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Frieden und Konfliktmanagement in interkulturellen Räumen

Das Osmanische Reich und die Habsburgermonarchie
in der Frühen Neuzeit

Herausgegeben von Arno Strohmeyer
und Norbert Spannberger
unter Mitarbeit von Robert Pech



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Nataša Štefanec

Institutional Control of Violence: Imperial Peace and Local Wars on the Slavonian Border in the Second Half of the 16th Century

Imperial peace contracts agreed in Istanbul and Vienna often had a modest impact on everyday life on the Habsburg-Ottoman borderland (*krajina*, *serhat*). Ongoing "small war" on imperial borderlands in form of frequent raids and plunder was displayed by both sides,¹ as well as various mechanisms developed by the local population to avoid its devastating consequences. On the Croatian Border these mechanisms were numerous and one could trace them from the 16th until the 18th centuries.² On the neighbouring Slavonian Border there were due to a variety of reasons fewer such practices in the 16th century. This paper will focus on the Slavonian Border in the second half of the 16th century. Based on the source material the authoress would elaborate on several problems.

First, she would compare if, when and to what extent there existed cross-border cooperation among local population on the Croatian-Ottoman and Slavonian-Ottoman border, in order to provide background for the presentation of concrete cases. Second, she would indicate institutional mechanisms of discovering, investigating

- 1 Numerous protest letters, preserved in the *Kriegsarchiv* in Vienna, were exchanged between the High Porte and the Viennese court, that is, between the Habsburg orators and Grand Viziers, enlisting raids and plunder of the opposite side and urging for the maintenance of peace and friendship between the empires. See, for example: GREGL, Mislav/KOVAČEV, Neven/ŠTEFANEC, Nataša: Prilozi za povijest diplomacije i vojnokrajškog ratovanja u 16. stoljeću [Contributions for the History of Diplomacy and Warfare on the Military Border in the 16th Century]. In: *Historijski zbornik* 63/1 (2010), 169–189. See also numerous published contemporary letters reporting on plunder and robberies: LOPAŠIĆ, Radoslav: *Spomenici Hrvatske krajine, 1479–1610* [Sources from the Croatian Border, 1479–1610]. Vol. I. Zagreb 1884, passim. Lopašić's collection of sources also contains one interesting report in German, listing major Ottoman raids to the Hungarian-Croatian Kingdom from 1575 until 1582 (p. 22–28). – IDEM: Prilozi za povijest Hrvatske XVI. i XVII. vieka [Contributions to the history of Croatia from the 16th and 17th century]. In: *Starine JAZU* 19 (1887), 1–80. – BOJNIČIĆ, Ivan: Izvješća o kretanjama turske vojske uz hrvatsku granicu u drugoj polovici XVI. vieka [Reports on the movements of the Turkish army along the Croatian Border in the second half of the 16th century]. In: *Vjesnik Kr. hrvatsko-slavonsko-dalmatinskoga arkiva* 16 (1914), 60–101.
- 2 BRACEWELL, Catherine Wendy: *The Uskoks of Senj. Piracy, Banditry, and Holy War in the Sixteenth-century Adriatic*. Ithaca 1992. – EADEM: *Frontier Blood-brotherhood and the Triplex Confinium*. In: *Constructing Border Societies on the Triplex Confinium*. Ed. by Drago ROKSANDIĆ and Nataša ŠTEFANEC. Budapest 2000, 29–45. – ROKSANDIĆ, Drago: *Stojan Janković in the Morean War or on Uskoks, Slaves and Subjects*. In: *Ibid.*, 239–288. See also published correspondence between the Ottoman and Christian commanders: STROHAL, Rudolf: *Nekoliko ćirilskih isprava o dopisivanju turskih begova sa hrvatskim komandantima* [Some Cyrillic documents on the correspondence between Turkish beys and Croatian commanders]. In: *Vjesnik Kr. Hrvatsko-slavonskog-dalmatinskoga žemaljskog arkiva* 16 (1914), 45–50.

and sanctioning unsolicited violence in order to preserve peace among Empires and present several indicative practices of local violence frequently employed on the Slavonian Border by the military towards the Ottomans. Third, she would provide interpretation of data with regard to studies of early modern violence in Europe.

1. Croatian-Ottoman Border vs. Slavonian-Ottoman Border

The Croatian-Slavonian Kingdom was from the end of the 15th century exposed to depopulation and massive migrations. It was undergoing transformation or complete disappearance of medieval social stratification, and the creation of a new one based on requirements of constant war. During the 16th century, new imperial – military and civil – institutions based in Vienna and Graz were gradually introduced into this territory and imposed upon the existing, autochthonous ones. There were differences between the two border sections.

The Croatian Border was mountainous, covered in thick woods and difficult to approach. It was much more demanding for military authorities in Vienna and Graz to impose control over its wide stretches. Transport of supplies, weapons and ammunition to the Croatian Border required much better planning and organization. Despite such efforts, the practical results achieved by military authorities in the 16th century were still inadequate. They had to handle geographical and climatic obstacles along with constant “small war” (raids, plunder) and smuggling activities.³ Furthermore, due to the Ottomans, the feudal structures in Croatia had disintegrated a great deal more than in Slavonia, functioning well only in a narrow northern stretch of the territory belonging mostly to families Zrinski and Frankopan. Civil authorities of the Kingdom almost completely lost their control in the Croatian region. Finally, patterns of migrations and settlement on the Croatian Border with the Ottomans favoured smaller groups of migrants. Most migrants who came into the area were likewise cattle breeders, with similar religious practices. This familiarity resulted in their comparatively easy assimilation into the existing society and local culture. Despite migrations, border populations normally maintained cross-border family ties, and forms of life and sustenance based on cattle breeding, contra say agriculture, motivated herders to cross invisible imperial frontiers in search of pastures. Trade and the flow of goods continued, and smuggling was a way to support families on both sides.

All these practices stimulated the constant motion of people throughout the mountainous area, preventing efficient control by state authorities in Vienna and Graz. These circumstances opened up a wide space on the Croatian Border for un-

3 Various elaborate plans were developed for the Croatian Border, while there was not so many of them for the Slavonian Border where fortresses were comparatively better interconnected. Proposals for the “Khönffttige Bestöllung, vnd Versücherung der Croatischen Gräniz[en]”: Graz, Universitätsbibliothek, Handschriftensammlung, No. 432, Uniuersäl Landtag So Ihr Fürstl: Durchl: Erzherzog Carl mit Steyer, Kärnten, Crain, vnd Görz, zu Prugg an der Muehr gehalten im 1578 Jahr, 50v–58v, 82v–86r, 87v–89v.

official cross-border contacts. Faced with constant war, this shattered society regenerated itself based on new principles of border society (*krajiško društvo*). Decades of insecurity encouraged the local population on the Croatian-Ottoman border to develop various local mechanisms of violence control that were valid on both sides of the border – like special border code of honour (*vira krajiška*) or blood brotherhood (*pobratimstvo*), well researched by Wendy Bracewell.

This kind of cross-border cooperation and small-war were much less prevalent on the Slavonian Border – increasingly fading over the course of the 16th century. Despite marshy and woody areas, the territory was comparatively much easier to access and control. The autochthonous population on the Slavonian Border did not practice intensive transhumant cattle-breeding, but rather agriculture that tied it to one fertile place as home. Also, the absence of important trade and smuggling routes on the Slavonian-Ottoman border inhibited comparable types of cross-border movements and communication. Moreover, in the Slavonian Kingdom the feudal system in the main continued to function. This stability was manifested in a clearer demarcation between peasants/serfs and the military, one stratum being tied to feudal landlords and the other to their commanders. Given these differences, on the Slavonian Border/Kingdom, the military as well as civil hierarchies were much stronger. During the 16th century small groups of migrants from the adjacent territory with a similar way of life came to the Slavonian Border. However, from the 1590s, by thousands of newcomers (so-called *Vlachs*) that came from deeper Balkan area started to be settled on the Slavonian Border. They aspired to avoid feudal jurisdictions by entering the Habsburg military service. Their assimilation was difficult. Settlement lasted for several decades and provoked huge conflicts along feudal/military lines. On the Slavonian Border the authorities were forced to find ways to control the situation and get a handle on thousands of soldiers so their orders were implemented more strictly and in a timely fashion.

