Ad Subsidium Terrae Sanctae: Military Religious Orders and the Cismarine Expansion of the Borders of *Christianitas**

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This article aims to discuss the presence of the military religious orders at the frontiers of Christianitas during the twelfth and thirteenth centuries, a period when the hierocratic auctoritas ecclesiae materialized itself through vigorous expansionism. The military religious orders acted in consensus with the Holy See and at the request of the political European entities (also subjected to the authority of the Pope) in regions where they could not withstand the threats which endangered parts of their kingdoms or possessions. Ultimately this article integrates the presence of the Teutonic Knights in Transylvania during the first half of the thirteenth century in this broad mission of expansionism and highlights how the Roman Pontiff established relationships with the kingdoms positioned at the edge of Christianitas.

Keywords: *Teutonic Order, Holy See, Military Religious Orders, Frontiers, Medieval Kingdom of Hungary.*

In Western historiography, the issue of the religious military orders' contribution to the expansion of the Latin Christendom's borders is encompassed by the vast historiography of the Crusades. The scientific contributions can be divided into two major groups, respectively two different orientations as stated by Marek Tamm: the purists and the pluralists. On one hand, the purists perceive the liberation of Jerusalem to be the purpose and foundation of the First Crusade and evaluate all the later campaigns according to this standard to determine whether they might be categorised as crusades or not. On the other hand, pluralists consider that the institution of the Crusade should be analyzed according to its evolutions, taking into account the attributes of the Crusade rather than the destination as its defining features.¹

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¹ Marek Tamm, "How to justify a crusade? The conquest of Livonia and new crusade rhetoric in the early thirteenth century," *Journal of Medieval History* 39, no.4 (2013): 433–34.

This article rallies to the pluralistic historiographical perspective by highlighting the character of religious military orders as an ecclesial specialization of the Roman Church. The report of direct subordination between them and the Holy See and the exemplification of some situations in which the orders were engaged into the expansion of the Latin Christendom's borders will constitute the main focus. The non-arbitrarily chosen examples will be used to draw a parallel between the situation of the western European border regions and the one encountered in thirteenth-century Transylvania. A selection was made concerning several regions over which the European monarchs issued only formal claims and the territories were "donated" to the Orders to conquer them, or of territories over which the authority of the secular entity that co-opted the Orders was lax, and it sought the help of the Orders to consolidate it.

It is well known that in the eleventh and twelfth centuries, the Holy Land was considered to be the Patrimony (*Patrimonium Dei*) or the Legacy of God (*Hereditas Dei*), and if this area was exposed to conflict or became a source of conflict, the Holy See could claim supreme suzerainty over it.² The term *Terra Sancta*, beyond its devotional meaning discussed by Bernard of Clairvaux, also had a precise, previous legal meaning. According to Roman law systemized in the *Institutiones*, the so-called "res sanctae" could not belong to an earthly power.³ The Holy See used this well-developed legal apparatus to reclaim the Legacy of God and created an institution devoted to this purpose – the institution of the Crusade.

Alongside *crux transmarina*, there is another dimension of the Crusade, set apart from Pope Urban II's initial summon. There were already excommunicated individuals who were considered to be enemies of the *Corpus Christianorum* and could be subjected to the same military and political effects as non-Christians.⁴ Therefore, several nuances emerged right from the very beginning regarding the destination and character of the institution. The Crusade began to be perceived as the main means of regularizing the military and political situation in *Christianitas*, creating an intrinsic bond between *defensio* and *dilatatio Christianitatis*.⁵

² Șerban Turcuș, *Sfântul Scaun și românii în secolul al XIII-lea* (București: Editura Enciclopedică, 2001), 191.

³ "Nullius autem sunt res sacrae et religiose at sanctae: quod enim divini iuris est, id nullius in bonis est. Sacra sunt, quae rite et per pontifices deo consecrata sunt." Ed. Paulus Krueger, *Iustiniani Institutiones* (Berolini [Berlin]: Ex officina aulae Vimariensis typographica, apud Weidmannos, 1908), 33–34.

⁴ Turcuș, *Sfântul Scaun*, 192.

⁵ Raul-Alexandru Todika, "Ordinul monahilor-cavaleri Ospitalieri și *crux cismarina*: între *defensio* și *dilatatio Christianitatis* în secolele XII-XIII," in *Istoria și scrisul istoric azi: Opțiuni*

Between the twelfth and thirteenth centuries, as the Crusade gradually diluted its original purpose (the conquest of Jerusalem) and as the hierocratic pontifical power was developing, Pope Innocent III promoted a new type of Crusade, directed towards a campaign of Christianization. There was no longer a matter of defending Christians dominated by Muslims or recovering territorial possessions which had previously been Christian.⁶ From this perspective, the crusading Jerusalem became the place “where the Pope sends you” – *Ad subsidium terrae sanctae*, different from the geographical one. Thus, the Roman Pontiff became the supreme authority in convening the Crusades, as the Crusade was a *negotium fidei* and the management of faith was the exclusive responsibility of the bishop of Rome.⁷ *Negotium fidei* implied that the Pope indicated the directions to be followed to establish, restore, or rehabilitate the Christian faith.

