CUSTOM AND LAW IN CENTRAL EUROPE

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Centre for European Legal Studies
Occasional Paper no 6
Faculty of Law, University of Cambridge
Synonyms and Their Use in Legal Language

Preface

Stephen Werbóczy's account of Hungary's laws and customs, the Tripartitum Opus Juris Consuetudinarii Incliti Regvi Hungariae, was presented to the Hungarian diet in 1514 and printed three years later in Vienna. Although it never received the royal seal, the Tripartitum rapidly acquired authority and was republished in more than fifty editions. Until 1848, it retained a largely unimpaired influence in respect of Hungarian law and legal procedures.

The present volume is a collection of essays drawn from papers delivered at a conference held in Cambridge in April 2003 under the title, 'Werbóczy, Custom and Hungarian Law'. The conference formed part of a much larger and continuing project, led by Professor János M. Bak of the Department of Medieval Studies of the Central European University in Budapest, which is aimed (among much else) at publishing an English-language translation and critical edition of Werbóczy's Tripartitum. The conference was supported by most generous funding from the British Academy and the Central European University. The organizers also gratefully acknowledge the help and support provided by the Faculty of Law of Cambridge University, Corpus Christi College, the Centre for the Study of Central Europe of the School of Slavonic and East European Studies, University College London, and the Faculty of Laws of University College London.

This collection of essays, all of which have been substantially rewritten since they were first delivered as conference-papers, brings together much of the latest research on law and legal institutions in the kingdom of Hungary and in its sister-kingdom, the trune monarchy of Croatia, Slavonia and Dalmatia. Some of the contributions aim to bring to scholarly attention the legal sources, principal institutions and procedural developments relating to the history of this part of Central Europe. Others touch upon the nature and meaning of custom and of the relationship between custom, law and statute. All are, however, bound together by their recognition of the lasting importance of Werbóczy's Tripartitum for the legal history of Hungary and Croatia. The contributions offer a variety of different perspectives and, sometimes, contradictory assessments. The aim of the volume is not, however, to present a 'common front' but instead to offer new insights on the work, context and legacy of Hungary's 'Trionbon and Bracton'.

Publication of this volume has been made possible by a generous grant from the Maitland Fund of the Faculty of Law, Cambridge University.

Martyn Rady
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deliberately prolonging cases so that they might pocket more fees. In this
respect, the Josephinist Izdenczy proposed that the best way to speed up
justice was simply to abolish the class of lawyers. 65

These criticisms, however, largely miss the point. As far as Werbóczy
was concerned, the problem was not that cases might take a long time to
reach any conclusion but that the verdicts reached should be fair and just.
Without there being a sufficient raft of remedies then it was all too easy
for just cases to fail and for guilty parties to prosper, even at the expense
of their own salvation. In Werbóczy’s words, justice denied ‘is the two-
edged sword which pierces the hearts of orphans and widows and of other
poor people. This is the grief which robs the spirits of the oppressed. This
is the snare which drags many into the pit of eternal damnation. Many are
the reasons for suits failing unjustly which, as the tinderbox of sin, are
always to be avoided’ (II.83 [8]).

Pergošić’s Translation of the Tripartitum into Slavonian 1

Nataša Štefanec

Reliable information on Ivan Pergošić and on the printing house at
Nedelišće is scarce. For the most part, it comes ‘second hand’ from
sources which have long since vanished. What survives in respect of
the extant material has been ‘recycled’ by historians for decades and new
documentary evidence is difficult to uncover. Accordingly, one has
frequently to make do with assumptions and inferences. The aims of this
essay are: to outline the circumstances in which there first appeared the
Slavonian translation of the Tripartitum, or, as Pergošić called it, the
Decretum; to review its possible purpose; and to establish the identity of
who it was that inspired its translation. 2 In the course of what follows,
we will explore the principal hypotheses while presenting, albeit tentatively,
several explanations of our own.

