

Summary

Charter Guarantees of Religious Conditions on Noble Estates in Bohemia and Moravia (1436–1620)

This volume contains editions of 73 documents that were to guarantee the religious status of the noble estates in the Bohemian Kingdom and the Moravian Margraviate in the future. With the exception of the four oldest charters from the summer and autumn of 1436, issued by King Sigismund of Luxembourg or his son-in-law and Margrave Albrecht II. of Habsburg, they were produced by the Bohemian and Moravian nobles who sought to guarantee that the parish administration of their estates would in the future be carried out by the clergy of a specified confession.

These edited texts represented one of the manifestations of the local religious politics that the nobles of both crown lands practiced on their own property. In the second half of the sixteenth century, the estates owned by the nobility accounted for approximately 80 percent of all property recorded in the tax inventories in the kingdom and about 75 percent in the margraviate. Roughly the same proportion was also true for parishes over which the nobility held patronage rights. In the Prague diocese, before the outbreak of the Hussite Revolution, nobles were patrons of 62.5 percent of all parishes. In the following decades, this proportion increased in connection with the deepening laicization of parish administration, and at the beginning of the seventeenth century it was about three quarters. It was the patrons who were of key importance for the filling of individual parishes, as they were to propose candidates to the episcopal administration for the vacant benefices.

The role of secular patrons was emphasized by the complicated religious conditions prevailing between the Hussite era and the radical transformation after the Battle of White Mountain. Unlike in Moravia, where the office of the Bishop of Olomouc remained permanently occupied, the Archbishop's See of Prague was not filled until 1561. Parallel to the Catholic (so-called upper) consistory as the highest administrative body of the Roman Church, the Hussite (so-called lower) consistory was established in Bohemia as the head of the Utraquist Church. In Bohemia, efforts at religious unification in the non-Catholic part of the religious spectrum were based on the Bohemian Confession of 1575, which was only legalized by the

Letter of Majesty issued by King Rudolf II in 1609, which also led to the reform of the Consistory as the supreme body of the Utraquists, Lutherans, and the until then illegal Unity of the Brethren. In Moravia, where different legal conditions of religious tolerance prevailed, several attempts were made in the last quarter of the sixteenth century to create a supra-regional evangelical church-government institution, but these remained limited to a certain part of the country.

The religious conditions briefly outlined, together with the extent of the traditional rights exercised by the nobility on their estates, made these domains essentially sovereign territories where the ruler's religious policy did not interfere. Meanwhile, local noble ecclesiastical rule in the period under study ranged widely from tolerance of different confessions to targeted interventions in religious affairs designed to reinforce preferred faiths. The nobles used several practices in their ecclesiastical government, the most important of which relied on the possession of patronage rights to parish churches. As holders of patronage rights, the nobles not only sought to influence the actual occupation of individual parishes, but some of them aimed to guarantee for the future what parish administration on their estates should look like and which clergy should carry it out.

The exercise of patronage rights was closely connected to the creation of edited charters issued by nobles as holders of church patronage. Through these documents, they sought to ensure that the parish administration in their town or across their entire estate would, in the future, be carried out by a clergyman of the specific confession they designated. Along with ensuring the uninterrupted parish administration by a priest of the chosen faith, they also aimed to prevent undesirable changes that could arise if any of their descendants were to convert to another confession, or if the estate were to fall into the hands of a holder of a different confession. These edited documents thus represent a previously unnoticed manifestation of the religious policy of the Bohemian and Moravian nobility, which had a significant influence on the development of religious affairs in both crown lands between the Hussite period and the Battle of White Mountain.

The earliest layer of edited documents consists of charters issued by the two aforementioned sovereigns and some nobles from the second half of the 1430s. In only one instance was the recipient a Catholic town (Volyně in 1436). Most of these charters regulated the relations between Utraquist towns (Kroměříž 1436, Přerov 1436, Svitavy 1436, Mladá Boleslav 1436, and Bílina 1437) and Catholic lords

who guaranteed them the future free practice of Utraquism. This also applied to the charter of Oldřich II of Rožmberk for Prachatice from 1444. Another significant collection of chartered guarantees is known from the early sixteenth century. These were primarily privileges issued by Vilém of Pernštejn, in some cases together with his sons, to several of his Bohemian and Moravian towns (Hranice, Lipník nad Bečvou, Prostějov, Pardubice, Přerov, Kostelec na Hané, Bystřice nad Pernštejnem, and Nový Bydžov) between 1510 and 1517. This moderate Catholic granted them to towns where Utraquist priests were to continue administering the parish.