As the faith was threatened from every direction and also from within, the Crusades followed several directions that coexisted at the same time, one not excluding the other. According to Jacques de Vitry, the Moorish domination of the Iberian Peninsula, the Cathar heretics in Italy and Provence, the “schismatics” in Greece, and the “false brothers” represented God’s way of punishing His wayward people.⁸ Similarly, Oliver of Paderborn praised Pope Innocent III’s defense of Christendom in his endeavours against the enemies of God – in the pagan Baltics, schismatic Greece, and heretical southern France.⁹

metodologice. Paradigme. Agendă. Lucrările Conferinței internaționale din 3-5 februarie 2020, dedicată Centenarului Institutului de Istorie „George Barițiu” din Cluj-Napoca, eds. Susana Andea, Iosif Marin Balog, Adelina Chișu, et. alii, (Cluj-Napoca: Editura Școala Ardeleană, 2020), 450.

⁶ Turcuș, *Sfântul Scaun*, 195.

⁷ Todika, “Ordinul monahilor-cavaleri Ospitalieri,” 451.

⁸ Brett Edward Whalen, *Dominion of God. Christendom and Apocalypse in the Middle Ages* (Cambridge: Harvard University Press, 2009), 153. “...varijs flagellorum molestijs iram et indignationem suam Dominus indicabat, quod postquam in manus impiorum terra sancta peccatis nostris deuenit, iustus vltor scelerum Deus, vltionum Dominus, mundum vniuersum, varijs molestijs affligendo flagellauit: in Hispania Mauros, in Prouincia et Lombardia Haereticos, in Graecia schismaticos, vbique falsos fratres contra nos insurgere permittendo.” Jacobus de Vitriaco, *Iacobi de Vitriaco primum acconensis, deinde tusculani episcopi, etsae. eccl. r. cardinalis, sedisque Apostolicae in Terra sancta, in Imperio, in Francia olim legati, libri duo quorum prior orientalis, siue hierosolymitanae, alter, occidentalis historiae nomine inscribitur*, ed. Franciscus Moschus (Dvaci [Douai]: Ex officina typographica Balthazaris Belleri, 1596), 260.

⁹ Whalen, *Dominion of God*, 153–54. “Temporibus eiusdem [Innocentii] pontificis populus aquilonaris, qui ambulabat in tenebris, vidit lucem magnam catholice fidei. Nam gens Livonum, Estonum, Prutonum variis erroribus delusa ignorans Dei filium et incarnati verbi mysterium... Preterea Constantinopolitana civitas scismatica in diebus suis expugnata in dominium transiit et potestatem Christianorum. Insuper Tolosanum comitem, recepta-

Within the theory and law of the Crusade, the concept of *bellum romanum* was increasingly used to assert a true Roman expansionism against all infidels. The concept was synthesized and developed further by Henry of Segusio, Cardinal Bishop of Ostia.¹⁰

The military religious orders took shape right in this complex cultural and political framework. Generally, they represented a nuance in the evolution of the so-called canons regular, in combination with multiple monastic elements, but were distinguished by the same legal regulations as the brothers of the mendicant religious orders: direct obedience to the Holy See, exemptions, territorial elasticity, and institutional autonomy.¹¹ In addition to their charitable activities and extremely energetic participation in the *crux transmarina*, some of them also assumed the defense of *Corpus Christianorum* in the *crux cismarina*, and their work was necessary at a time when *dilatatio Christianitatis* produced a shift in its borders and multiplied the enemies.¹²

Most military religious orders were placed under the protection of the Pope and benefited from *major libertas*, which at the same time made them entirely dependent on the Holy See right from the beginning. From the *major libertas* derived the exemptions. The residences and the possessions of military religious orders represented enclaves of *Patrimonium sancti Petri*, be it inside *Christianitas*' borders or outside them.

Through the bull *Pie postulatio voluntatis* of 1113, Pope Paschal II recognized the Knights Hospitaller as an independent entity, freed it from the tutelage of the Benedictines and the Canons Regular of the Holy Sepulchre, confirmed its possessions, and placed it directly under his protection.¹³ *Omne datum optimum*, a papal bull issued by Pope Innocent II

torem et defensorem hereticorum, humiliavit et Albigenses hereticos per largas remissiones catholicis indultas ad nichilum deduxit. Quos primo loco per predicatorum humiles et literatos ad orthodoxam fidem reducere studuit, deinde quasi contra ethnicos et publicanos peregrinos armatos transmisit." Oliver Scholasticus, *Die Schriften des kölnen Domscholasters, späteren Bischofs von Paderborn und Kardinalbischofs von S. Sabina*, ed. Hermann Hoogeweg (Tübingen: Bibliothek des litterarischen Vereins in Stuttgart, 1894), 156–57.

¹⁰ "Unum, quod est inter fideles et infideles, et hoc iustum est respectum fidelium...in summa praedicta recolligamus, aliud potest dici bellum Romanum, puta quod est inter fideles et infideles, et hoc iustum... Hoc autem voco Romanum, quia Roma est caput fidei nostrae et mater..." Henricus de Segusio, *Henrici de Segusio cardinalis Hostiensis Summa Aerea*, lib. 1 (Venetiis [Venice]: Iacobus Vitalis, 1574), 358–59.