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With the death of Ivan Ungnad in 1564 the printing house in Urach near
Tübingen came to an end. Its demise brought to an end the earliest phase
in the publication of works in the Slavonic languages. By this time, the


1 Pergošić uses the term szlouenski in respect of the jajkavian spoken in Slavonia (Windischland) and distinguishes it from heruatski, that is chakavian. In this
context, I will use the term ‘Slavonian’ as distinct from ‘Croatian’.

2 The exact title of the translation is ‘DECRETVM KOTEROGAIE VERBECZII
ISTVAN DIACKII POPISZAL A POTERDIBHAIE Laslou katerie za Mathiassem
Kral bil zeule Gholspode i Plemenitih hotienem koteri pod Wugherdte Corone
ladanie ßlisse. OD IVANIVSSA PERGOSSicna na Szlouenfski ieziik obernien. ...
STAMPAN V Nedelišcu Lejo nascega zuelichenia 1574’. So far, two critical
editions of the Decretum have appeared: Karlo Kadlec, Stefana Verbescja
Tripartitum (Srpksa kraljevska akademija. Zbornik za istoriju, jezik i književnost
srpskog naroda. Knjiga 5), Belgrade, 1909, and a more recent edition by Zvonimir
Bartošić, which was printed in Čakovec in 2003 by Matica Hrvatska.
printing house in Ljubljana was on account of its Protestant sympathies under constant surveillance by the Catholic authorities. The printing houses in Senj, Zagreb and Rijeka had already been banned during the earliest decades of the sixteenth century, namely in 1508, 1527 and 1531. In particular, the Catholic authorities feared that the use of Glagolitic letters, of Old Church Slavonic or, even worse, of the vernacular and printing of Protestant works in Glagolitic letters would assist the spread of the Reformation. As Croatian historians have pointed out, with the end of the Unnad printing house, it was only the travelling presses of Rudolf Hofalter in Nedeljiće and Johannes Manlius in Ljubljana and Varaždin which, despite their Protestant inclinations, prevented the complete disappearance of printing and literary activity in the Croatian-Slavonian kingdom. Moreover, this activity was for decades threatened by the unfavourable military and political situation that transformed what was left of Hungarian-Croatian Kingdom into the Military Border.

In respect of these printing houses and the authors whose works they attracted, the achievements of several writers of the ‘Northern’ or ‘Varaždin Literary Circle’ have been examined by a number of linguists and historians of literature. The Varaždin circle consisted of a group of educated men and office-holders living in Varaždin, including, for instance, Antun Vramec, Blaž Škrinjarić, Blaž Antolović, Ivan Pergošić, Mihajlo Bučić (about whom otherwise little is known), and so on. Some of these were accused of flirting with Protestantism. Research on the


4 A map of the military border in the second half of the sixteenth century is given in Drago Roksandić and Natasa Stelanec (eds), Constructing Border Societies on the Triplex Confinium, Budapest, 2000, p. 92.

5 Bučić’s parents were Catholic, and two of his cousins were priests in Zagreb. To begin with, around 1563, he held a parish in Stjenovac, near Zagreb, and from 1567 to 1571 he was parish priest in Belica, in Medimurje. See Vjekoslav Klasić, Posjeć Hrvata, 5, Zagreb, 1973 (reprint), p. 666. Bučić probably published three Calvinist books in Nedeljiće, none of which have survived. These were: Contra præsentiam corporis et sanguinis Christi in Sacramento Eucharistiae, Nedeljiće, 1573; Keršfinski nauk (Catechismus), Nedeljiće, 1573; Novi Zákon, Nedeljiće, 1573, which was dedicated to Maximilian II; Károly Szabó (ed.), Régi Magyar Knyvövár, 2, Budapest, 1883, nos 133–135. Szabó here relies on Kukuljević, Agrarmer Zeitung (1881) as his source. Bučić was convicted of heresy and excommunicated in March 1574 by the synod of Zagreb diocese, which was convened and presided over by Juraj Drašković, bishop and ban. Rumour has it that, after his excommunication,
known, however, is that he was active in printing both in Bánffy’s Lendava and Zrinski’s Nedelišće.  

