

## THE EUROPEAN BACKGROUND OF THE „GOLDEN BULL“

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The Golden Bull was one of the manifestations born of the resistance against despotic rule based upon Roman law, this latter quickly spreading from Italy — then under Byzantine rule — across the Alps to France, Germany and England, where respectively Lewis VII., Frederic Barbarossa and Henry II. claimed for themselves the privileges of the Roman Emperors. This common pursuit of the same aim experienced a change only when Eleanor of Aquitaine had divorced Louis VII., married Henry II. and the King of England had become master of greater part of the French territory. From this time onwards the King of France turned his arms against the English. Thus it came about that France gave shelter to those scientists and politicians who fled from the tyranny of Henry II. to French soil. It was equally a consequence of this tyranny that, at the university of Paris, teachers sprang up, proclaiming the theory of the resistance of the Estates, as the remedy against violence and oppression. The adherents of this theory were supported by the Church and, at the death of the English-born Pope Hadrian IV., whose entourage had been formed mostly by Englishmen, raised to the papal throne Alexander III., the man of their choice. Cardinal Thomas à Beckett, murdered later by the men of Henry II., as well as Cardinal Stephen Langton — creator of the *Magna Charta* or *Great Charter* — were both protégés of the popes Alexander III. and Innocent III. John of Salisbury, the man who compiled the theory of resistance, considered the Church to be the only defence against tyranny. In the circles where this theory was elaborated and taught, the Hungarian Cardinal Lukács of Esztergom studied the question and, supported by Pope Alexander III., introduced victoriously the idea of the resistance of the Estates into Hungary.

At the same time the English Queen, Eleanor of Aquitaine, endeavoured to protect herself against the French by providing herself with allies. Thus she attached to her person the Saxon Prince Henry the Lion — enemy of Frederic Barbarossa, German Emperor, — giving him her daughter Matilda in marriage. She then won over William II., King of Sicily, who wedded Princess Jane; and after her husband's death she married Raymond, the Count of Toulouse. Led by the same object, Queen Eleanor gave Margaret, her son's, Prince Henry's, widow, who had been crowned Queen of England, in

marriage to Béla III., King of Hungary. In this way she secured for England the support of Saxony, Sicily, Toulouse and Hungary. By and by Savoy and Aragon — i. e. France's neighbours — also sided with the English interests. Against this coalition France sought to protect herself by trying to raise difficulties in the internal affairs of England and her allies. Thus Philip II., King of France, supported the opposition in England against the Kings of England, Henry II. and Richard Coeur de Lion; against Henry the Lion he backed Frederic Barbarossa, whose son, Henry VI., German Emperor, victoriously occupied Sicily, while the rulers of Toulouse were able to keep their independence only with the help of Aragon.

Regarded from the Hungarian view-point, the English-French war has a curiously different aspect, not at all like the usual description of historians. First of all let us note the way in which King Béla III. came to wed an English woman. The court of Manuel II. Emperor of Byzantium, was governed by the taste of French princesses and it was from here King Béla had brought home his first wife, the French Princess Anne de Châtillon; after her decease, he looked again for a French princess. That was how his messengers had come to Paris, where they chose, on behalf of their King, Margaret; the widowed English Queen, sister of the King of France, Philip II. The Hungarian King himself had first thought of marrying the daughter of Henry the Lion, owing to his acquaintance with her father; however at that time Prince Henry lived as an exile at the English court and Queen Eleanor arranged instead the marriage with the widow of her son, Margaret. This was a clever move against the French King, who kept his sister Margaret a prisoner in order to secure for himself her dowry, which he was now forced to surrender to the English. In 1189, after the death of Henry II., the throne of England was occupied by Richard Coeur de Lion, son of Henry II. and Queen Eleanor. From this time on Philip strove with all his might to break Richard's power and dissolve the English queen-mother's menacing coalition. The results of Philip's persevering policy proved indeed disastrous for Queen Eleanor's allies. Sicily was occupied by the francophile Hohenstaufen, Toulouse by the French themselves; the King of Aragon was killed in battle in the defence of Toulouse; the Hungarian Queen of Aragonian descent fell a prisoner, together with her husband and child, to the Austrian Duke and the Prince of Merania, both friends of France. Richard Coeur de Lion was imprisoned by the Hohenstaufens; his younger brother John, his successor on the throne, lost his possessions in France while his Capital was occupied by French troops under the

rommand of the French successor to the crown himself.