¹¹ Todika, "Ordinul monahilor-cavaleri Ospitalieri," 449.

¹² *Ibidem*, 451.

¹³ *Ibidem*, 450: "... tua Xenodochium, quod in civitate Hierusalem juxta beati Joannis Baptiste ecclesiam instituisti, apostolice sedis autoritate muniri, et beati Petri apostoli patrocinio confoveri... illum Dei domum, ilium Xenodochium, et sub apostolice sedis tutela, et beati Petri protectione persistere decreti presentis auctoritate sancimus... omnes sive possessiones,

in 1139, endorsed the Knights Templar, officially approved their Rule, and granted them the protection of the Holy See.¹⁴ In the case of the Teutonic Order, it was recognized by Pope Clement III through the bull *Quotiens Postulatur* of 1191.¹⁵ Eventually, Pope Celestine III granted it privileges common to all other military religious orders through the bull *Effectum Justa Prostulantibus* of 1196.¹⁶

One of the few exceptions to the direct subordination to the Holy See was represented by the Livonian Brothers of the Sword, which had been created as a confraternity of knights in 1202 by Albert von Buxthoeven, Bishop of Riga, (according to the pontifical bulls) or possibly by the Cistercian Theoderich von Treyden, according to Henry of Latvia.¹⁷ It was a move echoing previous Cistercian involvements with the military orders¹⁸ (more specifically Bernard of Clairvaux and the Knights Templar or Cîteaux and the Spanish military religious orders). It was acknowledged as an order by Pope

quas idem Xenodochium ultra seu citra mare, in Asia videlicet vel in Europa, aut in presenti habet, aut in futurum largiente Domino poterit adipisci, tam tibi quam successoribus tuis hospitalitatis pio studio imminentibus et per vos eidem Xenodochio in perpetuum confirmamus.” Joseph Delaville Le Roulx, ed., *Cartulaire général de l'Ordre des Hospitaliers de S. Jean de Jérusalem 1100-1310*, vol. 1, 1100-1200 (Paris: Ernest Leroux, 1894), no. 30, 29–30.

¹⁴ “Dilectis filiis Roberto magistro religioſe militie Templi quod Iherosolimis ſitum eſt, ejuſque ſucceſſoribus et fratribus tam preſentibus quam futuris in perpetuum...milites Templi, conſtituti eſtis a Domino catholice eccleſie deſenſores et inimicorum Chriſti impugnatoreſ... in peccatorum remiſſionem, auctoritate Dei et beati Petri, apoſtolorum principis, tam vobis quam ſervitoribus veſtris injungimus... omnibus poſſeſſionibus et bonis ſuis, que inpreſentiarum legitime habere cognoscitur aut in futurum, conceſſione pontificum, liberalitate regum vel principum, oblatione fidelium, ſeu aliis juſtis modis, preſtante Domino, poterit adipiſci, perpetuis futuris temporibus, ſub Apoſtolice Sedis tutela et protectione conſiſtat.” André d’Albon, ed., *Cartulaire général de l'ordre du Temple (1119?–1150) recueil des chartes et des bulles relatives à l'ordre du Temple – Bulaire de Temple* (Paris: Librairie Ancienne Honore Champion, 1913), no. 5, 375–76.

¹⁵ “... dilectis filiis fratribus Theotonicis eccleſie ſancte Marie Ieroſolimitane...omnibus bonis, que inpreſentiarum rationabiliter poſſidetis vel in futurum iuſtis modis preſtante domino poteritis adipiſci, ſub beati Petri et noſtra protectione ſuſcipimus et preſentis ſcripti partonico communimus.” Ernst Gottfried and Wilhelm Strehle, eds., *Tabulae ordinis teutonici* (Berolini [Berlin]: Apud Weidmannos, 1869), no. 295, 263.

¹⁶ *Ibidem*, no. 296, 264–65.

¹⁷ “... frater Theodoricus perfidam Lyvonum et multitudini paganorum non poſſe reſiſtere metuens, et ideo ad multiplicandum numerum fidelium et ad conſervandam in gentibus eccleſiam, fratres quosdam milicie Chriſti inſtituit, quibus domus papa Innocenciuſ regulam Templariorum commiſit et ſignum in veſte ferendum dedit, ſcilicet gladium et crucem, et ſub obedientia ſui epiſcopi eſſe mandavit.” Henricuſ de Lettiſ, *Heinrici Chronicon Lyvoniae*, ed. Wilhelm Arndt (Hannoverae [Hanover]: Impenſiſ Bibliopolii Hahniani, 1874), 14.

¹⁸ Iben Fonnesberg-Schmidt, *The Popes and the Baltic Crusades 1147–1254* (Leiden-Boston: Brill, 2007), 115.

Innocent III in 1204. The Bishop of Riga held the principal authority in Livonia and it was stated in 1210 that the order would respect its authority and receive a third of all conquests made against the Baltic non-Christians.¹⁹

The *milites Christi* were present in areas that had a strong pagan or schismatic imprint, at the request of the political European entities (themselves subjected to the authority of the Pope), and at times they had also conducted military actions in addition to the royal campaigns, either on their initiative or to conquer the land that the European monarchs had granted them. To secure their establishment, the military religious orders performed the tasks of managing the territory and the population already present on the lands given to them, as well as colonising them by attracting new settlers to live there. Through emphyteusis, the residents and settlers had to pay annual tithes or give up part of their harvest to the orders. I will briefly highlight a series of illustrative examples in this regard.

