

Fornicatrices, scortatrices et meretrices diabolares: Disciplining Women in Early Modern Hungarian Towns

Blanka Szeghyová

Institute of History of Slovak Academy of Sciences,
Bratislava, Slovakia, blanka.szeghyova@savba.sk

Abstract

This article discusses the stance and strategies of town magistrates regarding various kinds of sexual behaviour in the kingdom of Hungary in the second half of the sixteenth century. The study is based on the analyses of judicial cases of accused women. It examines not only the nature of sexual crimes and imposed punishments, but also how the language was used in the court records to name and label the offences and offenders in a way which reflects the moralistic discourse of the period. This period witnessed a crucial shift in the attitude towards extramarital sexuality, prostitution and brothels. While brothels existed in towns in the late medieval period and the beginning of the sixteenth century (some brothels even under the official control of the

magistrates) the events of the Reformation abolished many of these institutions and all prostitution was criminalised and prosecuted.

Keywords: Crime; punishment; sexual offences; prostitution; brothels; disciplining; sexuality; Reformation; urban history; Middle ages; Early Modern period; Hungary; Slovakia; Central Europe.

Fornicatrices, scortatrices et meretrices diabolaes:
Disciplining Women in
Early Modern Hungarian Towns*

Blanka Szeghyová

Institute of History of Slovak Academy of Sciences
Bratislava, Slovakia

Introduction: Sexuality and the Reformation

In the last couple of decades, a rich scholarship has been published concerning the attitudes towards morality and sexuality of the medieval and the early modern periods in Western Europe. Medieval historians uncovered a diverse discourse on sexuality and a tendency to increasingly regulate sexual behaviour by the urban municipalities from the late fourteenth and fifteenth centuries.¹ The Reformation intensified the trend of social and moral discipline in many places, replacing former ecclesiastic jurisdiction over sexual and marital affairs with the authority of magistrates.² This development was not only typical of Protestant magistrates, but similar control and “moral policing” was also performed in Calvinist and Catholic areas.³

Research about this topic in Central and Eastern Europe is generally less advanced, as historians of the region have only turned their

* This work was supported by the Slovak Research and Development Agency under the contract No. APVV-15-0349 and by the grant VEGA no. 2/0101/17.

¹ Ruth Mazo Karras, *Sexuality in Medieval Europe. Doing unto others* (London and New York: Routledge, 2005), 156-157; James A. Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago: University of Chicago Press, 1987), 485-487.

² Sara F. Matthews Grieco, “The body, Appearance, and Sexuality,” in *A History of Women. Renaissance and Enlightenment Paradoxes*, ed. Natalie Zemon Davis and Arlette Farge, series editors Georges Duby, and Michelle Perrot (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1993), 64.

³ Ronnie Po-Chia Hsia, *Social discipline in the Reformation: Central Europe 1550-1750* (London and New York: Routledge 1992), 122-123.

attention to social history and the history of crime and punishment relatively recently. Nonetheless, preliminary research of the relevant surviving material confirms parallel development between the West and the kingdom of Hungary. The municipal statutes from the sixteenth century express efforts by magistrates to enforce public order by regulating the private lives of their inhabitants.⁴

Urban judicial records attest that these directives were frequently put into practice. Even though municipal archival sources survive only in a haphazard and uneven manner, several judicial books from sixteenth-century Hungarian towns have been preserved. Thus far, judicial sources from the following four Upper Hungarian towns (today in eastern Slovakia) have been examined: Košice (*Cassovia, Kaschau, Kassa*), Levoča (*Leutsovia/Leutchovia, Leutschau, Lőcse*), Bardejov (*Bartpha, Bartfeld, Bárta, Bardión*) and Prešov (*Eperiesinum, Eperies/Eperjes, Preschau*).⁵ The most numerous and relevant cases come from Košice, the largest town of the region which became the seat of the Upper Hungarian captaincy in 1559. These towns were free royal towns which enjoyed privileges of municipal autonomy. The head of free royal towns was called the judge (*iudex/richter*). The judge and the city's twelve councillors had supreme jurisdiction over all criminal cases that took place within the territory of the town as well as in other areas which belonged to the town.

This study analyses what kind of sexual misdemeanours women were accused of and condemned for in the sixteenth century according to the preserved sources. At the same time, in order to highlight how attitudes and social perception of sexual conduct changed, the late medieval and early modern strategies employed by urban authorities for

⁴ See the collection of municipal decrees and statutes in Hungary: Sándor Kolosvári, Kelemen Óvári, *Corpus Statutorum Hungariae municipalium* (Magyar Tudományos Akadémia: Budapest, tomus II. pars II. (1890), tomus III. (1897), tomus IV. pars II. (1892), tomus V. pars II. (1904).

⁵ Archival source material examined included judicial and sentence books: Municipal Archive Košice, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*; Regional archive in Levoča, Magistracy 3. XXI.1. *Maleficz Buch 1550-1643*; The State Archive in Prešov, Prešov Magistracy (AP), no. 2685 *Kníha mestského súdu 1555-1560*; Archive of Bardejov Magistracy (AB), *Súdne zápisy a účty mesta 1559-1649*, without shelfmark. More detailed research is analysed in: Blanka Szeghyová, *Súdnictvo a súdna prax v mestách Pentapolitany v 16. storočí* [Judiciary and Judicial Practice in the 16th Century Pentapolitana Towns] (Bratislava: Veda, 2016).

dealing with prostitution will be compared. Even though this paper focuses on women accused of sexual offences, whenever possible, it will compare and contrast how men and women were treated, so the differences (if there are any) can be put into an objective perspective.