The Viennese court had its interests in both of these different border regions. These were in short: control of the military hierarchy that would be dependant on Habsburg authorities in Vienna and Graz, rather than on local institutions of the Kingdom; settlement of anti-Ottoman border by the military that would increasingly be compensated by land and booty, rather than being paid in cash; a balanced and conciliatory approach towards local noblemen who were enraged by the newcomers taking their land and refusing to submit to feudal terms; realization of Habsburg confessional interests in the region where Catholic, Protestant and Orthodox faiths intermingled.

The Protestant estates suffered a large defeat by 1629. In 1630, as soon as the circumstances allowed, the *Vlachs* were put under state control.⁴ Emperor Ferdinand II through the *Statuta Valachorum* and the Aulic War Councils in Graz and Vienna proscribed and imposed efficient control over the military on the Slavonian

4 For elaboration, see a paper read at the Third Congress of Croatian Historians in Split-Supetar, Fall 2008. ŠTEFANEK, Nataša: Statuta Valachorum iz 1630. godine i habsburška vjerska politika u regiji od 1570ih do 1630ih godina [Statuta Valachorum from 1630 and Habsburg Confessional Policy in the Region from 1570s until 1630s]. The article is in print.

Border.⁵ Unlike on the Croatian Border, where the Habsburgs could not for various reasons⁶ impose *Statuta*, it ensured special status for the Slavonian, mostly unpaid, military; an elaborate code of regulations was imposed on them. The larger civil population in the Slavonian territory remained under the control of local (counties, Diet, Ban), and royal civil authorities that mostly functioned in a traditional way. Consequently, on the Slavonian Border there was no need to cultivate locally based codes of behaviour, blood-brotherhoods and other practices to compensate for the missing state authority. With a body of legal regulations in place, the authorities in Slavonian region could fight unwanted occurrences with much more vigour and success, especially from the 17th century onwards. The Slavonian Border in the 16th century can be used as an exemplary case-study for investigating the steady pace by which an early modern state attempted to control violence through its emerging institutions.

2. Unsolicited Violence in Practice

From the 1520s, the military system on the Croatian and Slavonian Border underwent steady growth in the number of soldiers, fortresses and armament. The support for this required ever more finances and constant improvement in organization logistics. These financial investments as well as potential military losses brought various interests into collision. All parties involved reacted to these conflicts with their own increased need to control the situation. The strongest player in financial and organisational terms were the Habsburgs and Austrian Estates. Throughout the 16th century, the military administration in Vienna and Graz (from 1578) sought to introduce various forms of control over the paid and unpaid army. The majority of military troops in the Croatian-Slavonian Kingdom subsequently came under their control, along with the everyday functioning of the Croatian and Slavonian Borders.

In the first half of the 16th century, there existed local insurrection army and traditional royal troops consisting of contractors and mercenaries that did not have stable quarters and were rather undisciplined. They were gradually replaced by two basic types of frontiersmen, paid and unpaid. The paid frontiersmen were divided into ordinary and extraordinary units (from 2.500 to 3.000 soldiers at each border

5 Statuta Valachorum. Prilozi za kritičko izdanje [Contributions for the Critical Edition]. Transl. by Zrinka Blažević. Zagreb 1999. – KASER, Karl: Slobodan seljak i vojnik. Rana krajiška društva, 1545–1754 [Free peasant and warrior. Early society in Carniola, 1545–1754]. Vol. I. Zagreb 1997, 99–111. – KUDELIC, Zlatko: Marčanska biskupija. Habsburgovci, pravoslavlje i crkvena unija u Hrvatsko-slavonskoj vojnoj krajini, 1611–1755 [Bishopric of Marča. Habsburgs, Orthodoxy and Church Union in the Croatian-Slavonian Military Border, 1611–1755]. Zagreb 2006, 219–258 and passim.

6 ŠTEFANEC, Nataša: Tolerance and Intolerance in the Croatian-Slavonian Kingdom at the Turn of the 17th Century. Contest for Gomirje. In: Tolerance and Intolerance on the Triplex Confinium. Approaching the “Other” on the Borderlands. Eastern Adriatic and Beyond, 1500–1800. Ed. by Egidio Ivetić and Drago Roksandić. Padova 2008, 125–151.

section). Paid ordinary units were distributed in fortresses all along the border zone of the remnants of the Croatian-Slavonian Kingdom. Paid extraordinary units, due to their dispersion and unsteady service, proved difficult to control. They were mainly abolished by 1578 and distributed in fortresses along with the ordinary units in order to be more easily manipulated. The military hierarchy was modified throughout the century, adjusting to the always changing spatial distribution of fortresses and strategic division of units. Numerous new commanders (mostly “Inneraustrians”) were stationed along the Ottoman border. With the exception of modest Ban’s troops (1.000 men, decreasing to 500), the majority of the army, the commanding personnel and military administration were appointed by the Habsburgs and Austrian Estates who financed them.

The border system also incorporated an unpaid army that was larger than the paid one. At one point it was estimated that there were 6.000–7.000 unpaid soldiers in each of the two border regions. They had to support themselves from raids and plunder of the Ottoman territory. The Habsburgs only paid their commanders which enabled them to control these units.⁷ These unpaid soldiers due to their way of life ingrained in violence, were highly useful in war times, but in times of peace and armistice a menace to the official politics. Over the course of time the Habsburgs hoped to provide them with land as payment in order to reduce unwanted raids.

Throughout the 16th century the military authorities attempted to impose precise rules of conduct for paid and unpaid frontiersmen who often behaved too arbitrarily and violently. From the 15th century and through decades of relentless fighting there gradually developed numerous conventions as well as customary rules of war-waging with the Ottomans. These practices began to hamper imperial attempts to establish more serious and steady diplomatic interaction, as well as a more stable and compact defence system. Towards the second half of the 16th century rules of conduct started to be written down *in extenso* (for officers and soldiers), and were normally publicly declared to soldiers who wanted to be enlisted into service.

On the one hand there were instructions and appointment letters (*Instruction*, *Bestellung*) envisaged for the officers and administrative personnel. They were in regular usage in the second half of the 16th century, and with time became more elaborate. On the other hand there were so-called articles and military regulations (*Articls-Brief*, *Articlsbriff und Kriegsordnung*) for the entire military – a code of prescribed set of rules to which an entire paid ordinary and extraordinary army on the border should swear obedience.

The original code was composed by Lazarus von Schwendy – one of the most important councillors and defence strategists at the Habsburg court – and sanctioned by the Imperial Diet in 1570.⁸ The code was officially introduced to Hungarian borders at the Viennese Assembly in 1577 and to the Croatian and Slavonian Border in 1578. It was dated with March 1st, 1578 – the closing day of the Diet in Bruck. In Bruck, the Inner-Austrian Estates confirmed that “the entire army on the

7 For example: “Auf die Zwölf Prouisionirte Vßkoken heüßter, So den Vnbesoldten Vorgehen Monatlich 24 f.” *Kriegsarchiv Wien, Alte Feldakten (AFA)*, 1576–12–2, 3v; 1577–13–2, 75r.