In the context of the Spanish *Reconquista*, the confraternity of knights established in the vicinity of the church of San Julián Pereiro (which is the same as that of the Knights of Trujillo which came to be known as the Order of Alcántara) was recognized as an order in 1177, when Pope Alexander III placed "Gómez, prior of San Julián Pereiro," the brothers of San Julián and their properties under the protection of the Holy See.²⁰ In 1183, Pope Lucius III granted the order a total exemption from the local ecclesiastical jurisdiction,²¹ giving it the mission of defend-

¹⁹ "... ut videlicet ipsi fratres tertiam partem earundem terrarum, Lectiae scilicet ac Livoniae, teneant a Rigensi episcopo, nullum sibi ex ea temporale servitum praestituri nisi quod ad defensionem Ecclesiae ac provinciae perpetuo contra paganos intendant, verum magister eorum qui pro tempore fuerit obedientiam semper Rigensi episcopo repromittet..." Jacques-Paul Migne, ed., *Patrologiae cursus completus: seu bibliotheca universalis, integra, uniformis, commoda, oeconomica*, vol. 216, (Parisiis [Paris]: Apud Garnier fratres, editores et J.-P. Migne successores, 1891), no. 141, col. 326; see also: Alain Demurger, *Moines et guerriers. Les ordres religieux-militaires au Moyen Âge* (Paris: Éditions du Seuil, 2010), 79.

²⁰ Joseph F. O'Callaghan, "The Foundation of the Order of Alcántara, 1176–1218," *The Catholic Historical Review* 47, no. 4 (1962): 476; Demurger, *Moines et guerriers*, 64. "Dilectis filiis Gometio, Priori S. Juliani de Pirario, ejusque fratribus... praefatam Domum Sancti Juliani, in qua divino estis obsequio mancipati, sub Beati Petri et nostra protectione suscipimus, et praesentis scripti privilegio communimus: statuantes, quaecumque bona eadem domus S. Juliani in praesentiarum juste, et canonice possidet, aut in futurum concessione Pontificum, largitione Regum, vel Principum, oblatione fidelium, seu alijs justis modis, praefatante Domino, poterit adipisci, firma vobis, vestrisque successoribus, et illibata permaneant." Ignacio José Ortega y Cotes, Pedro Ortega Zuñiga y Aranda and José Fernández de Brizuela, eds., *Bullarium Ordinis Militiae de Alcantara olim S. Juliani del Pereiro per annorum seriem nonnullis donationum, concordiarum et aliis interjectis scripturis congestum* (Matriti [Madrid]: ex typographia Antonij Marin, 1759), 3.

²¹ O'Callaghan, "The Foundation of Alcántara," 478.

ing Christianity.²² In 1188,²³ 1194,²⁴ and 1195, the order received a series of territories donated by King Alfonso VIII of Castile and Toledo with the purpose of colonizing them.²⁵ The 1195 document also highlights more explicitly the manner of approaching the mission of the *Reconquista*: the order was to stay “as an indefatigable wall for the protection of the Christian faith against the fierceness of the pagans.”²⁶

In Castile the Hospitallers benefited in 1164 from the donation of Uclés, neighboring Cuenca, at that time in the hands of the Muslims, but they failed in their mission of taking control over it and eventually abandoned the enterprise.²⁷ The Hospitallers were provided with the necessary means to ensure its presence at the Castilian border in 1183 when King Alfonso VIII granted it the castle of Consuegra, south of Toledo.²⁸ The brothers of Saint John transformed it into one of the main strongholds of the Castilian defense against the Almohads.²⁹

Likewise, in Aragon, we can find a series of examples indicating a desire to use the Hospitallers as a frontier force.³⁰ In June 1202, King Peter II of Aragon donated the castle of Fortanete,³¹ in May 1205 properties in

²² “Dilectis filiis Gometio Magistro, et fratribus Sancti Juliani de Pereyro... Cum locus vester in Saracenorum faucibus constitutus, sicut ex litteris Episcoporum, et aliorum Religiosorum Nobis innotuit, nulli Pontifici hactenus fuerit Dioecesana lege subiectus... tanto majori libertate donetur, ut eo liberior, et libentius defensionem Christianitatis pro viribus, et alijs divinis obsequijs infudetis, quanto a Romana Ecclesia facilius petitionibus fueritis exauditi... locum vestrum, in quo divino emancipati estis obsequio, in jus, et proprietatem B. Petri, et Ecclesie Romanae recipimus, et praesentis scripti Privilegio comunis.” Cotes, Aranda and de Brizuela, *Bullarium Ordinis Militiae de Alcantara*, 7–8.

²³ *Ibidem*, 11.

²⁴ *Ibidem*, 12–13.

²⁵ Demurger, *Moines et guerriers*, 65.