Terminology, definitions, and the use of language

Before taking a closer look at sex crimes in the second half of the sixteenth century, a few explanatory notes on the language of the court records – particularly how accused women were defined, named, and labelled – might be helpful. The court records in this study are written in Latin and German. Basically, there were two frequent and major categories of sexual delicts: fornication and adultery. The difference between the two charges was the marital status of the offender(s); in other words, whether they or at least one of them was/were single, widowed or married. Cases of adultery are usually clear, unambiguous, and easily identified by words such as *adulterium/adultera*, *ehebruch/ehebrecherin*, or by additional details of their marital status. Fornication, on the other hand, was apparently a general name for a wider scope of deviant sexual behaviour.

In the English language, the word fornication is usually defined as sexual intercourse between people not married to each other.⁶ It is identical with the Latin term *fornicatio* which is used in the sixteenth century sources consulted here. Obvious as it might seem, what this word meant and how it was used and translated into other languages is a little bit more complicated. In classical Latin *fornicatio* originally denoted prostitution, not fornication.⁷ Without going into further and unnecessary details about the evolution of the word from Classical to Modern times, it will suffice to say that the Latin word *fornicatio* in these judicial records indisputably indicates fornication in a wider sense. Even

⁶ The Oxford English Dictionary (OED) (Oxford University Press: Oxford, 2017), <http://www.oed.com/>, accessed on 27th March 2018.

⁷ T. Lewis Charlton and Charles Short, *A New Latin Dictionary* (Oxford: Clarendon Press, 1891), 770; Aegidius Forcellini, *Totius Latinitatis lexicon* 4 volumes (Typis Seminarii: Patavii, 1771), 522, <http://www.lexica.linguax.com/forc.php>; du Cange, et al., *Glossarium mediae et infimae latinitatis*, 1887, <http://ducange.enc.sorbonne.fr/>; Johann Ramming, *Neulateinische Wortliste. Ein Wörterbuch des Lateinischen von Petrarca bis 1700*, <http://www.neulatein.de/words/3/018179.htm>; Online Etymology Dictionary, <https://www.etymonline.com/>, all accessed on 7th March, 2018.

though the term might have also referred to prostitution, it covered a wide scope of non-marital sexual relationships; this will be demonstrated later in specific examples. The term might have included prostitution, promiscuity or other forms of multiple and short term sexual liaisons, cohabitation of an unmarried woman with a man – in short, any sexual intercourse before marriage, even between engaged couples. Whether intercourse happened within a long-term monogamous relationship or just as a one-time encounter, whether it was motivated by love, lust or some kind of reward were not mitigating factors. All such activity was viewed to be immoral and illegal.

German equivalents to *fornicatio* in the records are *Unczucht* and *Hurerei/Hurerey* (as well as the related forms *unczuchtigenn/-es*, *hurischer*, *Hur*). However, the meanings of *Unczucht* and *Hurerei* in the examined sources are rather vague, expressing a moralistic attitude rather than being technically specific. They are far less definite than the term *fornication* in English; they mean sexually dissolute behaviour or illegitimate sexual intercourse. It is clear that while the words continued to be used throughout the ages, the question of what is and what is not acceptable and legitimate has changed over time. Although *Unczucht* and *Hurerei* are often used synonymously, the latter has another, more specific meaning that the former lacks; *Hurerei* also refers to prostitution. Therefore, the exact nature of delicts described as *Hurerei* is sometimes impossible to ascertain, especially if the records are too brief or when relevant details are omitted.

Apart from the German *Hurerei*, there are Latin words that might also denote prostitution, such as *meretrix*, *mechatrix*, *scortum/scortatio* as well as a neo-Latin form, *scortatrix*. However, often these words are used in cases which do not correspond to our present understanding of prostitution. For example, there were certain women referred to as *scortatrix/scortarices*, who were guilty of cohabitation with only one man.⁸ For that reason, it is extremely difficult to discern between cases of fornication and prostitution in the early modern judicial practice. It seems that judges and notaries were more concerned with expressing moral disapproval and justifying strict punishment than with a precise terminology.

⁸ AMK, *Pur*, *Protocolum indicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Mulier scortatrix* (1570), *Scortarices foeminae relegatae* (1571).

Moreover, there is a strong implication that the present definition of a prostitute does not entirely correspond with medieval and early modern perceptions. For example, according to some medieval definitions a woman could be qualified as a prostitute simply on the basis of her promiscuity or by the number of lovers she had had.⁹ The absence of such a clear definition in the written records is the main reason why the identifying cases of prostitution in the sources is a major problem.

The language of the court records is far from a neutral, matter-of-fact style. On the contrary, they are full of tellingly expressive, pejorative and judgmental words and phrases that disclose a scornful attitude towards the accused. At the same time, they demonstrate a discourse with a strong tendency towards moralism and a deep contempt of sexual misbehaviour and any aberration from what was considered a chaste, pious, and virtuous life.

Comparing the labels given to Early Modern women who failed to comply with moral ideals of chastity with official Late Medieval names for prostitutes shows a sharp contrast.¹⁰ In municipal sources from Hungary, prostitutes are usually referred to by neutral expressions such as free person/ women/ daughters /sisters - *liberae personae, freietöchter, freietöchterlein, schwestern/ sorores, freieweiber/freyweiber*, or public/common daughters *gemeinetöchter*.¹¹ As will be evident from the judicial records,

⁹ James A. Brundage, *Law, Sex and Christian Society in Medieval Europe*, 46, 464-465; Jeffrey Richards, *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages* (New York: Routledge, 1991), 118.

¹⁰ The same conclusion, although based on the analysis of a different region can be found in: Leah Lydia Otis, *Prostitution in Medieval Society: The History of an Urban Institution in Languedoc* (Chicago: University of Chicago Press, 2014), 49-50.