8 More in PÁLFFY, Géza: *Gemeinsam gegen die Osmanen. Ausbau und Funktion der Grenzfestungen in Ungarn im 16. und 17. Jahrhundert. Ausst.-Kat. Budapest-Wien 2001*, 24f.

Border, whether Hungarian, Slavonian or Croatian, and neither nation excluded, should be presented with the *Articls-Brief*, in accordance with the Viennese Assembly, and the army should swear upon it”⁹

There was one version of the code for the infantry (*Haramien*) and another for the cavalry (*Hussarisches Ritterrecht*). Each consisted of several pages. The Code was compiled in various languages since frontiersmen were mostly illiterate and did not know German. The original for the Hungarian Border from 1577 was preserved in Latin. A contemporary translation in a mixture of Slavonian (*kajkavian*) and Croatian (*ikavian*) idiom was compiled for the infantry and cavalry on the Slavonian and Croatian Borders with the titles “Harami ili Peishaz Capituli ter slushbeni zakon” and “Koinishkih Sheregov, kako komu slushiti pristoi: Red i Capituli”.¹⁰

The code listed salaries of soldiers and officers, how they should be armed and equipped, their duties, obligations and the types of punishment for various kinds of disobedience.¹¹ The code basically summarized a number of already existing semi-official rules and norms.

The Code was supposed to be officially published and presented to the army on the Croatian, Slavonian and Kanisian Border, along with other Bruck decisions regarding the rearrangement of the Military Border. It was done by several commissioners (among the most prestigious members of the Styrian Estates) nominated by the newly established Aulic War Council in Graz. The code was delivered in July, 1578 to the Slavonian Border. In traversing the Border, the commissioners visited every fortress and unit. Every soldier had to appear at the designated place at the designated time. The Commissioners would upon arriving at a particular fortress, first make publicly read the royal patent on the appointment of the Archduke as the general commander, and submit written orders of the Archduke along with all other important documents to the commanding personnel. They would then also publicly read the Archduke’s letter of obedience (*Gehorsambrief*) obliging the head commander of the respective border section to serve in the Emperor’s and Archduke’s name.¹² This was followed by a public reading of the military code in front of the

9 “Es solle auch denen Landten in allweg zuegelassen seyn, so oft man mustert, das die Verordneten iedes Landts, zu Ihrer gelögenheit ainen: oder mehr aus Ihren Mitlñ darbey haben Khönnen, damit Sye auch söchen Khönnen, wie mit der gehorsambisten Landte gaaben gehaust, vnd wohin dieselben angelegt werden. Dem Khriegs-Volckh an denen Gränizen, es sey hungarisch, Wündisch, Croätisch, vnd Khein nation aus geschlossen, soll der Articls-Brieff, inhalt der Wienerisch[en] Beratschlagung, fürgehalten werden, vnd Sye die Khriegs Leuth darauf zu Beschwöhren schuldig seyn.” Graz, Universitätsbibliothek, Handschriftensammlung, No. 432, 28r, duplica.

10 Transcript of originals issued by the Archduke Charles for the Croatian infantry and cavalry on the border along with Latin version from 1577 for the Hungarian borders in: Lopašić, Spomenici Hrvatske krajine (cf. n. 1), 65–71. See also: KLAČIĆ, Nada: Izvori za hrvatsku povijest III [Sources on Croatian History III]. Zagreb 1959, 32–38.

11 Kriegsarchiv Wien, AFA, 1577-13-2, 21v–25v.

12 See reports of the Commissioners Kriegsarchiv Wien, AFA, 1578-7-ad1-a, 1r–11v; 1578-7-6 and 1578-7-ad6-d, fol. 1r–31v. Translation of one report from German into Croatian with comments and interpretation in: COFEK, Danijela/ŠTEFANEK, Nataša: Vojnokrajiske institucije u praksi: Slavonska krajina 1578. godine [Military Institutions in Practice: Slavonian Border in 1578]. In: Podravina. Časopis za multidisciplinarna istraživanja X/19 (2011), 5–44.

army, which was then required to confirm it understood the content of the code by taking an oath in front of commissioners. Finally, all the army could be mustered, which was now to occur more often than previously. For the *Musterung* the army was to gather at the appointed place, and the commissioners would inspect troops, make notes of irregularities found in their equipment and suggest the dismissal of inadequately equipped and armed soldiers. *Musterschreiber* would conscript and enrol soldiers into yearly service. The so-called *Musterliste*, a roll of a specific border section, would include names and surnames of soldiers, their commanders, place of service, monthly payment, type of unit, etc.¹³ Prior to Bruck these ritualized procedures were partially and inconsistently performed. After 1578, the military administration insisted on official sanctioning and public reading of the mentioned documents in front of the entire paid army, as well as on the public pledge of obedience.¹⁴

The code formally proscribed ways of conduct along with punishments for disobedience, the death penalty being the most often mentioned. It was deemed appropriate for various types of treason and espionage, theft, plunder, assaults on merchants, leaving the watch, misrepresentation and falsification of name and surname and for desertion and escape in front of enemy. If an accused person was found guilty the execution should follow immediately. It was often done in cases of treason, espionage or desertion.¹⁵ In other official documents like instructions for commanders it was underscored that people accused of espionage or double-espionage should be killed immediately because they could give away vital strategic and tactical information.

It is of particular importance for this paper that the code stated the following as well: the infantry and cavalry were explicitly told that nobody was allowed to attack

13 Several such lists were already published online within the project “POPULUS – publication of Croatian early modern sources”. See: <http://www.iftg.hr/pov/zavod/demografija> (1.7.2012).

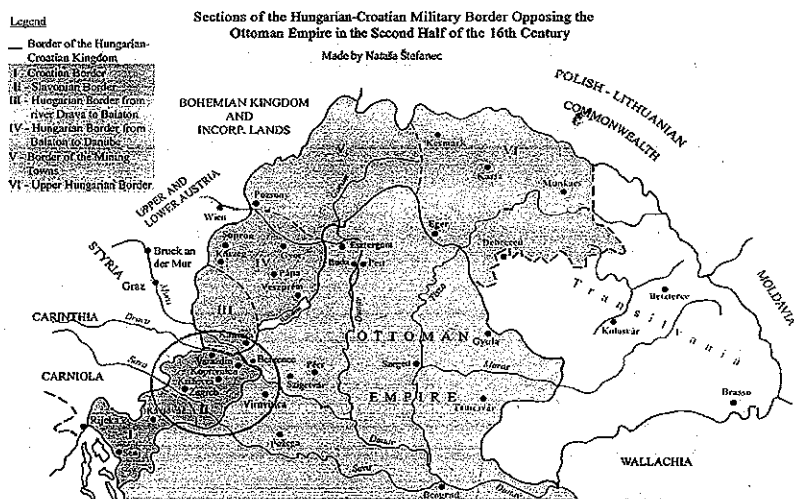
14 For example, Otto von Rattmansdorf zu Sturmberg was writing to the Styrian Estates in March 1572 mentioning problems with the mustering of the army on the Slavonian Border due to high waters and snow. Steiermärkisches Landesarchiv (StLA), Laa A. Antiquum XIV, Militaria, Schuber 38, 1572-III-9, Copreiniz. Border head commander Hans Ungnad issued an order for army mustering on the Slavonian Border in July, 1553 and wrote a report on it. See: KLAČIĆ, Vjekoslav: Povijest Hrvata [History of Croats]. Vol. 5. Reprint. Zagreb 1973, 249.