Mišlós Bánffy was married to Uršula Zrinski, sister of Juraj Zrinski (IV). At the time he was ćupan (ćupan) of Zala County. Since their properties were adjacent, the Zrinski and Bánffy families often visited each other.Both families owned extensive properties in south-western Hungary and Slavonia, and, being Protestant, both also welcomed Hofhalter. In Lendava there was a strong Protestant community led by Juraj Kulčar (György Kulcsár) which was supported by Mišlós Bánffy. During Hofhalter’s stay in Lendava, Kulčar published three religious books in Hungarian: the first in August 1573, the second two months later, and the third in May 1574. He dedicated two of these works to Mišlós Bánffy, and the other to the brothers Juraj, Nikola and Krsto Zrinski. One may conclude from this third dedication that the Zrinski family also encouraged and supported Kulčar.

Building on the recent work of Zvonimir Bartolić, we may make several more educated guesses. The earliest surviving book coming from Hofhalter’s workshop was published in Lendava. We have, however, indirect evidence of at least three Calvinist works written by Mihajlo Bućić which were printed by Hofhalter in Nedelišće in 1573. This suggests that Hofhalter may have gone to Nedelišće first, at the invitation of Juraj Zrinski. On the basis of a rather long and convoluted argument, Gedeon Borsa has sought to demonstrate that Hofhalter may have printed two further books in Nedelišće in 1573 before departing for Lendava later that year. Since none of Bućić’s works survive, Borsa’s speculation must, however, remain just that.

A few stray words written by Ivan Pergoşić additionally suggest that it was Juraj Zrinski who invited Hofhalter from Nagyvárard. In the preface to his Slavonian translation of the Tripartitum, Pergoşić writes, referring

here to Juraj Zrinski, that he, Pergoşić, wanted his work, ‘to be printed by the printer of His Lordship [i.e. respectively Hofhalter and Zrinski], who was brought by His Lordship to the benefit and dignity of these few remnant of land [i.e. Croatia-Slavonia].’ Pergoşić’s statement permits the following sequence of events. First, Juraj Zrinski invited Hofhalter from Nagyvárard to this area, that is to Medmirje and to Nedelišće. Next, Hofhalter moved on to Lendava where he printed Kulčar’s books. Finally (and as we will see), he returned to Nedelišće to print the Decretum.

In respect of the Decretum, it can hardly be coincidental that Rudolf Hofhalter’s father, Rafael, had eight years earlier, in 1565, printed in Debrecen a Hungarian translation of Verböczy’s Tripartitum. The translation was done by Balázs Veres. Having arrived in Nedelišće, Rudolf printed a similar edition — a Slavonian translation of the Tripartitum in the kajkavian dialect. Rudolf inherited his father’s printing works, which meant that the same letters and the same woodcut on the title page might be used in the Slavonian version as in the 1565 Hungarian edition. Even though settled on the Zrinski estates, the Hofhalter press retained its intinerant character, printing manuscripts in a variety of separate locations.

Having briefly described the circumstances in the region and the background of the Hofhalter press, we will now turn to Ivan Pergoşić, notary of Varaždin and translator of the Tripartitum. According to Pergoşić’s own words, ‘Encouraged by some good people who seek the integrity and good reputation of their motherland, I took on this little task of translating the Decretum written by Istvan Verböczy … into the Slavonian language as best as I understood it, to benefit those wishing to read these books in

14 Kolegija iz hoterich vznimni stampati Vashega Głośpozwa Stampamon kolega Vashe Głośpozwa depola na korft i na odychenje nauk novihicialen rauerenst ośčianu orlažja. Da od toga na tetu postru pańgorä, fer to vfgk koi izna kakow razum ydi doby to byl pravt fundamentum prave plemenie i głośpozwa nature nofłt pańka na odychenje riecke Bosie, i na obruđno od negrationojujaju domowine: koiery chiny vashe głośpozwa głożulich sistro dobra kerfliticka głošpođa chinyla. A akobi i na nikoghe vashe głośpozuo nie gledgedy ima nazha doma gledgedi na pokoinogha i frechnogha fpenenobienia i dobra gbłufa głośpođina i osca funjege Zringshega Miklošaus, kojen głośpożam i i Bünflau počluži, i u krajinucem Súgkreskom ghradu zemugniami kershencki i witek ołaghoj polegaw vere kerfliticka i Czefuferse ufolužia kakoje Bağja bylo vkođano vme.