¹¹ Béla Iványi, "Lőcsei vonatkozású adatok művelődéstörténeti a középkorból", in *Közlemények Szeged vármegye múltjából* II/1, (1910), 21 quoting Béla Iványi, *Eperjes szabad királyi város levéltára. 1245-1526* (Szeged: Szeged városi nyomda és könyvkiadó R.-T., 1931), 227-566 (archival no. 437); Karl Mollay, ed., *Das Ofner Stadtrecht. Eine deutschsprachige Rechtssammlung des 15. Jahrhunderts aus Ungarn* (Monumenta Historica Budapestinensia, 1) (Budapest: Akadémiai kiadó, 1959), 124, 156; Tivadar Ortway, *Geschichte der Stadt Pressburg. II./3. Der Haushalt der Stadt im Mittelalter. 1300-1526* (Preßburg: Commissionsverlag von Carl Stampfel, 1900), 127, 129-130; István Vámosy, *Adatok a gyógyászat történetéhez Pozsonyban* (Pozsony: Pozsony szabad királyi város közönsége, 1901), the part on hangman and brothel (*Hóhér. Bordélyház*), 89; Jenő Házi and János Németh, *Gerichtsbuch - Bírósági Könyv 1423-1531* (Quellen zur Geschichte der Stadt Ödenburg, Sopron Város Történeti Forrásai, Reihe A/Band 2) (Sopron: Soproner

pejorative and expressive labels for prostitutes in official sources seem to predominate only in the sixteenth century onwards.¹² The linguistic shift reflects transformations in social perception of prostitution around the time of the Reformation.

Prostitution

Documenting this change from a lenient late medieval attitude towards non-marital sex into a stern one of the early modern period in Hungarian towns requires an examination of how prostitution was treated before and after the spread of Reformation. Testimonies on prostitution from late medieval Hungary are scarce; nonetheless, they support the given hypothesis that prostitution was tolerated and accepted as a necessary service for young, single men in particular.

From occasional mentions, it is apparent that prostitutes were present in towns and every so often ordered to wear specific clothing. It was usually a piece of ribbon of a certain colour on their scarves or some other symbol somewhere conspicuous signifying their profession so that they could be easily recognisable from other women.¹³ In this way they were tagged and presumably marginalised, but not prosecuted. In the fifteenth century, they were even considered worthy of pity and protection. According to the Law Book of the town Buda (*Ofen*)¹⁴ from 1405-1421, prostitutes were “*poor, sad/sorrowful and unhappy/disheartening*

Archiv des Komitats Győr-Moson-Sopron, 2005), 252 (*Satzung der Ödenburger Schneidergesellen* from 29th January 1477); Municipal Archive in Bratislava (AMB): *2a1 Zápisnice zo zasadnutí mestskej rady (Actionale protocollum) / Sitzungsprotokolle des Stadtrats 1402-1506*, fol. 284 (*Bäckerordnung* from 1433 or 1444): The dating of the order is questionable, although in its text the year 1433 is clearly declared, the order is written in the town book together with records of 1444 so perhaps the scribe made a mistake in the dating. The source edition of the book does not explain this discrepancy: Arne Ziegler, *Actional Protocollum. Das älteste Stadtbuch von Bratislava/Preßburg aus den Jahren 1402-1506* (Bratislava: Múzeum kultúry karpatských Nemcov, 1999), 270-271.

¹² Several examples of names for prostitutes in Hungary from various periods can be found in Gyula Magyary-Kossa, *Magyar orvosi emlékek. Értekezések a magyar orvostörténelem köréből*, 4 volumes [Hungarian Medical Records: Studies on Hungarian Medical History] (Budapest: Orvosi Könyvkiadó, 1929 I-II, reprint in 1994: Szegedi nyomda), I. 215-218, II. 441.

¹³ See Gyula Magyary-Kossa, *Magyar orvosi emlékek. Értekezések a magyar orvostörténelem köréből* I., 219-220.

¹⁴ The capital of Hungary until its occupation by the Ottomans in 1541; later (1873) merged with Pest and Óbuda into Budapest.

lot that must be protected from violence and harm. Poor and miserable, they should wear a yellow piece of cloth, wide at least as a hand on their head scarves. If they are found without the yellow sign, the master bailiff should fine them with 6 pfennigs every time.¹⁵ In a similar way, prostitutes in Bardejov were ordered in 1514 to wear clothes appropriate to their status distinguishing them from the way virgins dress (*habitu virginum*) by the town parson under the threat of a fine.¹⁶ The fact that they were to be fined not for prostitution itself, but only for their inappropriate clothes seems to be in line with a more tolerant attitude towards prostitutes. The other important point to note is that it was the church authority that seems to have been in charge of dealing with sexually improper behaviour. Presumably, sexual misdemeanours were in the medieval period punishable by the church in the form of fines or some kind of a church penance depending on the nature of the trespass.

Records on brothels are rather fragmentary, but there is evidence that they were present in several Hungarian towns in the Late Middle Ages. So far there is evidence for brothels in Bratislava (*Posonium*, *Preßburg*, *Pozsony*, today in Slovakia, 1422-1543), Sopron (*Ödenburg*, 1476-1484, today in Hungary), Prešov (1516-19), Levoča (1518), and Braşov (*Corona*, *Kronstadt*, *Brassó*, today in Romania, 1520-1522). Brothels were mentioned in the sources under different names: in Sopron as *frawenhaus*/*frawnnhaus*,¹⁷ in Levoča as *hausz der freyenweyber*,¹⁸ in Prešov and Braşov as *lupanar*.¹⁹ In Braşov sources, in addition to a *lupanar* a

¹⁵ Karl Mollay, ed., *Das Ofner Stadtrecht. Eine deutschsprachige Rechtssammlung des 15. Jahrhunderts aus Ungarn*, cap. 186 *Dy freyen tochter seyn ein armes, petrubtesz und vorzagtes gesinde, nach sol man sy pebuten vor gewalt und vor unrecht. Dy armen unnd durfftigen sullen eyn gelbs fechil zum mynsten eyner handt prait tragen auf iren haup tuchern. Unnd wen man sie windet an das selb zeichen, so mag der selbige scherig maister von yn als ofte nemen 6 pfennig*, 124–5.