²⁶ “Regali sane Majestati expedit, et ad salutem animarum, et Christianitatis provectum accedit, viros robustos, et constantes in fide contra infidelium perfidiam in loci, quae asidua per eos importunitate infestantur constituere... in defensionem Christianae Fidei se murum indefesum contra saevitiam paganorum opponunt...” Cotes, Aranda and de Brizuela, *Bullarium Ordinis Militiae de Alcantara*, 13.

²⁷ Demurger, *Moines et guerriers*, 58.

²⁸ Alan Forey, *The Military Orders: From the Twelfth to the Early Fourteenth Centuries* (Basingstoke: Palgrave Macmillan, 1992), 66; Todika, “Ordinul monahilor-cavaleri Ospitalieri,” 456.

²⁹ Henry J.A. Sire, *The Knights of Malta* (New Haven-London: Yale University Press, 2005), 141; Demurger, *Moines et guerriers*, 58–59.

³⁰ Sire, *The Knights of Malta*, 140.

³¹ “... dono laudo, concedo et in presenti trado Deo et sancto Hospitali Jerosolimitani, et fratribus presentibus et futuris ibidem Deo servientibus, castrum meum quod vocatur Fortaner...” Le Roux, ed., *Cartulaire général de l'Ordre des Hospitaliers de S. Jean de Jérusalem 1100-1310*, tom. 2, 1201-1260 (Paris: Ernest Leroux, 1897), no. 1162, 16–17.

Almassora,³² and on December 30, 1205, the castle of Sollavientos.³³

As far as the Templars are concerned, King James I of Aragon (1213–1276) granted them the Benhamet and Mantella farmsteads near the town of Burriana on the condition that they conquer them. Also, the colonisation process was particularly intense in the region of Lérida through the Templar commandries in Gardeny, Barbens, and Corbíns.³⁴

Ireland was yet another border area in which the military religious orders were engaged in significant levels of activity. Concerning this frontier, it is worth mentioning Pope Adrian IV's³⁵ *Laudabiliter* of 1155, for which Gerald of Wales provides an excerpt in his *Expugnatio Hibernica*. The bull was addressed to King Henry II of England, pleading with him to “enlarge the boundaries of the church, to reveal the truth of the Christian faith to the peoples still untaught and barbarous, and to root out the weeds of vice from the Lord's field.”³⁶ This papal bull marks the beginning of the Anglo-Norman invasion of Ireland.³⁷ The main leader of the Anglo-Norman troops who took control of the island was Richard FitzGilbert de Clare, known as Strongbow, the second Earl of Pembroke and head of an important family that distinguished itself among all other English noble families by the extent of its donations to the Hospitallers.³⁸ After the conquest of Dublin, Strongbow made a large donation to the Hospitallers around 1174 at Kilmainham on the hinterland of the city, where the future Hospitaller prioral residence was set.³⁹

³² “... concedo et dono Deo et Hospitali Jherusalem locum illum qui appellatur Palacium de Almazorre...” *Ibidem*, no. 1219, 50.

³³ “... domino Deo et domui Hospitalis Hierosolimitani, et tibi fratri Eximini de Lavata... castrum et villam de Sufflaventis cum omnibus terminis... dono et confirmo in perpetuum cum isto privilegio valituro... ad populandum et tenendum et custodiendum ad honorem Dei et fidei christiane...” *Ibidem*, no. 1228, 54–55.

³⁴ Josep Maria Sans i Travé, “The Military Orders in Catalonia,” *Catalan Historical Review* 4 (2011): 65, 67.

³⁵ Bishop of Rome between 1154–1159.

³⁶ “... Laudabiliter satis et fructuose, de glorioso nomine propagando in terris, et aeternae felicitatis praemio cumulando in coelis, tua magnificentia cogitat; dum ad dilatandos ecclesiae terminos, ad declarandam indoctis et rudibus populis Christianae fidei veritatem et vitiorum plantaria de agro Dominico extirpanda...” Giraldu Cambrensis, *Giraldi Cambrensis opera*, vol. 5, *Topographia Hibernica et Expugnatio Hibernica*, eds. John S. Brewer and James F. Dimock (London: Longmans, Green, Reader, and Dyer, 1867), 317.

³⁷ Although the veracity of this papal bull has been debated by historiographers, the development of the events leads us to believe that even without *Laudabiliter*, the frontier still materialized with the assistance of the military religious orders present there.

³⁸ Le Roulx, *Cartulaire général*, tom. 1, no. 431, 298–299.

³⁹ Eva Mabel Tenison, *A Short History of the Order of Saint John of Jerusalem. From its Earliest Foundation in A.D. 1014 to the End of the Great War of A.D. 1914–18* (London: The Society of Sts. Peter and Paul, 1922), 42; Jonathan Riley-Smith, *A History of the Order of the Hospital*

An even earlier donation was given two years previously at Wexford, the first foothold of the Anglo-Normans in Ireland. The town had originally been granted in 1169 to Richard FitzStephen and Maurice de Pendergast.⁴⁰ The latter appeared around 1202 as the first Hospitaller prior of Kilmainham.⁴¹

As Şerban Turcuş observed, the very structure of the frontier “was influenced by the nature of the dynamic character whose result it was, and also represents the best indicator of the state of the element that contributed to its determination.”⁴²