15 When Kanizsa was lost in 1600, its Captain Georg Parader was accused of treason and lost his head. See: ŠTEFANEK, Nataša: Heretik Njegova Veličanstva. Povijest o Jurju IV. Zrinskom i njegovu rodu [Geretic of His Majesty. History of Georg IV. Zrinski and his House]. Zagreb 2001, 107f. Count Ferdinand zu Hardegg held numerous high military posts on the Border during his career – being a captain of Szatmar, head-captain of the whole section of the border, captain of Győr, etc. Unfortunately, he became famous by losing Győr, and losing his head too after an accusation for treason which was quite weakly substantiated by evidence. A life story of Ferdinand Hardegg was reconstructed by HAUSMANN, Friedrich: Ferdinand Graf zu Hardegg und der Verlust der Festung Raab. In: *Domus Austriae. Eine Festgabe Hermann Wiesflecker zum 70. Geburtstag*. Ed. by Walter HÖFLECHNER, Helmut MEZLER and Othmar PICKL. Graz 1983, 184–209. Captain Pankratius Lusthaler surrendered Kostajnica to the Ottomans in 1556. Border captain Hans Lenković invited him several times to come to the trial, but Lusthaler fled to the Ottomans, thereby confirming his guilt but escaping the death penalty, cf. KLAČIĆ (cf. n. 14), 264f.

the enemy or to go pillaging without the knowledge of their superiors. Attacking and engagement in disputes (*concursum et sedicionem*) with people of other nations was now to be punished by death. Unsolicited raids and pillaging were therefore strongly prohibited.

For infantry it was stated that one should be punished by death for *any* kind of talks or communication with the enemy, while cavalry should not communicate with the enemy without the permission of their superiors. This distinction was drawn probably because a great number of hussars were recruited from the nobility and routinely corresponded with Ottoman commanders in various personal circumstances.

Compared to the first half of the 16th century, one could remark a great rise in a number of very precise and detailed official documents (oaths included) compiled by the military to command and control their soldiers actions. However, the actual application of set rules was still rather tentative, especially if an influential person committed an offence, which was often the case.



Within the frames of the so-called “small war” there were many instances of unsolicited violence in form of raids and plunder into the enemy territory. These were the most common kind of disobedience on the Border, challenging both the inner affairs of the Habsburg Monarchy and its wider imperial relations. In the early 16th century they became less and less wanted by the authorities. Still, they continued despite the peace-treaties that particularly forbade them.

I will present one case on the Slavonian Border that was well documented in contemporary official correspondence among various levels of hierarchy between Vienna, Graz, Koprivnica and Varaždin.

At the end of 1571, Juraj Zrinski, one of the mightiest magnates in the Hungarian Kingdom, persuaded Hans Globizer (Inner-Austrian high officer and the captain of a large fortress Koprivnica) to join him in a raid in the Ottoman territory. Zrinski did not have to exert too much effort to talk Globizer into it. Some 500 people under Zrinski's command, as well as Globizer's regular army from Koprivnica (paid by the Inner-Austrian Aulic War Council), were joined by the troops of local voivods from Koprivnica, Drnje, Legrad and Topolovac, who were influenced by Globizer and by horsemen belonging to the neighbouring Styrian baron and hussar captain Jacob Zäkl (Székhely). Troops of Hans Keller, captain of Đurđevac fortress joined too. Together, they all crossed to the Ottoman side and burned four villages near Berzence. The territory previously belonged to the Zrinski family and was still predominantly inhabited by Christians. Several dozens of people (apparently mostly women and children and several male peasants) were captured or killed and a lot of goods, cattle and stallions “that these Vlachs¹⁶ were using for work” were looted and captured.¹⁷ In January 1572 Pasha of Budim issued an official protest against such a drastic breach of peace treaty.¹⁸

It was a time of peace, as the Emperor strongly highlighted in his letters, but both sides were involved in such raids.¹⁹ On 6 January – earlier the same month – Veit von Hallegg,²⁰ head captain of the Slavonian Border, wrote to the Styrian estates telling how Zrinski had warned him how the “Turks” who were not so numerous, attacked the village Molnari and took away about 30 people.²¹ The official administration quite rightly urged for peace, but the Ottomans' retribution for Zrinski's raid were already prepared in the beginning of February. They sailed up the river Drava towards Virovitica and Brezovica, preparing for a serious attack at the Slavonian Border.²² In April 1572, Ottoman army burned down fortress Kloštar Ivanić, raided neighboring villages and attacked smaller fortress Topolovac.²³ On 15 January, Emperor Maximilian wrote to Veit von Hallegg, emphasizing that he had always and continued to believe one should keep peace with the Sultan, and could not allow his army to raid the enemy territory; once again he commanded the

16 The term was used for people living in mountainous areas as transhumant cattle-breeders and for Orthodox population.

17 StLA, Laa A. Antiquum XIV, Militaria, Schuber 38, 1572-I-27; 1572-I-28 (several letters from that same day). Lopašić, Prilozi za poviest (cf. n. 1), 37 f.

18 KLAČ (cf. n. 14), 353 f.

19 The first peace-treaty in Edirne was signed in 1547, the second peace-treaty, also in Edirne, in 1568.

20 Veit von Hallegg zu Razenegg was very influential and respected officer. He was the *Oberstleutnant der Windischen Grenzen* from 1559 until 1568 and *Oberst der Windischen Grenzen* from 1568 until 1589. PÁLFFY, Géza: *Kerületi és végvidéki főkapitányok és főkapitány-helyettesek Magyarországon a 16–17. században* [District and Border Head Captains and Captain Services in Hungary in the 16th and 17th century]. In: *Történelmi szemle* 2 (1997), 257–288, here 283.

21 StLA, Laa A. Antiquum XIV, Militaria, Schuber 38, 1572-I-6, Warasdin.

22 StLA, Laa A. Antiquum XIV, Militaria, Schuber 38, 1572-II-3, Kreuz.

23 HORVAT, Rudolf: *Povijest Hrvatske. Knjiga 1. od najstarijeg doba do g. 1657* [History of Croatia. Volume 1 from the earliest period to the year 1657]. Zagreb 1925, 252.

maintenance of peace in all possible ways.²⁴ Despite so many back and forth raids during the winter, encouraged by the low levels of the bordering river Mura, such a large enterprise involving participation of so many Habsburg commanders could not be ignored. The affair started.

Globizer, one of the highest commanders on the Border, hastened to apologize for his misconduct. He claimed that he had felt an obligation to follow Juraj Zrinski. Veit von Halleg on January 27, 1572 wrote to Globizer that he simply could not accept his written apology regarding this event since the Emperor so strongly sought a preservation of peace (*fridlichen anstand, fridstand*). Even if there was no peace, he stressed, it would be wise and proper to reflect on incursions into the enemy territory and announce them to the authorities. Moreover, Veit quite rightly noted that Globizer had not had any obligation to Juraj Zrinski inasmuch as "Zrinski did not appoint him to his service nor was he paying him and his troops". Veit stated he could and would not tolerate Globizer's conduct, deeming his lenience towards Zrinski completely inappropriate with regard to his accepted duties and subordination to the Emperor.²⁵ Veit acutely condemned the violent activities of so many paid soldiers at a time when the Emperor ordered maintenance of peace. He was especially annoyed that in addition to the troops from Koprivnica, Globizer took along for the incursion a number of local voivods not under his command. These soldiers were under order to protect Koprivnica and other fortresses as a part of regular paid border army.²⁶

The story about the event was widely circulated. Veit informed the Emperor and the Styrian Estates about the bloody event, notifying them that Globizer and Zäkl had sent their written apologies. They both hoped this would satisfy authorities. Zäkl claimed he did not know that his horses took part in this incident and threatened he would sue Globizer, while Globizer – as discussed above – said that he was talked into it. Veit emphasized that he did not accept their apologies.²⁷

The Emperor answered that he also could not forgive them, especially Zrinski, to whom he so frequently forbade such actions. He ordered punishments, which was not often the case. Both Zrinski and Globizer had to immediately return all the acquired booty and captured people to their homes. If they obeyed it could be damaging to their reputation and honour, especially in the case of Zrinski. Zäkl's involved horsemen were to be fined and his charges against Globizer presented at the

24 The same letter determines the salary and sustenance of Saitsch-aga and discusses on other people who escaped from the Ottoman side (*Pribegen*) entering military service in the Christian army. The Emperor also stated: "Wir dan nit zuegeben khunden das vnser Khriegs volckh daselbst in des feindts dition zustraffen macht haben solle, Sonnder ist nochmalls vnser genediger beuelch das du Wie der zuor mehrmalls auferlegt, aller muglichkheit noch darob haltest damit von vnser seitten Wider den friden nichts gehandt oder Zuegelassen Werde." StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-I-15, Wien.