In the following years, guarantees for vassals of different confessions were already complete exceptions; noblemen issued charters mainly to their confreres. In the case of the Utraquists there were three charters from the first the first half of the sixteenth century (Mladá Boleslav 1503, Ústěk 1536, Roudnice nad Labem 1540) and then from the end of the century (Choceň 1581, Třebechovice pod Orebem 1588, Vroutek 1588, Vseruby 1589, Domašín 1596) when the Utraquist Consistory was already under the influence of the Catholic sovereign and represented the conservative trends of the Bohemian Reformation.

The Protestants inhabiting the Bohemian vassal towns received more guarantees from their overlords. After the charter of Friedrich of Salhausen for Benešov nad Ploučnicí (1546), further similar privileges were issued at the end of the sixteenth century and in the first two decades of the seventeenth century, that is, with a time gap after the struggle for the Bohemian Confession. Among the Bohemian towns, Teplice (1589), Pacov (1596), Heřmanův Městec (1590), Jičín (1605), Bochov (1607), Náchod (1612), Kostelec nad Černými lesy (1613), Nové Město nad Metují (1613), and Dobruška (1616) were successively granted them. In the years of the “Bohemian Revolt” (1618–1620), they were joined by Česká Třebová, Jablonné nad Orlicí, Lanškroun, and Ústí nad Orlicí (all 1619). A larger number of charter privileges addressed to Protestants have survived from Moravia, where they began to be issued in 1582. These were Litovel, Moravská Třebová (both 1582), Vizovice (1584), Kurdějov (1590), Lipník nad Bečvou (1594), Drnholec together with Novosedly (1601), Kostelec u Holešova (1602), Branná, Staré Město (both 1604), Boleradice (1607), Třebíč (1607 and 1614), Hodonín (1610), Jaroměřice nad Rokytinou, Letovice (both 1613), Zlín (1613 and 1619), Sovinec (1616), and Měřín (1620). While most of the edited privileges guaranteed the free exercise of parish administration to only one confession, five charters whose noble publishers guaranteed the free exercise of two

non-Catholic confessions are exceptions. Together with the Utraquists (Mladá Boleslav 1511) and the Protestants (Strážnice 1597, Přerov 1597, Dolní Kounice 1612 and Uherský Brod 1614), it was still the Unity of Brethren.

A minority of the documents made available are privileges issued by Catholic nobles who sought to secure the future of their confession. They did not address them to their cities, but saw other authorities as the guarantors of the future exercise of the Catholic faith. In Bohemia, it was the Jesuit order to which the noble founders handed over the patronage rights to the parishes in Český Krumlov (1591), Chomutov (1591), and Jindřichův Hradec (1594). In Moravia, the bishops of Olomouc were seen as the guarantors of the continuity of Catholic church administration. First, in 1582, Vratislav of Pernštejn allowed them to staff parishes on his Moravian estates. Subsequently, they obtained the patronage of the parish in Vizovice (1602) as well as in Jaroslavice, Nový Hrádek, and Velké Meziříčí (1609).

The volume makes available the full text of 71 documents from the years 1436-1620, to which should be added two contemporary registers of unpreserved documents. From the diplomatic point of view, these include 61 privileges, three provincial amnesty privileges, one other sovereign privilege, two foundation deeds of Jesuit religious houses, two reversals, one open letter, and one deposit in the land courts. A minority of the edited documents (31) contained only religious guarantees. On the other hand, in 40 town privileges, religious guarantees were supplemented by further provisions; these were mainly confirmations of older town privileges.