Analyzing the southern border of Transylvania in the thirteenth century, we can observe that it was not the result of a predominant territorial expansion of the Hungarian royalty, but of an organizational system developed by the Roman Church, which encompassed the Cistercian, Teutonic and Dominican missions or the Saxon colonization movement, which belonged spiritually, but probably also temporally, through the *Praepositura nullius*, to the Roman Church. The fact that Transylvania was and remained for the Hungarian kingdom a border area is inscribed in the very denomination of its territorial reality which contains the term *silva*. It played the Carolingian and post-Carolingian role of a “defensive March” for the Hungarian kingdom, although never well enough controlled. At the time, the geographical phrase *Ultra Silva* or *Transsylvania* was used for this region to the detriment of another ethnic denomination. By analogy, we must look at the aforementioned frontier of the Spanish Reconquista, where the name of the territory intended to be reconquered from the Muslims was *el Andalucía*, a phrase that encompasses not a territorial or ethnic meaning but the semantic field of non-civilization and barbarism.⁴³ The phrase *Ultra Silva* only reiterates

of *St. John of Jerusalem. vol. I: The Knights of St. John in Jerusalem and Cyprus, c. 1050–1310* (Basingstoke: Palgrave Macmillan, 1967), 358; Todika, “Ordinul monahilor-cavaleri Ospitalieri,” 458–59.

⁴⁰ “Ipse vero suos amplius animare jam cupiens, et in primis successibus primos remunerare disponens, urbem statim, cum territorio toto, Stephanidae et Mauricio juxta pristinae conventionis debitum assignavit.” Giraldus Cambrensis, Brewer, Dimock, *Expugnatio Hibernica*, 233.

⁴¹ Sire, *The Knights of Malta*, 180; Todika, “Ordinul monahilor-cavaleri Ospitalieri,” 459. “...frater Mauricius de Prendelgast, prior fratrum Hospitalis Jerosolimitani in Hybernia...” Le Roulx, *Cartulaire général*, vol. 2, no. 1153, 12.

⁴² Turcuş, *Sfântul Scaun*, 140.

⁴³ *Ibidem*, 142, note 2. A more profound understanding of the Iberian border’s characteristics, origin and meaning of the denomination *el Andalucía/Al-Andalus* is provided by Enrique Rodríguez-Picavea, “The Frontier and Royal Power in Medieval Spain: A Developmental Hypothesis,” *The Medieval History Journal* 8, no. 2 (2005): 273–301; Manuel González Jiménez, “Sobre los orígenes históricos de Andalucía,” *Boletín de la Real academia Sevillana de Buenas Letras, Minervae Baeticae* 40 (2012): 258–68; Jonathan Jarrett,

the indefinable character of this territory for the Hungarian kingdom, a space where the Roman Church developed its missionary activities. It is no coincidence that the ambiguous institutional status of the various parts of Transylvania and the lack of institutional discipline had determined Rome to take all the mission territories, without exception, *in ius et proprietatem sancti/beati Petri*, that is, according to the documents of the *Liber Censuum*, to become temporal elements belonging to Rome.⁴⁴

Precious contributions concerning the presence of the Teutonic Order in thirteenth-century Transylvania, either overall perspectives or insights on various topics related to this issue, have been made over the years, but it cannot be said that the subject is fully understood by either Romanian or Hungarian historiographies. This article fills the gaps in the current research, concerning the Holy See's contribution and the nature of the military orders with their particular regime of exemptions.

The document through which King Andrew II of Hungary granted Burzenland to the Teutons dates from May 7, 1211. The Teutonic Knights received "the land named Borza" situated "over the forests, against the Cumans", which was "deserta et inhabitata" (not with the meaning of uninhabited region as the Hungarian historiography states, but with that of a territory to which ecclesiastical rights were not assigned and probably in this case, nor the secular ones),⁴⁵ and they were allowed to build wooden fortifications.⁴⁶

Despite the existence of the phrase "... regnum per conversationem eorum propagatam dilatetur..." ("...the expansion of the kingdom through their conversion..."), the emphasis and subsequent practical effects are on "ad munimen regni contra Cumanos" ("for the defence of the kingdom against the Cumans"). It seems obvious that the king did not give the Order a "mission of conquests" but instead allowed it to exploit the lands in opti-

"Before the Reconquista. Frontier relations in medieval Iberia, 718 to 1031," in *The Routledge Companion to Iberian Studies*, eds. Javier Muñoz-Basols, Laura Lonsdale, Manuel Delgado (London-New York: Routledge, 2017), 27–40.

⁴⁴ Turcuș, *Sfântul Scaun*, 141–42.

⁴⁵ *Ibidem*, 224–26.