16 The notion of a travelling printing house was introduced by Franjo Fancev in 1922 (Franjo Fancev, ‘Počeci kajkavske književnosti i štampanje prvih kajkavskih knjiga’, in Jugoslavska nijer, VI, knj. I, Zagreb, 1922).
Slavonian 17 At the end of the book, in his address to the reader (Lectori bono) Pergošić also stated that ‘...in some places you will find some abbreviations in chapters, especially in those in which there was no need to translate from Latin into Slavonian, where I partly followed Balas Veres who translated this Decretum into Hungarian’. 18

The Decretum was dedicated to Juraj Zrinski, and from the dedication it is plain that Pergošić and Zrinski knew each other well. Pergošić was highly appreciative of Zrinski, his deeds and his patronage. The book starts thus — ‘To a great and powerful gentleman, Lord Juraj Zrinski, Perpetual Count of Zrin, Tavernicus, Counsellor and Captain of the Illustrious Emperor and King in the Hungarian Land, he [ie Pergošić] wishes all the goodness of God to his merciful lord’. 19 Pergošić’s words may of course be taken at face value. He and his lord were engaged in a joint-activity the aim of which was to render the Tripartitum available in a language which might be understood by Zrinyi’s Slavonian subjects. Nevertheless, a few issues remain which require clarification.

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At the time of Hofhutler’s arrival, Juraj Zrinski was only 24 years old. As Pergošić remarked, his father had died a hero’s death before Šiget in 1566, when Juraj was only 17-years old. Juraj immediately had to take over the management of the family estates. By 1574, he had already spent eight years looking after a swathe of properties which stretched in an unbroken line from the Adriatic coast to Köszeg in western Hungary. Moreover, in the same year, 1574, Juraj was appointed Supreme Captain of the Lower Hungarian Border and Captain of Kanizsa. Living up to his father’s international reputation cannot have been easy. Juraj also held the hereditary title of Tavernicus, which by now served a purely honorific purpose. He did not know Latin. Indeed, it is probable that his schooling was rudimentary. So far, I have not been able to trace any evidence of regular education, although his younger brother, Nikola, was registered in the Law School in Padua in 1584, at the age of 25. 21 Doubtless, the family needed a lawyer.

Juraj was not able to survey all his huge possessions by himself, let alone settle the many legal disputes that arose on properties that stretched along the contested Ottoman-Christian border from the Adriatic Sea to the Burgenland. He had to rely almost entirely on managers, although he did so reluctantly. In judicial matters, he often authorized his noble retainers to judge in his name acting in the capacity of his locumtenentes. 22

In the course of managing the Zrinski estates, both Juraj and his father resettled numerous subjects and familiaries from their lost possessions in Pounje to Vas and Zala counties in western Hungary, where different customary provisions prevailed. At this time, moreover, the remnant of the Croatian-Slavonian kingdom was subject to large population inflows from the south-east. The Zrinski estates and Medimurje did not escape this immigration, as may be demonstrated by the large number of alien surnames, including the ethnonym ‘Vlach’. 23 Often the newcomers were awarded privileges by noble landowners (for instance, tax exemption over a period of 12 years or more); others were removed entirely from seigneurial jurisdiction and permitted to retain their own customary law and institutions. Vinodol, a substantial maritime property of the Zrinski family, had for centuries had its own legal codes. The Vinodol law code

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17 Po opomenenih nekih dobrin šuiti košje flošne domovine pochitavu in dobrin gitalni radaju: prieha ta mal trud, da od Verbeveci Istuana popolno Decretum (katero razhaje Ljubljani kralj oteza Latassa kralja katerje na mukah pogisal gidaljej pošto od Bosisiga poroda 1514 leta zaseda glošpode in obehine voltem potodill) na flošenkli izisk velike sliške na slovenskih mejih razmeti (ljupan, onem. na košne koriščeni dve flošenki se kajdit hudi chalii).