¹⁶ Béla Iványi, “Löcsei vonatkozású adatok művelődéstörténeti a középkorból,” 21.

¹⁷ Although in 1484 the building which housed the brothel was sold by a magistrate to a new owner, in 1536 it is still referred to as *Das alt fraunhaus*, in: Károly Mollay, “A Rózsák utcája. (Részlet Sopron középkori helyrajzából)” *Soproni Szemle* 46 (1992), 238; István Szilágyi, “Rózsa utca, rózsa lányok” *Soproni Szemle* 47/1 (1993), 19–25; Mollay, Károly. “A Rózsa utca nevének eredete (Válasz Szilágyi István cikkére)” *Soproni Szemle* 47/1 (1993), 25; Ferenc Jankó, József Kücsán and Katalin Szende, *Sopron* (Hungarian Atlas of Historic Towns/ Magyar Várostarténeti Atlasz. Vol. 1), ed. by Katalin Szende (Sopron: Soproni Levéltár, 2010), 66, 74 and Map A.3.3.

¹⁸ Béla Iványi, “Löcseivonatkozású adatok művelődéstörténeti a középkorból,” 22–23.

¹⁹ AP, no. 2676 *Úctorná kniha 1515-1527* (Town account book). The brothel is mentioned as a *lupanar* in 1516 (fol. 37, 39 verso), 1517 (fol. 61), 1518 (fol. 87) and 1519

prostibulum is also mentioned.²⁰ The word *prostibulum* is however, a little bit tricky because it could mean either a brothel or a prison.²¹ There are mentions of a *prostibulum* in account books of Bardejov (1432-1433), but in this case it seems more likely that the word refers to a prison, due to the mention of a sum for a prisoner kept in the *prostibulum*.²² It is also possible that both institutions, the brothel and the prison, could have been in different parts of the same building.

Various expressions were used in sources from Bratislava, from “the town house where pretty women are” (*des haws der stat dorinn dy schon frawn sein*) or “in which prostitutes live” (*domus civitatis in qua habitant meretrices*), to the most commonly used *Frauenhaus* (*Frauen haws/Frauenhaws, Prawenhaus*), or *Frauenhof, Frauen stuben, frauenfletz*.²³ There are two others terms mentioned in the sources, but their authenticity is questionable.²⁴

(fol. 104); *Quellen zur Geschichte der Stadt Brassó I. (Chroniken und Tagebücher 1. Band)* (Brassó: auf Kosten der Stadt Brassó von dem mit der Herausgabe betrauten Ausschuss, 1903), 227, 392.

²⁰ *Quellen zur Geschichte der Stadt Brassó I.*, 418.

²¹ Antonius Bartal, *Glossarium mediae et infimae latinitatis regni Hungariae* (Budapest: Magyar Tudományos Akadémia, in aedibus B. G. Teubneri, 1901), 536.

²² It was Christopher Mielke who drew my attention to the fact, that there are mentions of *prostibulum* in the municipal account books of Bardejov in: Malvina Groszmann, *Bártfa város 1418-1444-iki számadáskönyvei művelődéstörténeti szempontból* [The account books of the city of Bártfa from a cultural history point of view] (Budapest: Minerva, 1911), 16, 43. Groszmann quoted László Fejérpataky, *Magyarországi városok régi számadáskönyvei (Selmeczbánya, Pozsony, Besztercebánya, Nagyszombat, Sopron, Bártfa és Körmöczbánya városok levéltáraiból)* (Budapest, Magyar Tudományos Akadémia, 1885), 302, 310 (1432), 334 (1433). In the Fejérpataky edition there are three mentions of a *prostibulum* and one of them from 1432 clearly refers to the prison (*Item detentis in prostibulo . . . fl. — den. 50*), 310.

²³ Municipal Archive in Bratislava (AMB), 4.1.2. *Grundbuch*, fol. 40 verso and 4.1.3. *Satzbuch*, fol. 64 verso. In: Judit Majorossy, “A test és a lélek fürdője. A középkori pozsonyi fürdőkről [Bath of the Body and the Spirit. On the Medieval Baths in Pressburg],” in “Köztes-Európa” vonásában: Ünnepi tanulmányok Font Márta tiszteletére, ed. by Dániel Bagi, Tamás Fedeles, Gergely Kiss (Pécs: Kronosz, 2012), 350; Tivadar Ortway, *Geschichte der Stadt Pressburg. II./3.*, 126-130; István Vámosy, *Adatok a gyógyászat történetéhez Pozsonyban*, 89-93.

²⁴ These are *Weissenburg* and *Hurrenhaus vor der Stat*. The former is stated by both Ortway and Vámosy, but according to Judit Majorossy it is just a misinterpretation of the source material. The latter was mentioned by István Vámosy, who however, does not quote any source. Tivadar Ortway, *Geschichte der Stadt Pressburg. II./3.*, 126, 129; István Vámosy, *Adatok a gyógyászat történetéhez Pozsonyban*, 89-90, 92.