25 "[...] zw dem so seit Ir disfalls dem hern Grafen, gar nicht verpund[en] von Ime nit bestellt, vill weniger sambt allem Khriegs volckh zw Coppreiniz vnd derselben Enden in seiner besoldung, [...]" StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-I-27, Warasdin.

26 Ibid.

27 StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-I-28, Warasdin (two letters), 1572-I-28, Pettau.

court. One voivod who left the castle unattended had to be executed, and the other voivods had to return everything they took under the threat of a death sentence.²⁸ Voivods wrote back to the Emperor in panic: "Globizer was our commander and we simply had to listen to him. When we asked him whether he has a permission to plunder he said 'Er sey Vnser Obrighait vnnd haubt' and we spent our entire life waging wars on the Border and giving our lives and blood to the Emperor's defence."²⁹

Veit was determined to put an end to all these attempts to absolve or mitigate responsibility for what had happened, and invited all the culprits to his headquarters for a talk. This was not a normal practice and testifies to the severity of the situation. For this weighty occasion one Aulic War Councillor from Graz was also invited. Everybody came, including the captain of neighbouring fortress Đurđevac Hans Keller and Zäkl personally. Voivods presented additional claims against Globizer and it seems that the matter was settled – without the execution.³⁰ Several voivods, Radoslav Bakoš, Emerik from Baboča, Marko Vranković and Antal Kopinski were even listed in the Slavonian Muster list from 1577, some five years later.³¹ Zäkl remained in office. In the Muster list from 1577, *Freiherr Jacob Zäkhll* is enumerated as the captain of an entire hussar unit.³² Hans Globizer remained in his high office too, although many citizens of Koprivnica and his soldiers often complained about his behaviour. In one intermezzo in 1589, he was even appointed the head captain of an entire Slavonian Border. In 1574 Juraj Zrinski, who was 25 years old at the time, turned out to be one of the most significant persons in Habsburg military hierarchy – he became chief commander of the Border section between river Drava and Balaton lake or the Lower Hungarian Border, as well as a captain of Kanizsa.³³ Presumably, Zrinski and Globizer did not return the booty that was looted in the invasions since it would be humiliating for them.

Hence, towards the second half of the 16th century military institutions in Vienna and Graz developed a solid administrative and military hierarchy that could survey the behaviour of the military in Habsburg service, quickly transfer necessary information, react to irregularities and administer an investigation with authority. The procedures for discovering, investigating and punishing unsolicited army violence were at hand.

28 StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-II-3, Wien. – Lopašić, Prilozi za poviest (cf. n. 1), 37 f.

29 Voivods signing the letter were Tomaš Preskočilović, Jurko from Gorjan and Radoslav Bakoš – all three from Koprivnica, Matjaš Dragovan – Voivod from Drnje, Emerik from Baboča – Voivod in the new castle on Drava near Koprivnica, Marko Vranković – Voivod from Topolovac and Antal Kopinski – Voivod from Ludbreg. StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-III-2, Warasdin (letter No. 1).

30 StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1572-III-2, Warasdin (letter No. 2).

31 StLA, Laa A. Antiquum XIV, Militaria, Schubert 38, 1577-VIII-24.

32 Ibid.

33 "Supremus capitaneus partium regni Hungarie Transdanubiarum, Kreisoberst jenseits der Donau; Dunán túl ország hadnagya/kapitánya, supremus capitaneus Canisiensis, Grenzoberst in Kanischa/Oberst in Kanischa und dahin inkorporirten Grenzen; Kanizsának főkapitánya." PÁLFFY (cf. n. 20), 269, 279.

In the major affair just recounted several articles from the Code were violated. A number of lower and higher paid officers attacked villages (populated by Christians) on enemy territory without knowledge or permission of their superiors. They also attacked civilians (of other nations). In the end the affair was settled and the Emperor and military administration showed that they started to take violations of the Code much more seriously than in the past. What should be stressed here, for the argument of this paper, is that they were not attempting to reduce violence *per se*, but rather to hamper unsolicited and uncontrolled violence that was harmful to state interests at a given moment.

Alongside the "small war" practices in the border region, there were also "friendlier" but nonetheless violent trials of strength rituals. During the Ottoman-Christian clash, heroes, noblemen and distinguished men on both sides of the border often staged group and individual fights between them, called *mejdan*, *megdan* or *Kampf*, a type of a duel.

Writing on European duels, Ute Frevert and V.G. Kiernan distinguished early modern duels that could be characterised as duels of honour as bearing only a vague resemblance to the feuds, judicial duels (trial by combat) and knightly tournaments of the medieval period. These duels spread from Italy and France all over Europe. One had to participate in a duel and put one's life in danger for the sake of estate honour, while the end result was not as important as the symbolic act itself. The main reason for engagement in the duel was not victory, but rather preservation of honour and exhibition of courage and prowess. This sensibility remained characteristic of duels until the 19th century. As Kiernan pointed out: "In Europe the cult of nobility, with battle as its chief activity, placed a vision of Honour above desire for material gain. Something has always to be done to lend substance to such notions. Duelling was to take on very much of this function; the ideology of chivalry, in essence a cloak for power and privilege, helped to prepare the way." In the 16th century, the prerequisite for a duel of honour was the equal social standing of the participants, who had the same values, shared a concept of honour and behavioural patterns. Challenge for a duel could be issued only among equals and had to be initiated for personal reasons – by an insult to honour. Therefore, one could speak of a private duel of honour. Refusal to participate resulted in social degradation, bringing shame. The duel was performed in accordance with established rules and with ruler's approval, though parties or seconds that were to ensure the observance of rules often entered the fight. Over the centuries the practice started to escape public and state control, sometimes transforming into pure vengeance, and gradually became prohibited by secular and religious authorities – with little practical effect. The second half of the 16th and first half of the 17th century were a times of chronic warfare, and witnessed an increase in the number of duels.³⁴

V.G. Kiernan notes that duels, in a period of rising state power and the rule of law, could be viewed as a more decent way of settling account among the nobility. By the very ritual of a duel, private conflicts were lifted above the personal level.

34 FREVERT, Ute: *Men of Honour. A Social and Cultural History of the Duel*. Cambridge 1995, 1–13 and *passim*. – KIERNAN, V.G.: *The Duel in European History. Honour and the Reign of Aristocracy*. Oxford et al. 1989, 1–67, citation 42.