18 Negka ter neghde naides Titu eve nevreme, poime vone požih katerih nira bilo potrebno zdlihokogha na flošenki proabrati, skomljam v nekih malih mejih Veres Balas koterje na Vrgerski izisk te Decretum pretumakam nijodelas.


20 Croatian State Archives, Arhiv obitelji Čikulini Sermeji, Kutija 79. 1.2. The letter is incorrectly dated in Emil Lassowski, Ishor isprava velikih feud Zrinskih in Frankopanski, Zagreb, 1951, pp. 15–16.


22 In Krašić, on November 30, 1851. We toy Prawdy zdydy zw zw zipw (my emphasis). Glosop[les][n[a m[i[leitvog] knez my Hercheny] knez Juraj Hrelyecz; at the bottom, Herchen signed with Glogelitzi and Hrelyac with Latin letters. See Ivan Kukuljević Sakeinić, Acta Croatica - Listine hravcke, Zagreb, 1863, pp. 283–284.

secular or religious type. This is indeed odd, especially in view of the difficulties which Juraj encountered on account of the activity of the Tridentine bishop of Zagreb, Juraj Drašković, upon which he often remarked. 27

In view of the above, it must still remain an open question whether Juraj had any larger plans for Pergošić’s Decretum, beyond using this edition for his own purposes on the family estates in a vernacular version. Perhaps Pergošić’s translation just came fortuitously to him. Perhaps he simply wanted to emulate the rich literary activity of Bathény’s court. 28 In view of his life, it is quite reasonable to assume that he was simply too occupied with military affairs to plan anything more serious or long term in respect of the Decretum.

The history of Pergošić’s Decretum suggests that our last observation may not be too far from the mark. Difficulties of language and text were evident even at the time of its printing. Of the five remaining copies of Pergošić’s Decretum (one in Zagreb, four in Budapest), 29 there were three different editions. Each was composed using different dialectal versions

28 Manlius first worked in Ungnad’s print-shop in Utrecht. In 1562 he moved to Ljubljana and established his own printing house with the encouragement of Juraj Dalmatin. Although at first opposed by the Carniolan Estates, with Dalmatin’s help he managed to print his first book in 1575. In 1580, the Counter-Reformation started in earnest in Carniola and Carnthia and the Archduke Charles began attacking Protestant printers. Nevertheless, having one of the few printing houses in the region, Manlius did not print only Protestant books. With the support of the bishop of Zagreb, Juraj Drašković, in 1588 Antun Vranec published Antun Vranec, Cronici de in the Slavonian language, dedicating it to Slavonian Estates. In 1582 Manlius was expelled from Carniola and was invited to the court of Boldizsár Bathény. In Németújvár (Güssing), he printed sixteen books. In 1585, Juraj Zrinski invited him to his court in Monovrkóker. Over the next two years, Manlius also travelled to Varaždin where he printed four books: the Postilla in two parts of Antun Vranec in kajkavian (1586), Pergošić’s Praeambiones et epistolae dedicatoriae (1587), and a book by Blaž Škrinarji, De agro paschali (1587). In 1587 he moved to the Zrinski estates. He worked until 1592/93 in Monovrkóker (14 books) and Deutsch Schlüsen / Njemačke Šiće (12 books). These books were mostly in Hungarian. Thereafter he returned to Németújvár, and in 1597 he finally moved to the Nádasdy estates, at Sárvár and Deutschkreutz, where he died. See Alojz Jemrih, Antun Vranec i njegovo djelo. Prilog praćenju starije hrvatske književnosti i povjesne dijalektologije, Čakovec, 1981, pp. 70-84, 242-245; Jemrih, O Vrančevoj kronici, Zagreb-Varaždin, 1992; Karl Semmelweis, Der Buchdruck auf dem Gebiete des Burgenlandes bis zu Beginn des 19. Jahrhunderts (1852-1823), Eisenstadt, 1972, pp. 7-15.
29 See the comprehensive study by Karlo Kadlec (1909), above, note 2.