Moreover, there is evidence for official municipal brothels in the cases of Bratislava, Prešov and Braşov. Numerous points of data have been preserved about the brothel in Bratislava.²⁵ The earliest mention of it is from 1422, but the brothel's existence might date back even earlier.²⁶ Originally, the brothel was situated within the town walls just north of the Fisherman's Gate and adjacent to one of the town baths. In 1439, probably due to the extensive restoration and fortification works during 1423-1435, a new brothel was found outside the town walls.²⁷ The location of this second brothel was on the north-eastern side in the street named *Schöndorfergasse* (*Széplak utca* in Hungarian), near the Michael's gate; this location was also near one of the town baths.²⁸ Internally the brothel was administered by a matron (*frawen wirtin/virtin/wirth, maisterin*) and from its revenues the executioner was paid. The executioner might also have been in charge of the brothel as a

²⁵ Tivadar Ortway, *Pozsony város története*. II./3. A város középkori háztartása, 1300–1526. Pozsony 1900, 126-130; István Vámosy. *Adatok a gyógyászat történetéhez Pozsonyban*, 87-97; Ferencz Kováts, ed. *Monumenta Hungariae Judaica IV. 1379-1564* (Budapest: Societas Litteraria Hungarico-Judaica, 1938), 33, 389; Vladimír Segeš, "Žena ako subjekt a objekt kriminality v stredovekej Bratislave," in *Žena a právo. Právne a spoločenské postavenie žien v minulosti*. ed. T. Lengyelová. Bratislava 2004, 63-65; Judit Majorossy, "A foglalkozás topográfiaja: A társadalmi téről a személyes térig: a társadalmi mobilitás térbeli elemei a 15. századi Pozsonyban" [The Topography of Occupation. From Social Space to Personal Space: Spatial Elements of Social Mobility in 15th Century Bratislava] *Korall* 45 (2011): 109-111, 122-123. Judit Majorossy, "A test és a lélek fürdője. A középkori pozsonyi fürdőkről," 350-351.

²⁶ *Item das frawen haus*, or further *domus civitatis in qua habitant metretices* (with reference to the source: AMB, no. 955.1. [Conscription sheets], fol.36 verso): Majorossy, "A test és a lélek fürdője. A középkori pozsonyi fürdőkről," 350; [...] *der briff laut uber das frauenhaus dienst* [...] (27th March 1422): Ferencz Kováts, ed. *Monumenta Hungariae Judaica IV. 1379-1564*, 33.

²⁷ Judit Majorossy, "A pozsonyi városi elit és az udvar (az udvari nemesség) kapcsolatának megközelítési módjai a késő középkorban és a kora újkorban [The Different Aspects of the Relationship Between the Urban Elite and the Court (Court Nobility) in Late Medieval and Early Modern Pressburg." *Urbs, Magyar Várostörténeti Évkönyv / Hungarian Yearbook of Urban History / Ungarisches Jahrbuch für Stadtgeschichte* 7 (2012), 178; Norma Urbanová, "Premeny miest v neskorom stredoveku", in *Gotika. Dejiny slovenského výtvarného umenia*, ed. by Dušan Buran (Bratislava: Slovenská národná galéria, 2003), 279.

²⁸ For the locations of the brothel in 1422 and from 1439 onwards see the map in Judit Majorossy, "A foglalkozás topográfiaja: A társadalmi téről a személyes térig: a társadalmi mobilitás térbeli elemei a 15. századi Pozsonyban", 122-123.

caretaker.²⁹ In 1519, the council even hired a guard to keep watch over the prostitutes during the night.³⁰ The last known mention of the brothel in Bratislava dates from 1543.³¹

In many towns of pre-Reformation Western Europe, town authorities tolerated prostitution and in some places even took charge of brothels.³² As the Reformation and Counter-Reformation spread, brothels started to slowly disappear.³³ By the middle of the sixteenth century, this tolerant attitude towards brothels and prostitution in royal Hungary (the portion left to the Habsburgs after the rest of the country was under the control of the Ottomans) was essentially forgotten. Judicial records preserved from the second half of the sixteenth and the seventeenth century richly testify to that.

Because of the terminologically indistinct and imprecise language of the judicial records, the total number of cases dealing with prostitution cannot be reliably determined. Even if a record is full of various details about the sexual conduct of the accused, in nearly all examples it is disputable whether she was actually a prostitute or just a sexually loose or promiscuous woman since contemporaries used these categories synonymously. The reward for sex – financial or otherwise – is never mentioned in the sources. To demonstrate the problem of such a

²⁹ Tivadar Ortway, *Geschichte der Stadt Pressßburg*, II./3., 128-9.

³⁰ Vladimír Segeš, *Žena ako subjekt a objekt kriminality*, 63-65 quoting Municipal Archive in Bratislava (AMB) K 73 *Komorná kniha / Kammerbuch 1520-1521*, fol. 243.

³¹ Ortway claims that the last mention of a brothel in the sources comes from 1543, but unlike with his other statements, he does not support it with any reference to the sources. Vámosy put the end of the brothel into the years 1542/3, again without any relevant source. He only quotes a source from 1540, and its interpretation is questionable. In: Tivadar Ortway, *Geschichte der Stadt Pressßburg*, II./3., 126; István Vámosy, *Adatok a gyógyászat történetéhez Pozsonyban*, 92-93.

³² Ruth Mazo Karras, "The Regulation of Brothels in Later Medieval England," *Signs: Journal of women in culture and society* 14/2 (1989): 399-402; James A. Brundage, *Law, Sex and Christian Society in Medieval Europe*, 487, 526-527.

³³ Peter Schuster, *Das Frauenhaus: städtische Bordelle in Deutschland (1350-1600)* (Paderborn: Schöningh, 1992), 189-202; Kathryn Norberg, "Prostitutes", in *A History of Women. Renaissance and Enlightenment Paradoxes*, ed. by Natalie Zemon Davis and Arlette Farge, general editors of the series Georges Duby and Michelle Perrot (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1993), 460-461; Sara F. Matthews Grieco, "The body, Appearance, and Sexuality," 65-66; Lyndal Roper, *The holy household. Women and Morals in Reformation Augsburg* (Oxford: Clarendon Press: 1991), 1-5, 56-57; Jeffrey Richards, *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages*, 130-131.