Entering a duel, no matter how irrational the reasons, meant obeying and defending the corporate code of honour. Participants of the duel confirmed one to be worthy of membership in their class. Moreover, by putting their lives at stake, they confirmed their right to remain members of the privileged class.³⁵

There were many cases of *mejdans* on the Christian-Ottoman Border in Slavonia. For example, in 1545, after several years of fierce and incessant combats in which large parts of Slavonian Kingdom were taken by the Ottomans, the Ottoman army started yet another big raid. They marched from the neighbouring sancak of Požega, passing Ivanić and going towards Varaždin and Krapina in Zagorje. They were pursued by the Christian army. Vjekoslav Klaić reveals that on May 4, 1545, near Selnica or Konjsko (northern Slavonian Kingdom), domestic noblemen led by Nikola Zrinski IV suggested several smaller troops should engage in *mejdan* instead of having a large battle of entire armies. The Austrian commander Georg Wildenstein and local noblemen Pavao Rattkay opposed this proposal, but in vein. A short ceasefire was agreed and a hundred of warriors were selected by each side to "collide the spears" (*koplja lome, scharmutzeln und copi prochen*) in front of the rest. During that day, smaller troops and individuals fought among each other, with proper respect and conducting themselves honourably. In the meantime, some soldiers-spectators were bored and left the place. Two Ottoman commanders, Ulama-bey and Murat-bey, used the opportunity and suddenly breached the ceasefire. They started a large battle, attacking Zrinski and Wildenstein who were resting aside their men, forcing them to run for their lives and flee to an adjacent fortress.³⁶

Duelling rules can be reconstructed from the extant sources. *Mejdans* were most often set in advance, for an agreed day and place. In case of fights between individuals, the respective troops came to support their representative, sometimes engaging in the fight. Colliding parties had their arbitrators or moderators. Based on sources, Vjekoslav Klaić states: "What were seconds (*djeverovi*) in the duel, these were *zatočnici* in the *mejdans* of those days – and each of two participants had one of them. Usually the fighting was held in front of two opposing armies or troops so that duel between the individuals could convert to combat between the two armies or troops. Hence, Hungarian kings and Turkish sultans frequently forbade *mejdans*."³⁷

Older historiography on the topic mentions large *mejdan* between the new Bosnian sancak-bey (*wascha wonn wossen*) Mehmed-Pasha Sokollu³⁸ and Croatian-

35 Ibid., 6, 15–17.

36 KLAJĆ (cf. n. 14), 211 f., 649. – VRAMEC, Antun: *Kronika vezda znovich zpravljena Kratka Szlouenzkim iezikom* [Short Chronicle of the even new in Slovenian Language]. Reprint. Ed. by Ivan MANLINA. Zagreb 1992.

37 "Što su inače kod dvoboja djeverovi, bili su kod tadanjih mejdana zatočnici, te je svaki mejdandžija imao po jednoga. Obično se dijelio mejdan na očigled dviju neprijateljskih vojska ili četa, pa bi se događalo da se dvoboj pojedinaca prometnuo u boj među objema vojskama ili četama. Zato su kako kraljevi ugarski tako i turski sultani više puta zabranjivali mejdan." KLAJĆ (cf. n. 14), 649.

38 Sokollu Mehmet-Pasha or Mehmet-paša Sokolović was born between 1500 and 1510 (usually 1506 was cited) in the village Sokolovići, near Visoko, in today's Bosnia and Herzegovina. After he was enlisted among Janissaries and passed the training in Istanbul, he was swiftly

Slavonian ban Nikola Zrinski IV, a Croatian-Hungarian hero who lost his head during the famous siege of Sziget in 1566. Although Ottoman and Christian officers typically respected each other, being of the same social standing and addressing each other as friends and neighbours, they could develop personal resentments. A probable reason for the conflict between Mehmed and Nikola was a personal grudge, because Nikola refused to free an Ottoman voivod who was captured in a time of peace. Mehmed hurried to complain to the Emperor, who ordered Ivan Ugnad, commander of the royal army, to order Zrinski to let the prisoner go or be held in disgrace by the Emperor. Nikola would and could not obey because it would have harmed his honour. He issued a polite but negative reply to the Emperor, stating he was only trying to exchange the prisoner for Christians captured by the Ottomans during the same time of peace. The honour of two great commanders was put in question, and conflict developed that could only be solved by *mejdan*.³⁹

The archives in Vienna preserve a number of letters, comprising dozens of pages on the preparation of this duel that should be staged near Đurđevac on the Slavonian Border.⁴⁰ Let's zoom-in on the detail captured in these letters.

In August 1554, Ivan Lenković (*Obristen Verwalter Hans Lenkowitzsch*) wrote a 12 pages letter from Ptuj on the fight between the Ban and Bosnian Pasha that was planned to occur near Đurđevac (*auff den bestimbten Khampf Platz zu Sanndt Jorgen*) at the end of August. The Emperor Ferdinand I allowed the *Khampf*, but demanded the participants obey some rules in order to ensure the peace on the border. Lenković had to convey them to Mehmed-Pasha, to whom he was corresponding by emissary (*gesandten vnnnd Pockhllisär*). The emissary carried letters translated from Latin and German into Croatian language and script (*Crabatische Sprache, zurlische Sprache*), understandable to Mehmed-Pasha who was born in the Bosnian village Sokolovići. The Emperor stipulated each side must come with 300, 400 or maximum 500 horsemen to the designated place of the fight. The remainder of each army and others on each side was to remain at the distance of 5 to 4, or at least 3 miles, from the fighting place. Moreover, soldiers on both sides were forbidden from engaging in any kind of struggle whatsoever.⁴¹ Both sides feared a possible proliferation of fighting due to the event.

Ivan Lenković in an August follow-up concept letter transmitted various border news regarding the Ottomans and their plundering around Vinodol and Senj. He also stated he had received fresh news from Dalmatia and Bosnia that the duel of Ban Nikola had been delayed because Pasha and other sancak-beys could not gather due to their holidays (*Waryan oder Weinachten*). He also stated that the Ottomans

promoted in the Ottoman military-administrative hierarchy. He was the Grand Vizier from June, 1565 until October, 1579, when he was killed. He was one of the most famous Grand viziers in Ottoman history, outliving three sultans, Suleiman the Magnificent, Selim II and Murat III. See comments of Hazim Šabanović: ČELEBI, Evlija: Putopis. Odlomci o jugoslovenskim zemljama [Reisebericht. Passagen über die südslawischen Länder]. Transl. by Hazim Šabanović. Sarajevo 1996, 79.

39 KLAJČ (cf. n. 14), 252–254, 649.

40 Kriegsarchiv Wien, AFA, 1554–8–2, 1554–8–5, 1554–8–7, 1554–8–8 etc.

41 Kriegsarchiv Wien, AFA, 1554–8–2.

must wait for the Sultan's permission to engage in the duel, and that the fight would not be staged near Đurđevac, but somewhere in Croatia.⁴² Older historiography claimed that Mehmed-Pasha was a coward who attempted to avoid the fight, but Lenković's letter fails to confirm this account. In the end, commanders and even the Emperor advised Nikola to postpone the fight in fear of a greater Ottoman attack, but Nikola went ahead and wrote his will and appeared at the designated place along with other Christian high officers and their troops. Mehmed-Pasha did not appear.⁴³

There were also other cases of *mejdans* in the period under review. For example, in 1555, Ivan Margetić (*Janusch Margetic*), a known hero and distinguished voivod on the Slavonian Border, in a short letter asked the border captain Ivan Lenković to allow his duel with Budak-aga. He informed him that Budak-aga claimed the main reason for the *mejdan* was the defence of faith. Margetić stated that he felt compelled to agree to Budak-aga's proposal and participate in the *mejdan*.⁴⁴ During March and April, 1568, a highly positioned magnate, Franjo Frankopan Slunjski, wrote several times to Emperor Maximilian II in order to obtain permission for a duel (*mejdan, megdan*) with Hamza, *sancakbeyi* of Bosnia. He was very eager to enter the fight, but each time the Emperor explicitly forbade it.⁴⁵

Mejdans or duels on the Christian-Ottoman border were held among competitors of equal social rank. The declared goal of these duels or *mejdans* was to defend one's faith and honour by exhibiting martial skills, prowess, power and courage. Preparations and correspondence between the opposing sides and relevant authorities could last for months. Rivals needed permission of their rulers which was usually sought for through superior officers. From the last decades of the 16th century, imperial authorities started to oppose and forbid duels, withholding the permission; especially the Habsburgs that were prone to keeping the peace and armistice because they were militarily weaker. During negotiations on the peace-treaty of Edirne (1568) both sides declared raids as well as *mejdans* were prohibited because they often resulted in larger battles.⁴⁶ According to available sources, *mejdans* continued to occur on the Slavonian Border throughout the 16th century. Generally *mejdans* had all characteristics of European early modern duels of honour – but were uniquely fought in circumstances of cyclical war and tenuous peace.