⁴⁶ "...cruciferis de hospitali sanctae Mariae...caritatis intuitu quamdam terram Borza nomine, ultra silvas versus Cumanos licet desertam et inhabitatam contulimus pacifice inhabitandam et in perpetuum libere possidendam, ut et regnum per conversationem eorum propagatam dilatetur et elemosina nostra per orationem eorum ad remedium animae nostrae et parentum nostrorum coram summo deo deportetur...et ad munimen regni contra Cumanos castra lignea et urbes ligneas construere eos permisimus." Franz Zimmermann and Carl Werner, eds., *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, Bd. 1, 1191–1342 (Hermannstadt [Sibiu]: In Kommission bei Franz Michaelis, 1892), no. 19, 11.

mal conditions, in which this manner of fortification was suitable only for “defense.” Therefore, the Teutons received the same type of property intended for administration with which they had been endowed in other parts of Europe⁴⁷ and from which they received income that allowed them to carry out their military missions *Ad subsidium terrae sanctae*.

A year later their presence is mentioned through a diploma issued on May 7, which states that the Teutons were led by Brother Theodoric and that they were positioned at the kingdom’s frontier.⁴⁸

According to László Pószán, on December 8, 1216, the Pope forbade the Order to engage in obligations concerning fiefs received from secular entities and bound by certain conditions. It was in fact the other way round, as “ne ulla ecclesiastica secularisve persona a magistro et fratribus eiusdem domus exigere indebite audeat fidelitates, hominia seu iuramenta vel reliquas securitates.”⁴⁹ He then deduces that this papal measure made the legal status of Burzenland uncertain.⁵⁰ As previously mentioned, Burzenland was a “terra deserta,” meaning that before 1211 there hadn’t been a secular or ecclesiastical institution to exercise enough authority over it and that is why the Teutonic Order could take it in its possession. The 1216 document does not make its legal status uncertain as it would have meant that the Hungarian king would have had a previous well-established authority over the territory and the ability to grant it to the Teutons as a fief. The fact that the king offered the territory to the Order should be perceived as a common practice between the European secular entities who granted border territories to the military religious orders to expand the gates of *Christianitas*, and it does not necessarily mean that those entities truly had them in their possession beforehand (see the examples above). Thus, I believe the Hungarian historian is mistaken in his assumption that Burzenland belonged fully to the king before 1211. Furthermore, the same document mentions that the Teutons were granted the privilege to build establishments in “loca deserta” and no one could confiscate, diminish or disturb them, as those places were, through emphytheusis, managed by the Teutons and under the special pro-

⁴⁷ Michel Tănase, “Avatarurile unui act de donatie. Donația făcută cistercienilor, în Țara Bârsei, de către Bela IV, la 17 martie 1240,” *Revista istorică* 1–2 (1993): 68.

⁴⁸ “... fratris Theodorici cruciferi hospitalis sanctae Mariae de Acaron, quae quondam fuit in Jerusalem, regio favore condescendentes, sibi et fratribus constitutis in terra ultra silvas, quam eis ad custodiendum confinium...” Zimmermann and Werner, *Urkundenbuch*, no. 22, 14.

⁴⁹ Gottfried and Strehlke, *Tabulae ordinis teutonici*, no. 303, 273.

⁵⁰ László Pószán, „Das Verhältnis zwischen dem Deutschen Orden und den siebenbürgischen Bischöfen im Burzenland (1211-1225),” *Ordines Militares Colloquia Torunensia Historica. Yearbook for the Study of the Military Orders* 24 (2019): 58–59.

tection of the Holy See.⁵¹ Despite what László Pószán believes, the Teutons and their possessions were placed under the protection of the Holy See even before 1216, ever since their establishment as an Order in 1191 (see note 16). Pope Honorius III merely reconfirmed this well-known fact using the same formulation as his predecessors (see note 17).

On May 7, 1222, simultaneously with the Golden Bull, King Andrew II issued another document offering the Teutons the opportunity to build stone fortifications,⁵² in addition to reconfirming the donation of 1211 and reiterating fiscal privileges.

The direct relationship between the Teutonic Knights and the Holy See is highlighted by the confirmations made by Honorius III (1216–1227), as Roman Pontiff and the highest authority in *Christianitas*. In this regard, through a document from December 19, 1222, Pope Honorius III strengthened and confirmed the privileges and possessions granted to the Order in Burzenland by King Andrew II.⁵³

On January 12, 1223, Pope Honorius III, at the request of the Teutons, gave instructions to Bishop Thomas of Eger to appoint an “archipresbyterum vel decanum” (“archpresbyter or dean”) of the Burzenland.⁵⁴

In another document, dated December 12, 1223, the same Pope forbade Raynaldus, Bishop of Transylvania, to subject Burzenland to his jurisdiction, at the same time noting that the order of the Teutonic Knights had begun to extend “ultra montes nivium” (“beyond the snowy mountains”).⁵⁵

⁵¹ “Si quando vero loca deserta fuerint eidem domui pia devotione collata, liveat vobis ibidem edificare villas et ecclesias et cimiteria ad opus hominum ibidem manentium fabricare... Decernimus ergo, ut nulli omnino hominum licet prefatum hospitale temere perturbare, aut eius possessiones auferre vel ablatas retinere, minuere seu quibuscumque vexationibus fatigare; sed omnia integra conserventur eorum, pro quorum gubernatione ac sustentatione concessa sunt, usibus omnimodis profutura, salva sedis apostolice auctoritate et diocesani episcopi canonica iusticia.” Gottfried and Strehlke, *Tabulae ordinis teutonici*, no. 303, 273.

