylvania have been suffering day by day many troubles because of the evil arts of many malefactors, especially Romanians, that live in that our country; because of their way of being and their disorderly behavior, thus by the fullness of our royal power and our special grace, we gave to these noblemen, faithful to ourselves and our country of Transylvania, in order to remove from this country malefactors belonging to any nation, especially Romanians, the liberty that any person accused and convicted of stealing or robbery or any other infamous action, even if not caught in the act, could be condemned, according to the law, if he be noble with the approval of fifty nobles, if he be a common person with the decaration of fifty ordinary men. Those caught in the act can be executed by the injured party, according to the law and following the testimony of seven people of the same rank. In the case of a Romanian accused or caught in the act, the crime must be proved by any ordinary people and, conversely, an ordinary Romanian must legally prove his accusation, in a similar situation, against an ordinary person of another nation using the testimony of ordinary Romanians or of other ordinary people. If it should happen that an ordinary Romanian accuses a nobleman of a crime done openly and he is not able to prove his accusation entirely by the noblemen required by the law, then he must prove it as he is able, that is by noblemen, knezes or ordinary people or Romanians to reach the full number of fifty noblemen, where each knez brought to that estate by our royal writ, is accepted as a real noblemen and the ordinary knez is to be considered as a county lord having the right of one fertun testimony and common people or Romanians are to be accepted to participate when doing the said witnessing as men having a half-fertun testimony and, in the same way, an ordinary Romanian can prove his accusation against a nobleman caught in the act committing any of the said illegal acts.

And we desire that noblemen of the said land and their serfs not be detained in cities or free villages for stealing or robbery or for any other criminal action, if not caught in the act in that place, and in those towns or villages no nobleman of the territory can be outlawed. Moreover, we desire that those who suffer violence or the arbitrary use of force seek not revenge by the same violent and arbitrary methods, but rather follow the legal path against the other party, otherwise they will be subject to double the penalty respect to what the opposite side would be subject to, and will be found guilty before our voivode of Transylvania [...].

From: *Documenta Romaniae Historica*, vol. XIII, Transilvania (1366-1370), Editura Academiei Române, Bucharest 1994, p. 161-162 (excerpt)