In the East the Austrian Duke, Leopold, and the Prince of Merania, Berthold, represented the French interests against King Béla III. and his English wife. Scholars used to have long discussions as to where Merania was situated, which is not to be discovered on maps for the simple reason that it never existed at all. As a matter of fact Berthold, Count of Andechs, took his course from Bavarian territory towards the Adriatic Sea, occupying the environments of Görz, the peninsula of Istria, planning to annex still further parts of the coast as well as Dalmatia. Now the Slav inhabitants of those parts used to call the coast Primorje, Pomerania, Merania: Prince Berthold, who intended to create a new big empire along the coast, including the Northern and Eastern parts of the Adriatic Sea, proposed to call this empire „Merania”. However, Dalmatia was under the rule of the Hungarian King Béla III., who had recovered it as early as 1180 from the Venetian Republic. That was how the Austrian Duke Leopold, Berthold of Merania and the Republic of Venice came to stand side by side against the Hungarian King, whose province on the Adriatic coast stood like a rock in the way of the foundation of the new empire — Merania.

At the time of the crusade of 1191—92, Hungary had already been caught in the whirlwind of antagonisms. We know that it came to a clash between the French and the German allies in the Holy Land during this crusade. There is no need to dwell here upon the fact of the French Princess, Alice, sister of Philip, King of France, having been rejected by Richard Coeur de Lion, who, instead, took for his wife Berengaria, Princess of Navarre, brought to him by his mother, Eleanor; nor does it seem necessary to enter into explanations regarding the differences which had arisen between the French and English at the time of the crusade. Regarded from the Hungarian standpoint, it seems much more important to mention the fact that Philip, King of France and his German ally, Henry VI., had decided already at their meeting in Milan in 1191 to make Richard their prisoner. A favourable occasion to accomplish their purpose presented itself when Richard, on his return from the Holy Land, was caught in a storm and consequently obliged to land, not in Sicily, as he had intended, but in Dalmatia. Hearing he was on Hungarian territory, he decided to betake himself to King Béla's court, asking his brother in law's — (Henry the Lion's), the Saxon Prince's — son, who was then staying at the Hungarian court, to accompany him and then return home with him through the country of Prince Henry. Instead of the legends woven around this adventurous journey, we shall take for granted what Emperor Henry VI. himself wrote to his ally, King Philip. He informed him with glee that one of his faithful friends, Berthold of Merania, had succeeded in capturing the King of England, had delivered him into the hands of the Duke of Austria, who, on his side, had passed on the enemy to the German Emperor.

It would be indeed difficult to say, whether the above events were not connected somehow with the decision of Philip II. to divorce his spouse, Ingeborg of Denmark, then taking to him the lovely daughter of the brave Berthold. It is to be noted that Berthold had also possessions in

France, in Poligny. Princess Agnes married the French King in 1196; this event was closely followed by the death of Béla III. and by the journey of his widow to the Holy Land. New men were coming into power.

First of all changes took place in Germany: after the decease of Henry VI. in 1196, the younger brother of the late Emperor, Philip of Hohenstaufen, was recognised by the French as his successor, where as the English considered Otto, the son of Henry the Lion, as his heir to the throne. The Duke of Austria and the Prince of Merania sided with the francophile Hohenstaufen, whereas in Hungary King Emerich reigned, with Constance of Aragon for his wife, whose father and brother were fighting against the French. It was then Berthold of Merania turned his attention to the Hungarian Prince Andrew, to whom his royal brother had given Dalmatia, the very territory standing in the way of Berthold's ambitious plans. John, King of England, had been set against his brother in the same manner as Berthold of Merania was now doing his best to set Prince Andrew — as weak a character as John — against King Emerich. Thus it came to pass that Andrew repeatedly took up arms against his brother, with Austrian and Meranian men among his troops; when beaten, he escaped to Austrian or Meranian territory, where he was pursued by the Hungarian King, who knew very well that Berthold was the moving spirit of his younger brother's actions. The discord became even more pronounced when in 1202 French crusaders assembled in Venice in order to sail — according to the wishes of the Western Princes — to Egypt, in an attempt to liberate Jerusalem, lost in 1189, by occupying the very centre of Islam. However, behind this bold plan smaller schemes were lurking, the realisation of which Boniface of Montferrat took upon himself; as the trusted friend of Philip II., King of France, he became commander in chief of the troops in the Holy War. It may be supposed that Boniface and Berthold — friends of the French and enemies of the English — worked out a plan in common to attack King Emerich of Hungary, a member of the coalition against France. If the Hungarian King had been defeated, his throne would have been offered to Prince Andrew, whereas Dalmatia would have fallen into the hands of the Venetian-Meranian group of interests. We must adhere to this supposition because, when Boniface ordered the crusader troops to march against Hungary, instead of against the Muslims, the pro-English crusaders left the army under the leadership of Baron Simon de Montfort, taking their way demonstratively through Hungary. Another item proving the correctness of this supposition: exactly when the attack on Zara (Dalmatia) set in, Prince Andrew celebrated his wedding with Gertrud of Merania, daughter of Berthold, and attacked King Emerich from the land-side, trying afterwards to flee to Austrian-Meranian territory. However he was captured by King Emerich and imprisoned, while his wife Gertrud, after having been deprived of all her possessions, was sent to Austria. That was the true explanation of the changed orders, which caused the troops of the fourth crusade to take their way, not to Egypt, but to Zara and, thence, to Constantinople.