classification, the case of Juliana is particularly significant. In 1566, Juliana was accused of sexual relations with Georgius, a city servant in Košice who employed her as a maidservant. The record labelled her *fornicatrix* and mentions details from her past life. Allegedly, she used to intoxicate (*intoxicare*) her first husband, Joannes Vido, so she could have sex with officials – possibly military officers – in another village (*rem habuit cum officialibus*). Later, she married a soldier named Joannes, but after she was officially whipped for committing adultery, he repudiated her. She was subjected to torture, but eventually she denied everything she had previously confessed in front of the judge and councillors. In the end, they punished her only by flogging and banishment for life (*virgis solummodo caesa et a civitate ablegata est ad decem milliaria in perpetuum*).³⁴ It is not clear whether they consider her a prostitute, a sexually loose woman or whether they use the word *fornicatrix* just to describe her delict of fornication as illegal sexual intercourse involving an unmarried person.³⁵

On the other hand, the case of Sophia from 1568 in Košice seems most likely to be a prostitution case from its description, but the notary did not use specific Latin terminology for prostitution here. Instead, only a general term fornication (*fornicata est*), is employed here; this term was widely used for all kinds of sexual relationships between unmarried people in these records. On another occasion the notary labelled her as a dirty (*sordida*) woman and described her activity indirectly as “shamefully and dishonestly stayed with soldiers” (*cum militibus turpiter inbonesteq vixit*). She was caught in the house of Simon Zabo, where she had stayed with soldiers for three consecutive days and nights without the knowledge or consent of the homeowner. Previously, she had been a servant for Antonius Was and had slept with German soldiers here and there. She was whipped at the pillory and banished.³⁶

On the contrary, in an earlier case from Košice, they labelled two women in 1557 as *meretrices diabolares*, both terms clearly referring to prostitutes. One of them was called Crisanne or Juliana who was caught while waiting for men (*mechos expectans*). The other was identified as Agnes, a daughter of Gregorius Molnar, who had returned to the town

³⁴ AMK, Pur, *Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Juliana Fornicatrix*.

³⁶ AMK, Pur, *Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Sophia quaedam sordida mulier*.

despite the fact that she was banished several years prior when she was caught *in flagrante* with a certain carter (*cum quodam vectore in actum mechieae deprehensa*). As a punishment, they were tied to the pillory, whipped harshly and banished with the warning that should they return, they would be drowned.³⁷ Another case from 1561 which implies prostitution based on the description only used a general term for fornication for a woman named Gerusch, who was whipped and banished by the executioner for her sexual relations with Hussar soldiers (*wegen der unczucht so sie mit dem hussarenn gepflegt*).³⁸

In connection with prostitution, there was one peculiar case of procuring (*lenocinium*) in Košice from 1566. After Janus Aztalgiarto was found in bed with a prostitute named Elisabeth one morning by the members of his household (*per domesticos*), he and his wife Sophia were accused together. It turned out that the prostitute was brought into their bed during the night by the wife herself. The marital couple was imprisoned and punished severely. It was only after many intercessions of their fellow inhabitants that the council decided that it would be enough if they do some public works at the fortifications with chains on their feet.³⁹

Fornication

Non-marital sex with somebody other than one's spouse was thought to be immoral and usually prosecuted by the town authorities once it was denounced or revealed. This was the case whether the couple was not married yet (for single people), after they were married (widowed) or even while they were married to someone else. As words used for naming sexual delicts seem to have been used at the will of the notary, precise quantitative division of cases into ones of prostitution and ones of fornication is unfeasible. Nonetheless, the usual punishment imposed for fornication and prostitution alike was pillory and banishment. However, there were milder or harsher variations of this

³⁷ AMK, *Pur, Protocolium iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Meretrices diabolares.*

³⁸ AMK, *Pur, Protocolium iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Czwey weiber beyde Gerusch genent.*

³⁹ AMK, *Pur, Protocolium iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Aztalgiarto Janus.*

punishment that judges could choose from depending on the individual circumstances of a case.

The strategy the council applied was evident – their aim was to exclude morally dubious people from the urban community as they were considered a threat to virtue and order in the city. Banishment was usually preceded by publicly shaming the condemned. Shaming fulfilled two functions. First, it aimed to medialize the offenders and their delicts while maximizing the number of people who could recognise them, should they later return to town. Second, public humiliation was intended as a deterrent to others. Although the real effect of such a deterrent is questionable, it definitely conveyed a clear message about how such conduct would be treated.

Sometimes, girls condemned to banishment for fornication would be outfitted with a symbol representing their loss of virginity. It could be a scarf to cover their heads in a manner that married women wore. In 1558 two girls named Dorko and Elisabeth were banished from Košice as they had both confessed to an earlier sexual relation with the same man, their previous and married master whom they served elsewhere. They were ordered to leave the town immediately with their heads covered like women, not as virgins and not to return.⁴⁰

In several cases it was a wreath of straw that was placed on a girl's head during the ritual of banishment; she was then led around the streets and out of the town by the bailiff. In 1588, the magistrate in Bardejov punished a single maidservant who got pregnant named Sophia in this manner.⁴¹ In 1572, a case from Levoča documents how a couple – Regina and a miller's apprentice, Ludwig – were beaten at the pillory and banished, the girl with a wreath of straw on her head.⁴² The same punishment was intended also for a maid called Sabina in Levoča that same year. Sabina had had relationship with a goldsmith (*mytt ein goltschmidt geburt*), but in the end she was pardoned on the grounds that a certain Adam wanted to marry her.⁴³

In several cases, marriage was strongly recommended or even directly ordered as an alternative to banishment, sometimes under the

⁴⁰ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Puellae fornicatrices.*

⁴¹ AB, *Súdne zápisy a účty mesta 1559-1649*, record no. 54.