In an effort to ensure the continuity of Utraquist, Protestant, or Catholic parish administration, a large number of issuers turned their attention to the future possession of patronage rights which represented a key means of noble local church government. The holders of patronage rights in the vassal towns that were the recipients of the edited documents were mostly their noble owners. Some non-Catholic nobles continued to hold patronage rights, but in their edited privileges they granted their urban subjects the right to participate in the election of the clergy. Other issuers formally delegated this competence to their urban subjects, but with the proviso that the burghers should do so with the knowledge or consent of the overlord, who would then install such a priest in the parish. Other nobles, in an attempt to ensure the continuity of the Utraquist or Protestant liturgy, passed on the patronage right to their vassals, who should thus choose the parish administrator themselves, but under the conditions contained in the privilege. Eleven privi-

leges issued by Protestant noblemen explicitly mentioned patronage rights (Litovel 1582, Moravská Třebová 1582, Lipník nad Bečvou 1594, Přerov 1597, Drnholec and Novosedly 1601, Třebíč 1607 and 1614, Jaroměřice nad Rokytnou 1613, Zlín 1613 and 1619, Letovice 1613) as well as five charters from Catholic issuers (Český Krumlov 1591, Chomutov 1591, Jindřichův Hradec 1594, Vizovice 1602, Jaroslavice, Nový Hrádek, and Velké Meziříčí 1609). In the next thirteen edited texts the guarantee of the exercise of the patronage right was described as the right of the townspeople to freely choose a clergyman, which was to take place without any interference from the issuer of the charter and his descendants or successors (Pardubice 1514, Přerov 1513, Prostějov 1564, Choceň 1581, Kurdějov 1590, Strážnice 1597, Jičín 1605, Hodonín 1610, Náchod 1612, Dolní Kounice 1612, Kostelec nad Černými lesy 1613, Nové Město nad Metují 1613, Dobruška 1616).

Many of the edited documents referred to key legal or religious texts in an attempt to guarantee the Utraquist or Protestant faith. The earliest privileges from the 1430s addressed to Utraquist towns referred to the Basel Compacts. Six charters issued between 1589 and 1614 referred to the Bohemian Confession as the compromise creedal text of Bohemian Utraquists, Protestants, and the Unity of Brethren. The Letter of Majesty along with the Bohemian Confession appeared in two privileges. The Quartet of Privileges from the spring of 1619 mentioned the Letter of Majesty and the Comparison between the Provisions issued along with it.

The most frequently referenced religious document was the Augsburg Confession. It was mentioned in 19 documents issued between 1582 and 1619, mostly for Moravian localities, and also in a privilege for Pacov in the south-east of the Bohemian Kingdom. More than half of the documents explicitly referred to its text from 1530. Along with the Augsburg Confession, other texts were mentioned in the edited documents, such as some evangelical church orders, the Apology of the Augsburg Confession, or the Book of Concord.

With the exception of three privileges of Sigismund of Luxembourg and one from Albrecht II. of Habsburg, the issuers of the other charters were nobles. Most of the documents were published by members of the higher nobility; they included 44 persons, while there were only 12 lesser nobles. Along with members of traditional Bohemian and Moravian families or those who came to the two crown lands long before the beginning of the period under study, the issuers of the edited documents were also members of new families who acquired landed property and the

right of residence there only during the sixteenth century. These were mostly Protestants who also supported their doctrine on newly gained property.

Edited charters which guaranteed religious privileges to non-Catholics were issued for 34 Bohemian and Moravian towns and 22 small towns. Of the towns, 19 were in Bohemia and 15 in Moravia, about one in six of the vassal towns in the kingdom and one in four in the margraviate; this shows that a significant proportion of the subject towns in both crown lands had charter religious guarantees. The edited documents published between the Hussite period and the Battle of White Mountain cover a period of 185 years. Of the 73 documents, 51 (i.e., 70 percent) were published in the last four decades, defined by 1582 and the defeat of the Bohemian Estates uprising in November 1620. Thus, 31 charters are known from the last ninth of the period under review, which is 43 percent of all edited religious guarantees. This statistic confirms the thesis that inter-confessional rivalry intensified in the last third of the sixteenth and the beginning of the seventeenth century. In the local environment of noble estates, it also included the efforts of some Protestant lords and knights and Catholic nobles to secure the future exercise of their preferred confession, which they saw as guaranteed by the edited privileges.