During the 17th century the practice was increasingly limited to local warlords in parts of the Croatian Border/Karlovac Generalate, especially in the medieval Croatian area of Dalmatian hinterland (*Dalmatinska zagora, Ravni kotari*). It would be interesting to investigate if the outer appearance and regulations of *mejdans* changed in 17th century Croatia, and determine the extent to which they were serving as a mask for brutal killings and vengeance. As a part of traditional local prac-

42 Kriegsarchiv Wien, AFA, 1554–8–8.

43 KLAJČ (cf. n. 14), 254.

44 Kriegsarchiv Wien, AFA, 1555–8–2 and 1555–8–ad2.

45 KLAJČ (cf. n. 14), 340.

46 Ibid. In the peace treaty of 1606 it was again stipulated that raids and attacks of any kind are strongly prohibited. KRUKER, Milan: Povijesne granice Hrvatskog Kraljevstva 1606–1791 [Historische Grenzen des Königreichs Kroatien 1606–1791]. Zagreb 2004, 11.

tices, people in order to escape control began holding *mejdans* away from the eyes of secular and religious authorities. Still, *mejdans* were one of the most frequent motives depicted in folk songs. For example, a colourful fragment of one lyric:

Tad pogleda jedan na drugoga,
i poleti jedan na drugoga,
tu se teška zametnula kavga:
sablje zveče a junaci ječe,
jedan pane, a drugi dopane,
mrtvi s konja padaju junaci,
a konji ih kopitama gnječe.
Da ko vidi boja žestokoga
bi rekao i bi se zakleo:
neće ostat oka za svjedoka.
Do podne se megdan dijelilo,
a kadar je podnevu bilo
pała magla od neba do tala;
ne bi bratac brata poznavao.
Jedva se je megdan razmetnuo,
još se ne bi megdan razmetnuo,
al ga više ko d'jeliti nema;
izginuli sileni junaci [...].⁴⁷

Then one looks to another
and one sets off to another
commencing a harsh brawl:
blades echoing, heroes screaming,
one falls down, second follows,
dead heroes falling from the horse,
smashed by horse hoofs.
By seeing such a fierce combat,
one could declare and swear
that an eyewitness could not survive.
Fight was fought till noon,
and during the afternoon
fog enveloped the skies and the earth;
brother would not know a brother.
The fight was nearly over,
but before it was over,
not a soul remained to partake:
valiant heroes died [...].

3. Violence, society and state

Julius Ruff has synthesized a large archive of scholarship on violence in early modern Europe. Among various dimensions of interpretation, one can discern two important lines. One line questions the institutional abilities of the emerging "state" to control violence ascribing the increase/decrease of violence to various social factors and the complex restructuring of society, or to social disciplining.⁴⁸ The other holds that various forms of civil and military violence decreased towards the 18th century due to steady development of state institutions that were able to control violent practices and ensure stability. In brief, violence decreased due to the civilising process, a theory introduced by Norbert Elias.

Ruff was mainly arguing on behalf of the latter theme. In the civilising process, the state was gradually monopolising the violence that was earlier still in the hands

47 Zmaj, junak, vila. Antologija usmene epike iz Dalmacije [Dragon, Hero and Fairy. Anthology of Oral Epics from Dalmatia]. Ed. by Davor Dukić. Split 1992, 229.

48 Robert Shoemaker has closely explored the early modern population of London, and ascribed changes in the amount of violence to changing relationship between the community and individual in the course of urbanization. Social mobility and dispersion of social ties resulted in growing anonymity, with people increasingly ceasing to identify themselves with the neighbourhood and social community. There consequently was less reason to follow conventions imposed by the community or to participate in various violent acts implied by those conventions. The decrease of violence was in such cases influenced by changed social circumstances, and not by the state control or the civilising process. Cp. SHOEMAKER, Robert: *The London Mob: Violence and Disorder in the Eighteenth Century London*. Hambledon-London 2004.

of the elites. In the course of the state-making process newly emerging states gradually replaced explicit forms of violence (criminalized behaviour like armed banditry, military attacks on civilians, homicide, assault, riots and rapes and not-criminalized like domestic violence) with various forms of institutional regulations of conflict, striving to enhance control over individuals.⁴⁹

While recognising the existence of the latter process, Markku Peltonen rejected to explain it through paradigms of state control and civilizing process.⁵⁰ For example, his study on duelling, as well as mentioned studies by Fervert and Kiernan, shows that the duel was a social mechanism intended to direct, tame and control upper-class violence. It was especially important in European society at a time when the upper-classes had a monopoly over the use of weapons, of course potentially endangering themselves too. Subsuming it in the word politeness, historians mostly agree that towards the 18th century the higher echelons of society started to abandon violent practices as uncivilized; elites started to perceive violence as unsuitable to the changing code of honour and behaviour. However, according to Peltonen, this was not necessarily due to state intervention. Duel and similar forms of early modern violence mainly served to preserve horizontal honour among social equals who follow the same code of conduct and honour, or civility, whereas civility itself should not be restricted only to courtly culture. Also, stratification within the noble class did not prevent lesser nobles from seeking satisfaction from their "superiors" if their honour was injured. Violent practices were, therefore, not intended to maintain vertical social hierarchy and stratification or to strengthen monarchical and state power. To the contrary – princes, monarchs and state institutions were often peripheral to them.⁵¹

Numerous complex explanatory models developed by mentioned historians could help in explanation of violent practices on the Habsburg-Ottoman Border:

- a) As shown by Winfried Schulze, military threat gave an impetus to the state-making process on the Inner-Austrian territory. During the 16th century, the Habsburg military apparatus grew vastly. Numerous new powerful military institutions were developed for concentrating in their hands majority of finances in the region.⁵² The Estates elaborated resistance theories, attempting to legitimise their status in rapidly changing circumstances.⁵³ Systems of recruiting and supervising paid and unpaid border military developed. Various types of regulations for the military as well as official regulations for the arrangement of the

49 RUFF, Julius R.: *Violence in Early Modern Europe, 1500–1800*. Cambridge 2001, 7f. and passim.

50 PELTONEN, Markku: *The Duel in Early Modern England. Civility, Politeness and Honour*. Cambridge 2003.

51 *Ibid.*, 17–79, esp. 35–37 and 65–69.

52 SCHULZE, Winfried: *Landesdefension und Staatsbildung. Studien zum Kriegswesen des inner-österreichischen Territorialstaates (1564–1619)*. Wien-Graz-Köln 1973. See also: ŠTEFANEC, Nataša: *Država ili ne. Ustroj Vojne krajine 1578. godine i hrvatsko-slavonski staleži u regionalnoj obrani i politici [State or not. Organization of the Military Border in 1578 and Croatian-Slavonian Estates in Regional Defence and Politics]*. Zagreb 2011.