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24 In 1574 the Zrinski brothers and Stjepan Frankopan sent commissioners to survey all possessions and towns in Vinodol. Thereafter, they issued their demand that dijak Mihalj Grandić should transcribe the decisions (odredbe) of Bernardin Frankopan as recorded in stare i razdarte karti in order thus to preserve the laws of Bakar and Grobnik (bukarske i grobnicke zakone). See Laszowski, Izbor isprava velikih feudal Zrinskih, p. 4. In 1605 a number of urbanial registers were transcribed once again (those of Grobnik, Hrecin,Drivenik, Gričane i Bririj); ibid.
25 See thus the studies of Miho Baroža, Nada Klapić i Lujo Murgetić.
of the same text: one more kajkavian part, an ikanian part, and a second
or koine kajkavian part.30 Linguistic analysis has offered some possible
answers in regard to the origins of these dialectical forms and mixtures
and I will briefly give the basic results of this research. According to
the latest scholarship, the text in all three editions is the same after the 51st
chapter. It is a kajkavian dialect taken from Moslavina region rather than
from Međimurje. As Pergošić said in his Preface, he translated the text
into Slavonian, not into the Croatian language, 'as best he understood it'.
Up to the 51st Chapter of Book One, what we are actually reading is a
mechanical ikavization of the text. This conforms to the language of
the so-called 'Ozalj Literary Circle', which was that used both in the Protoc-
lant literature of central Croatia (also supported by the Zrinski family) and
which was spoken by the people living south of Zagreb and the River
Sava. This ikavization of the text was probably undertaken by someone
from the area of Ozalj who knew the language, and not by Pergošić
himself. According to Putaneć’s hypothesis, someone probably saw the
kajkavian translation as a first draft and told Pergošić that people living
south of the Sava would not understand it. Pergošić accordingly rewrote
this part of the text.31

At the same time, however, Pergošić was probably aware that even his
kajkavian was not 'standard' enough. He originated from Moslavina, had
lived in Zagreb, and then moved to Varazdin. Each place differed in
respect of its form of the kajkavian dialect. In a small part of the text,
Pergošić even began to employ some sort of koine kajkavian redaction,
albeit it is not clear how the redaction actually worked.32 As there
exist today only five preserved copies of Pergošić’s Decretum, represen-
ting no less than three separate editions, we may conclude that the
work was incomplete and tentative in respect of the forms in which it
survives today.

Perhaps the work of editing and refining the text was never completed.
IHaijlo Bušić, probably the first person to have been printed in
Nedelišće, was excommunicated in 1574. A fierce post-Tridentine
persecution of Protestants loomed, and Rudolf Hofhalter had to leave the area
as soon as possible.33 A letter of Maximilian II to Ladislas Bánffy, brother
of Miklós, in February 1574 testifies to the intensification of religious
conflict. Maximilian wrote that he had learned that there was a printer on
Ladislas’s estate in Lendava, who had been expelled from Transylvania
for embracing the Arian heresy, but who persisted in printing and selling
Hungarian heretical books.34 Under this sort of pressure, Pergošić was
probably obliged to finish his own work quickly and to submit his text to the
printing house. If so, his haste was not unwarranted, for it would be
thirteen years before the next printer, Manlius, came to Varazdin.