Prince Andrew would have continued to languish hopelessly in prison but for the death of King

Emerich in 1204, when he was asked to undertake the guardianship of the deceased King's young son, Ladislas III., and became Regent of the country. His wife, Gertrud of Merania, after her return from exile, took revenge on her Aragonian rival with such violence that the widowed Queen Constance, together with her young son, had to leave the country, robbed of all her earthly possessions. First she took refuge at the court of Duke Leopold of Austria where her son Ladislas III. died: then she returned to Aragon. It seems impossible not to pause for a moment at the sudden death of King Emerich and Ladislas and the tragedy of Queen Constance; at the return of Gertrud and Prince Andrew, their accession to the throne and the coming into Hungary of the Meranian relations. Would it be possible to assert that there was no connection between these events?

Anyway certain things may be positively stated: the above events meant the triumph of the francophile policy and Paris surely knew that the bulwark of pro-English policy — Hungary — had succumbed. At that time the French troops were already in Normandy and the power of the English in France began to weaken. — In Germany, instead of Otto of Brunswick, Philip of Hohenstaufen was crowned in the Cathedral of Aix. These three events: Constance's flight, the occupation of Normandy and the coronation at Aix, took place almost simultaneously. While King Emerich had sent his troops to support Otto, his younger brother Andrew sent his to help Philip.

Now Aragon had to fight France alone on the side of the English. After the death of Agnes of Merania, Philip, King of France, took back Queen Ingeborg, succeeding thereby in reconciling Pope Innocent III., who had cursed him by book, bell and candle because of his scandalous behaviour. However, Philip went so far as to promise to the Holy See that he would send his troops against the Southern-French Albigenses, whose heresy was spreading in an alarming manner, making a crusade against them necessary. A brilliant troop of mounted men assembled under the leadership of Simon de Montfort and rode southward, to break the power of the Albigenses. Only the initiated knew that this campaign somewhat resembled the march on Zara, when the crusaders had attacked the pious Hungarian King. Now again the troops were opposed to King Emerich's brother-in-law, Peter, King of Aragon, a true son of the Church, who supported the ruler of Toulouse, the frivolous, unbelieving Raymond, not in defence of

heresy, but against the French. So it happened that in the battle of Muret in 1212, Raymond, the heretic, was not killed and even gained pardon, while the true Christian King Peter lost his life on the battlefield. That was the real object of King Philip. The last member of the English coalition was thus put out of the way. The ruler of the powerful Aragon empire, the brother of the exiled Constance of Hungary, was killed fighting against the French, who helped Gertrud of Merania to ascend the Hungarian throne. — Should we not stop here to listen to the dying shriek amidst the European turmoil of 1213, when Queen Gertrud was murdered? Should we not look for the reasons of this murder, committed by known or unknown men, whom the legend does not call „murderers” but endeavours to justify? And was it not absolutely in accordance with the situation that the earthly remains of the murdered Queen were given into the care of those Cistercian monks in Pilis, who had come to Hungary from Berthold of Merania's French estates in Poligny?

John, King of England, assembled his troops once more and, in 1214, near Bouvines, he had an encounter with the French. He too lost the battle and, after his return to his country, French troops landed on English soil. At that period the retinue of Andrew, King of Hungary, consisted mainly of his Meranian relations: together with the Duke of Austria, it was they who induced him to take part in the crusade of 1217. At the same time Zara, which had been won back in 1203, fell into the hands of the Venetian Republic.

After what has been said, one cannot wonder whether there existed any connection at that time between the leading politicians of England and Hungary or not — the elements standing outside of the bounds of the European feudal system, the adherents of English and Hungarian constitutional traditions and of evolution, did indeed use the weapon of the resistance of the Estates — theoretically established at the University of Paris — against those two sovereigns whose weakness of character invites us to draw a parallel between them. There is, no doubt, a striking likeness between the characters of John, King of England, and Andrew, King of Hungary: the same likeness is to be detected in regard to the *Magna Charta* and the *Golden Bull*. We have tried to supply the reader with the diplomatic motives of this similarity, directing the attention of historical researches to the concatenation of facts hitherto unknown.