53 STROHMEYER, Arno: *Konfessionskonflikt und Herrschaftsordnung. Das Widerstandsrecht bei den österreichischen Ständen (1550–1650)*. Mainz 2006.

entire Military Border increased in number. After these codes were carefully negotiated and formulated, they were increasingly written down and extensively publicised. These developing institutions *explicitly* strived to regulate (and direct) violent activities and were increasingly successful towards the 18th century. The Habsburgs were seeking to impose their homogeneous rule, aiming to achieve a coherent presentation of Habsburg military might and administrative abilities to the Ottoman Empire.

However, in the 16th century defence and penal systems as well as administration in general still abounded with deficiencies – they were still in the making.

Payments to the border army were still irregular and military authorities had to allow raids and pillaging, though they formally forbade them. In the period of transition from the medieval court to modern state apparatus, there were still not enough schooled, trained and trusted, in other words, suitable professionals, to fill the military and administrative offices. One could not simply replace a commander who knew how the Border functions by heart and had served there for decades, even if corrupted like Globizer. One could not easily execute less significant local voivods because one could not afford a riot or desertion, or did not have a replacement. Border defence still heavily relied on experienced individuals and local noblemen able to control their men, and not on obedient professionals without private proprietary interests. It would gradually change in following two centuries.

In the 1540s the sequence of events described above would not even have turned into an affair, whereas in the 1570s something had to be done. The ruler ordered punishments, but softened his decision in the process. With time the ruler could be stricter since the replacements would be available in satisfactory numbers. The military apparatus was still learning from the experience – it adjusted in accordance with the symbolic or practical strength that was exhibited by the parties involved. The Emperor had limited military potential in comparison to the Ottomans and was resolved to keeping the peace. He had to weigh his options carefully – keeping the authority, not losing experienced commanders and soldiers and maintaining the ideology of holy war against Islam that would thwart cross-border cooperation dangerous to the state. Regulations prohibiting violent activities could not be equally applied to all, and envisaged punishments could not always be executed – not for the next century, at least.⁵⁴

Still, the growing state apparatus attempted to decrease some forms of violence and to monopolise the use of violence. What was the purpose?

b) In studies on violence, it is typically assumed (implicitly or explicitly present) that states or monarchs did not consider violence problematic *per se*. This is probably one of the main reasons why state sponsored violence (war-waging being the most obvious of its manifestations) was comprehended as formally sanctioned violence, and thus did not figure more prominently in these studies. For example, Ruff did not analyse state sponsored war-waging within the repertoire of violent activities. He included various forms of violent behaviour of

54 After the conspiracy of Hungarian and Croatian magnates against the Habsburgs, several magnates were executed in 1671, despite their military power and the loyalty of their families in fighting the Ottomans for centuries.

military troops in times of peace or armistice, and the violence of military towards civilian; towards the 18th century logistics improved and payments started to arrive regularly (state developed), resulting in a decrease in plunder and assaults on civilians, and thus violence generally.⁵⁵ Though wars in the 18th century employed more human resources and destructive weaponry than ever, they were fought according to “universally” established military codes – therefore presumably being “civilized”.

Whether one accepts this kind of argument or not, it remains reasonable to assert that the military institutions on the Habsburg-Ottoman Border were not concerned with the reduction of violence as such, whether it came in form of duels or raids, pillaging and war-waging, but rather with the control of violent activities. Violence *per se* was not problematic to the state. In order to protect large investments into the newly emerging state systems – not just financial investments – the authorities were under immense pressure to prevent as many forms of unsolicited violent activity as possible. A monopoly over violence ensured power and control prerequisite for the on-going state-making.

The greatest fear of imperial courts and military authorities over cases of small war and duels this paper has focused on arose from their unsolicited character. If unrestrained, they could threaten the peace and diplomatic relations, and overall damage the ability of the state to control its inner and foreign affairs.

In the analysed border zones, plunder of civilians and raids into the enemy territory were long considered by involved “states” as (semi-)official and desired methods of war waging, especially if they could be executed without consequences or retribution of the enemy. In the period of transition from the medieval to the modern state army such methods of war-waging weakened the enemy and provided earnings for exhausted local populations and masses of unpaid (paid by land or booty) military in Habsburg service. They had increasingly served as the main Habsburg defence potential. Also, every kind of violence towards the Ottomans was justified by the ideology of the holy war, as described by Wendy Bracewell.

Hence, efforts of state institutions to control violence were directed primarily to reduction of unsolicited violence and secondly to employment of violent activities in state interests. These efforts were visible and showed results already in the second half of the 16th century. From the first decades of the 17th century the Slavonian Border (*Varaždin Generalate*) underwent further substantial demographic and organizational changes in the course of territorialization (delimitation of border territory from the civil one), along with the imposition of a much stronger institutional control from the Aulic War Councils in Graz and Vienna. These changes considerably diminished the possibility of an un-institutionalized violence and various everyday modes of cross-border cooperation and co-existence in this area. Numerous armed riots organized by the frontiersmen in the 17th and the first half of the 18th century in cases where their autonomy or acquired rights were endangered testified to the on-going violent potential of a border society. The short duration and meager success of these uprisings testified to the strength and better efficiency of military

55 Ruff (cf. n. 49), 44–72.

authorities and repressive apparatus of the state. If one could at all speak about the general reduction of violence on the Christian-Ottoman Border towards the end of the 18th century, it was a by-product of the attempts to reduce unsolicited violence, not the main goal.

c) It is important to stress the social dimension of violent activities (duels, *mejdans*) on the imperial border. Almost all the studies mentioned until now were mainly focused on western and central Europe. Although western and central Europe experienced frequent wars, this experience could hardly be compared with the incessant centurial conflict between different faiths and civilisations that greatly modified or destroyed feudal social stratification in the border areas examined in this paper.

The elites on the border consisted of noblemen and distinguished military, often without noble background. On the one hand, these elites accepted specific border codes of honour that enabled various forms of cross-border cooperation and contact that were highly undesirable to state authorities. These structures were not analysed in this paper. On the other hand, these border elites also accepted a timeworn noble code of behaviour entrenched in ethics of honour, bravery and just religious war. As one could see from theoretical writings on duelling, the latter code of honour was in play throughout most of Europe.

Though border ethics and cross-border cooperation of the Croatian kind did not exist on the Slavonian-Ottoman Border, there too existed high social strata (on both sides) who, though at war, appreciated one another. They considered themselves exclusive possessors of military valour and military skills that separated them from the vast majority of simpler folk, Ottoman or Christian.

The warriors on the border accepted participation in duels in order to assert and uphold their social status – epitomized in honour, military might, ability to use arms, personal integrity and courage. *Mejdans* between Christian and Ottoman warriors were for a long time practiced – and permitted by rulers – as a means of honourable settlement of dispute between “equals”. Only towards the end of the 16th century did authorities begin to withhold permission for cross-border duels, while duelling among Christian officers and noblemen continued in the rest of Europe. It should be emphasized that the bloody pillaging and looting in raids, practiced by both sides, were not instigated solely for the sake of booty or territorial gains. They also functioned to help maintain the social status and honour of noblemen and military as the leading social strata in these specific border zones: officers and leading noblemen were entitled to larger portions of the booty than the rest of frontiersmen. Due to their complex consequences state authorities had to treat duels and raids more severely, but they continued well into the 17th century.

Even if emerging state authorities started to interfere more substantially with violent practices on the military border during the course of the 16th century, one must conclude that the social mechanism behind them was similar to the one described by Peltonen and others. There were explicit attempt of involved social groups to tame and limit violence by reducing potential clashes of entire armies to smaller factions and individuals. They had to maintain horizontal honour, and to confirm themselves as worthy members of their respective social class. Despite the

fact that participants belonged to different, at the time harshly colliding civilisations with very different hierarchical arrangements, they fought in duels and small wars, thus maintaining positions in a specific social hierarchy of the Ottoman-Christian border zone.