While it is certain that it was Juraj Zrinski and not the Bánffy family who
invited Hofhalter and supported the printing of the Tripartitum, it is less
sure who actually promoted the work of translation. Could it have been
Juraj Zrinski or was Ivan Pergošić acting alone? In his foreword to the
Decretum, Pergošić initially said that 'there were several good people'
who urged him to translate the Tripartitum. In the next sentence he
mentions Juraj, but solely in the context of bringing a printer to the area.
If Juraj Zrinski had been behind the translation and had invited the
printer, would Pergošić not have connected these two actions and attri-
buted them both to Juraj? On the contrary, he clearly distinguished
between the 'several good people' and Juraj Zrinski. It should be recalled
that Juraj was a young gentleman with no established educational record
at the time when the translation started, which might have even been
begun several years before 1574.35 So, who could those 'several good
people' be? Was it Pergošić himself, modest enough not to mention
himself as the initiator, but vain enough not to credit it to some other
person by name? Or were they the people from Pergošić’s immediate
surroundings, the so-called ‘Varazdin literary circle’?

30 Valentin Putaneć, ‘Jezik “Decretuma” (1574) Ivana Pergošića’, Hrvatski
32 Ibid, pp. 274–276; Kadlec, 1909 (analysis of Juraj Polivka — see above: note 2);
33 Putaneć, ‘Jezik “Decretuma”’, pp. 274–276. Mihael Bušić is mentioned as a priest
(plebanus) without an office in the list of priests who participated in a synod of the
Zagreb diocese held on 8 March, 1574. In addition to him, eleven priests from
Međimurje were mentioned, and Belica and Turnić parishies recorded as vacant.
See the Archives of the Archbishopric of Zagreb (Nadbiskupski arhiv u Zagrebu),
Acta Ecclesiastica, 8/25.
34 Bartolić, ‘Nedelišće’, p. 194.
35 I agree with Bartolić that Pergošić most probably began his translation before
Hofhalter’s arrival, possibly even several years earlier; Bartolić, ‘Nedelišće’,
p. 196.
were composed in Slavonian. Vramec was generously supported by Bishop Juraj Drašković, who encouraged use of the vernacular and fought at the Council of Trent for the abolition of celibacy. After Trent, however, all printing in the vernacular was considered problematic and Vramec was attacked on account of his writing in Slavonian. He was even suspected of heresy. In the preface to his book, De agno Paschali, printed in 1587 by Manlius, Blaž Škrinjarić expressed fears for the reception of his own, anti-Calvinist writings in a situation where everything was viewed with suspicion, where even Vramec’s work had run into disapproval, and where there were so many envious and malevolent people around. The situation was such that any literary activity which was connected to Manlius or which set store on the use of the vernacular might be the subject of malicious tittle-tattle and even of the accusation of heresy. Pergošić also found himself in trouble on this account. In his second book, Praefationes et epistulae dedicatoriae, a commentary on the epistles of Erasmus of Rotterdam printed in 1587, Pergošić confessed that, “he did not want to translate it into the vernacular as he did not want to have to experience the same ingratitude again”. For all this though, he again had it printed in the Protestant printing house of Joannes Manlius, although this was probably because Manlius’s was the only press available.

It is not known whether Pergošić held office in Varaždin at the time when he was making his translation of the Tripartitum. Apart from the Decretem, where he is mentioned by date and name as the translator, information on him only starts to appear in 1581. In that year, Pergošić

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37 A praedialis belonged to a category of vassal retained on the estates of church dignitaries who held a praedium (arable land, pastures, buildings). A praedium was awarded to free men, as an inheritable right in the male line. The vassal had a duty to serve under the flag of his benefactor. The right to award a praedium belonged to princeps in Hungary and Croatia. See Vladimir Mažuranić, Prava povijesni rječnik, 2, Zagreb, 1908–1922, p. 1089. Mikulincé is a now vanished village in the district of Ivanjci in Moslavina, which used to lie between Božjakovina and Ivanjci.