⁴² AML, Levoča Magistracy, No. 3. XXI.1. *Malefitz Buch 1550-1643.*

⁴³ AML, Levoča Magistracy, No. 3. XXI.1. *Malefitz Buch 1550-1643.*

threat of an even harsher punishment if those who had fornicated refused. Matrimony could thus *post hoc* save or purge them from their sin and legalise their relationship. Andreas Aranypathaky and Sophia, a servant and a maid, were found guilty of fornication committed in the house of their master, Nicolas Ryppicz. The girl's headband/coronet (*portlein*) was publicly torn by the bailiff and they were condemned to whipping at the pillory and banishment. In view of their young age, however, the magistrate mitigated the punishment and ordered that the couple get married in the prison by the priest. He also ordered them to leave the town and not to come back for three years. After that time, they could ask the council for permission to return, provided that in the meantime they lived together honestly.⁴⁴

The magistrates, however, did not insist on the marriage if the girl did not seem chaste and decent. A butcher's apprentice, Emericus, who was caught in the act with a maid Gerusch in the house of their master Emericus was ordered to marry her under the threat of capital punishment should he refuse. As it turned out, the girl did not have the best reputation from her previous jobs at other people's houses (*ebriosam es moli moratam fuisse*), and thus the councillors changed their opinion. Also, in the view of intercessions by some nobles and inhabitants of the town, the girl was sentenced to banishment for life, but without public humiliation at the pillory. The young man was only fined 20 guldens and reprimanded to amend his life and avoid any wrongdoings in the future.⁴⁵

The magistrate in Košice did not even consider ordering a marriage in a case from 1579. An old woman called Ursula Syketh Orsyk accused Thomas Wig of breaking his promise to marry her given before she consented to have sex with him. She could not prove her claims, nor was her reputation unblemished as she had been whipped and banished in some other place for some bad deeds (*ob malefacta*). In light of this, the councillors allowed Thomas to purge himself from the accusation while Ursula was whipped at the pillory and banished for 100 years.⁴⁶

⁴⁴ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Andreas Aranypathaky cum Sophia.

⁴⁵ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Fornicator Emericus et Gerus.

⁴⁶ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Syket Orsyk.

If women who were banished returned to town, they could expect harsher treatment if recognised and caught. Anglet Garai returned to Košice in 1572 and was caught stealing only a few years after she was whipped and banished forever from the town for her immoral life. Bad reputation, theft and breach of prohibition were sufficient reasons for the death penalty, according to the record. However, the councillors took mercy on her and instead had her whipped, her nose cut off by the executioner and banished once again.⁴⁷

Often, a sexual relationship only came to the attention of the authorities after an unmarried woman got pregnant or after she gave birth. A case from Košice dated to 1566 refers to a Pole named Clemens and a girl named Sophia who had been illicitly cohabiting for a year, during which Sophia became pregnant. Clemens and Sophia were sentenced to whipping at the pillory and banishment, but they were only punished after the birth of the child.⁴⁸

Women of an older age tended to receive harsher punishments in fornication cases, especially if her lover was a young man. In Košice in 1561, the council interrogated a widow of Micklosch Diack named Gerusch after she gave birth to two children. It is not clear who accused Jurg Riemer of being the possible father, but the court allowed him to purge himself by stating in front of the council and many other witnesses that he had never, not even once fornicated with Gerusch and had nothing to do with her children. Gerusch, on the other hand – having forgotten her honour in her older age, according to the court – was condemned to whipping and banishment.⁴⁹

It might well be that among the spectators who witnessed Gerusch at the pillory was a certain Elisabeth, the wife of Jacob Nagy. Several years later, Elisabeth found herself in a similar awkward situation. She was widowed, in her forties, and had gotten pregnant by a young man named Joannes Literatus. Out of fear of being discovered and punished, she attempted to flee the city when she felt close to her delivery. However, she was retrieved in the suburbs of the town, where she immediately gave birth to a boy. After the puerperal period, she was

⁴⁷ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Garai Anglet.

⁴⁸ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Fornicatores. Clemens de kurzelow polonus.

⁴⁹ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Sciendum.

imprisoned and condemned to whipping at the pillory and banishment. Again, the young man received a far more lenient treatment. After discovering that Elisabeth had been caught, he quickly left town, but with the help of the Hungarian preacher acting as an intermediary and with intercessions from many burghers, he was allowed to return. His punishment was reduced to the admonishment to live in an appropriate manner for a young man and a fine of 50 guildens.⁵⁰

Once banished, it was difficult for a single mother to find a decent job elsewhere. Anna, who had fled from Prešov with her newborn boy to Košice, succeeded in finding a job as a wet-nurse. But that only lasted until the details about her past life were disclosed, namely that the father of her illegitimate child was a married bailiff from Prešov. She was spared the pillory, but ordered to leave the town quietly and never to return.⁵¹

In an atmosphere of increasing discipline and criminalization of fornication, some women took extreme measures to escape shame and punishment and resorted to infanticide. The typical strategy and course of action in such cases would be concealing and denying the pregnancy if confronted, giving birth in a secluded place and secretly disposing of the body. If their crime was revealed, they could expect extremely harsh capital punishment, one of the worst and gender-specific kinds – impalement in the grave while still alive or drowning. To understand the complicated interplay of suspicions, denials, excuses and methods of investigation, the story of Catherina, which also involved her parents, a farmer Koczan Krisann and his wife Elizabeth, provides a good case study. To hide her shame, Catherina left a mill where she was serving and sought refuge in her parents' house outside of the town. Nonetheless, the suspicion about her state was reported to the parson who tried to admonish the family. Their response was vigorous denial and they even intended to sue him for libel in order to protect their honour. Later, their neighbour suspected Elizabeth's claim about her daughter being sick because she was menstruating and the judge ordered an investigation conducted by two honest women (*erliche frauen*). They examined Catherina and confirmed her recent pregnancy.