⁵² “... ad munimen regni contra Cumanos castra et urbes lapideas construere...” Zimmermann and Werner, *Urkundenbuch*, no. 31, 19.

⁵³ “... praedictas terras cum libertatibus et immunitatibus suis, sicut eas iuste ac pacifice obtinetis et in privilegiis dicti regis plenius continetur, vobis et domui vestrae auctoritate apostolica confirmamus et praesentis scripti patrocinio communimus.” *Ibidem*, no. 34, 23.

⁵⁴ “... magister et fratres domus sanctae Mariae Teutonicorum sua nobis petitione monstraverunt, quod in terra, quae dicitur Boza, quam noviter inhabitare ceperunt, impetu paganorum, per quos hactenus vasta et deserta permansit, non sine ipsorum multo discrimine refrenato, est iam non parvus numerus clericorum. Unde cum terra ipsa, iuxta indulgentias eorum ordini ab apostolica sede concessas, praeter Romanum pontificem non habeat episcopum vel praelatum, supplicarunt, ut praefatis clericis provideremus archipresbyterum vel decanum, ad quem possint habere recursum super quaestionibus emergentibus inter eos...” *Ibidem*, no. 35, 24.

⁵⁵ “... fratres domus sanctae Mariae Theotonicorum terram Boze et ultra montes nivium... Cum autem terra ipsa secundum indulgentias dictis fratribus ab apostolica sede concessas, nullum praeter Romanum pontificem episcopum habeat vel praelatum, tu, sicut eorum nobis

The pivotal moment of the Roman Pontiff's demarches occurred on April 30, 1224, when he issued four extremely relevant pontifical bulls. Through one of these, he exhorted the clergy and people of Burzenland to obey the authority of the Burzenland dean.⁵⁶ Through another, he took Burzenland and the territorial possessions occupied by the Teutons "in ius et proprietatem beati Petri"⁵⁷. This moment was also marked in the *Liber censuum Romanae Ecclesiae*, meaning that Burzenland was officially a temporal belonging of Rome.⁵⁸

The evolution of these events triggered the response of the Hungarian royalty, which consisted of the forced expulsion of the Teutons from Burzenland. The polemical and legal dispute which broke out between the Holy See and the kings of Hungary concerning this event lasted long after 1225, a year that some historians frequently associated with the end of the episode of Teutonic presence in Burzenland.

In conclusion, the border, perceived as a space that had to be expanded and brought within *Christianitas*, was an area subjected firstly to the competence of the Holy See, and later to the missionary or military support to which it appealed through the mechanisms of the Crusade. Given this fact, the presence of military religious orders at the borders of Christianity and implicitly of the Teutons in Burzenland only justify the hierocratic theses advanced and partially accomplished by Rome.

conquestio patefecit, in ea tibi iurisdictionem indebitam usurpare contendens, presbyteros et clericos ipsius terrae ad synodum tuam vocas, et tam ab eis quam a laicis decimas et alia episcopalia iura niteris extorquere, in eos, si tuae non satisfaciunt voluntati, interdicti et excommunicationis sententias de facto, cum de iure nequeas, proferendo." *Ibidem*, no. 36, 25.

⁵⁶ "... archipresbytero et clero ac populo terrae Boze et ultra montes nivium... vos et terram vestram in ius et proprietatem ecclesiae Romanae suscepimus et libertatibus nonnullis curavimus communire, sicut apostolicae literae, quas super hiis dilectis filiis... magistro et fratribus hospitalis sanctae Mariae Teutonicorum Jerosolimitani dominis dictae terrae concessimus, vos poterunt plenius edocere... ecclesiae Romanae filii speciales de gratia nostra et favore securi hiis, quae ad divini nominis cultum et dilatationem pertinent populi Christiani, tota sollicitudine, toto studio intendentes inter vos servetis vinculum mutuae caritatis et pacis, per quam et parvae res crescunt, et magnae in sua magnitudine conservantur..." *Ibidem*, no. 39, 28–29. See also: *Ibidem*, no. 42, 31–32.

⁵⁷ "... terram Boze et ultra montes nivium... in ius et proprietatem apostolicae sedis recipere dignaremur, asserentes, quod fideles libentius transibunt in eius coloniam, si eam viderint apostolicae sedis esse speciali dominationi subiectam, sicque fiet, ut terra... facile populetur et numerus habitantium in eadem ad ipsorum paganorum terrorem et securitatem fidelium atque ad utilitatem non modicam terrae sanctae feliciter augeatur... praefatam terram in ius et proprietatem beati Petri suscipimus, et eam sub speciali apostolicae sedis protectione ac defensione perpetuis temporibus permanere sancimus." *Ibidem*, no. 40, 29. See also: *Ibidem*, no. 41, 30–31.

⁵⁸ "In episcopatu Ultrasilvano... Nova domus Theutonicorum in Borza ultra montes Nivium debet camere pro censu unam marcam auri et nota quod ipsa domus octavo anno pontificatus domini Honorii pape tertii cepit fieri censualis." Paul Fabre and Louis Duchesne, eds., *Le Liber Censuum de l'Eglise Romaine*, vol. 2 (Paris: A. Fontemoing, Bibliothèque des écoles françaises d'Athènes et de Rome, 1901), 149.