38 In Monumenta historica Liberae regiae civitatis Zagrebetae, ed. Emilij Lazowski (vol. 16, Zagreb, 1939, p. 184), we find the following entry: 1564. Solutio rectoris Šufulee. Feria secunda proxima post Quasimodo magistro Ioanni Pergowytsch, qui susuirit in officio rectoratus a festo Blasii, voque festum Ascensionis domini, cui dedit flor. 3. den.

39 He was born in Styria, studied in Rome and Vienna, and having made a successful church career as a canon of the chapter of Zagreb, married. On Vramec, see Jembrt, Antun Vramec i njegovo djelo; Jembrt, O Vramećevoj kronici; Vjekoslav Klaić, Antonii Vrameci. Kronika, Zagreb, 1908.
signed a charter as a notary \textit{(notarius civilis varadiensis)} but it is not known when exactly he assumed this role. In 1587, Škrinjarić occupied the position of a judge and Pergošić was referred to as \textit{juratus civis} like Blaž Antilović and several others (Georgius Flaijsman, Lucas Jakopich, Leonardus Pehrowijch Pileator, Franciscus Barber Zwerrasijch). During that period he was always referred to as a \textit{testis judicis et auditor causarum}. In 1587 he participated in the distribution of Christmas gifts.

In 1587/1588 Pergošić went to Pozsony as \textit{miensz} of Varazdin with ‘Zwerzijich’. Zveršić was judge of Varazdin in 1592, 1594, 1596 and again in 1600, the year of his death. (During his office, in 1592, he produced oath formulas in kajkavian). While Škrinjarić was \textit{judex civitatis} from 1586, Antilović acted as his notary. Antilović became a judge in 1588/89. Already in 1561 Blaž Antilović had translated the Rules of the Weavers’ Guild from Latin into kajkavian. After 1588, Pergošić was involved as a witness in a trial against Škrinjarić on grounds of his adultery. He died in 1591/92 as \textit{notarius comitatus ex civitatis Varadiensis}. Although married, he left no heirs and his property passed to his nephew, Tomo Šiprak, who was the son of his sister, Agata.

The biographical information given here indicates the people with whom Pergošić communicated. In this circle of writers, lawyers and judges, Pergošić was prompted to publish something on his own. Perhaps he thought his \textit{Decretum} might be widely used and thus would further his career. Possibly he even started to translate the \textit{Tripartitum} as a way of launching his career in the Varazdin magistracy. A translation of the \textit{Tripartitum} would in this respect serve to secure his reputation, which was exactly what he, as a newcomer to Varazdin, needed.

In respect of what we have seen, I would not connect the translation of the \textit{Tripartitum} to Juraj Zrinski but instead, albeit tentatively, to Pergošić’s own circle and to the particular circumstances prevailing among the intellectual elite in the city of Varazdin.

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48 Velent Putanec has also drawn attention to the relationship between Pergošić and the leading Hungarian lawyer, Ivan Kitionić, who at one time owned one of the five extant copies of Pergošić’s \textit{Decretum}. See Velent Putanec, ‘Kajkavski pisac Ivan Pergošić kao Varadzina (novi priloz za njegove aktivnosti u gradu Varadzinu za njegove veze s pravnikom Ivanom Kitionićem)’, in \textit{Varadžinski zbornik}, Varazdin, 1983, pp. 333–337.

In Croatian historiography, the genesis of the Pergošić’s Slavonian translation of the \textit{Tripartitum} has been the subject of much debate. It has not yet been possible to find sufficiently reliable sources to enable us to resolve some outstanding questions concerning this text. By utilizing the results of other researchers as well as my own, I have sought to bring together what information we have, to present some of my own conclusions relating to the historical context in which the translation appeared, and to outline some of the possible motives of the main players. In summary, I consider that the translation owed its inspiration to Pergošić himself and to the immediate circle of Varazdin office-holders among whom he moved. Juraj Zrinski, owner of the huge Međimurje estate set beside the free royal city of Varazdin and patron of Protestant printers, only created the background against which the \textit{Decretum}, as well as many other works, might be printed.