⁵⁰ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Elizabetha vetula; Joannes Literatus.*

⁵¹ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Anna mulier.*

At this point, her mother confessed all, but asserted that the baby was born dead. She had to dig out the corpse and the daughter was imprisoned, but since the parents offered guarantee for her, they let her out. She used the opportunity, fled into the woods and failed to appear in court. The magistrate had to imprison her parents instead and after some weeks when it became clear that the girl would not come back, they made judgement in September of 1571. Even though neonaticide could not be sufficiently proven, the parents were punished for their suspicious behaviour. After they were beaten at the pillory, the mother was banished and the father had to stay in prison until he paid the fine of 40 guildens.⁵²

Husband desertion and vagrancy

From the second half of the sixteenth century onward, there is evidence that the magistrates penalised married women for leaving their husbands even without any indication or proof of committing adultery. There are numerous mentions in the court records about men leaving their wives, but unless they were convicted of adultery, bigamy or another serious crime, they did not come to the notice of the magistrates. On the other hand, women were much more likely to attract attention and be penalised for vagrancy, a suspect lifestyle or, in instances of married women, for the desertion of their spouses. In 1563, Dorko, a vagrant daughter of Christoff Kovach, was put in prison because the magistrate found her behaviour rather indecent, suspicious and quite annoying (*Sy sich ganz ungebührlich und verdchtig [...] auch ganz ergerlich gehalten*). Without any further details or hints of what exactly was meant by these adjectives, it is impossible to put the case into any specific category. They condemned her to banishment with the threat of a stricter punishment should she return.⁵³

In 1558, the councillors of Košice had to deal with Elizabeth Araniasch who came to town and worked in the tavern of Peter Devey Diack after abandoning her husband, Andrasch Warga. In view of these circumstances, it was decided that she could not live in the town and

⁵² AMK, *Pur, Protocollum indicia et Poenas malefactorum ab Anno 1556 usque 1608*, Koczán Kriszta, ein bawer.

⁵³ AMK, *Pur, Protocollum indicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Mulier vaga et suspectae vitae*.

had to leave. Since her husband had already married another woman in the meantime, Elizabeth was ordered to find him and sue him according to the law. Should she wish to return, she has to bring a testimonial letter (*zeugnes brief*) confirming that she had been divorced from him, literally made legally free (*frey mit recht ist vonn ihm gesprochen*).⁵⁴

Several times the court stated that a wife left her man without a just or legitimate cause (*sine iusta/legitima causa*). For instance, in 1565 Barbara who had left her husband, Mathias Hutkay, a resident of the suburbs, was imprisoned in Košice.⁵⁵ In November of 1574, a certain woman known as the sister of Joannes Churman had also left her husband “without a just cause”. Sometime later, when she secretly returned to Košice, she was named a *desertrix* and condemned to banishment.⁵⁶ And yet again, it was *sine legitima causa* when another vagrant woman called Gerus had left her husband Laurentium N. What was more, she was even involved in some suspicious trade, so the court in Košice banished her for life with the warning that should she return she would be tied to the pillory, whipped by the executioner and shamefully banished once more.⁵⁷

Adultery

Sexual relationships with married women or men were considered a sin and violation of the Seventh Commandment. From the twelfth century on, matrimony was referred to as a sacrament. Even though leaders of the Reformation ceased to count marriage among the sacraments and later allowed for divorce under certain circumstances, they still placed marriage and a nuclear family on a pedestal.

At present, it is difficult to tell whether punishments for adultery changed at the beginning of early modern period in Hungary. As a general rule, punishments for adultery in Hungarian towns seemed to

⁵⁴ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *mulier maritum deserens*.

⁵⁵ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Mulier deserens virum*.

⁵⁶ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *soror joanis churman*.

⁵⁷ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, *Gerus mulier: Laurentium N*, 1572.

be harsher than those for fornication or prostitution in the second half of the sixteenth century. At the same time, in some cases the medieval tendency of stricter punishment for women continued in the early modern period. Since men (unlike women) did not usually lose their honour by committing adultery, the only danger they might have faced would be from their lover's husband. In comparison, adulteresses brought shame not only to themselves, but also to their families and husbands.⁵⁸

While it was possible for a married man in certain cases to get away with a fine and return to normal life, his lover (usually a single girl) would be whipped at the pillory and banished. An illustrative example is the case of married Georg Dobos, a guard at the town gate in Košice. In 1568, he fled the city when his affair with his maidservant Sophia was discovered. As he failed to appear at court hearings, the councillors took his absence as evidence of his guilt. Sophia was whipped at the pillory and banished, while Georg could return to the town only after he paid a fine of 100 guildens.⁵⁹

Nevertheless, the usual punishment for adulterers was the death penalty. For example in sixteenth century Bardejov, the city beheaded several adulterers, man and woman alike.⁶⁰ A similar approach was also applied in Košice, just with a variation in the form of execution – while male adulterers were beheaded, their female counterparts were drowned.⁶¹

A more moderate alternative to the death penalty for adultery was whipping at the pillory and banishment, which was often justified in the judicial records due to some mitigating circumstances or acknowledged intercessions. In a case from 1571, a woman called Gerusch was labelled an adulteress and threatened with the death penalty after spending the night in stables at the house of the councillor Nicolas Rippicz and committing *hurerey* with some servants of Bálint Bánffy. She might have been a prostitute, but it is only an assumption. After a

⁵⁸ James A. Brundage, *Law, Sex and Christian Society in Medieval Europe*, 462-463, 484.

⁵⁹ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, Dobos Georg.

⁶⁰ AB, *Súdne zápisy 1559-1649*, record no. 39, 64.

⁶¹ AMK, *Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608*, for example in 1575 *Adulterae mulieres* and *Stephanus Zabo*.

longer imprisonment, she was only whipped in the view of her husband and children and subsequently banished.⁶²

Perhaps the circumstance of an adulteress named Ursula holding a small child in her arms in the court was also a decisive factor as to why councillors chose a milder form of punishment for her in 1558. The father of the child was allegedly Stephan Balog, with whom she lived *in mechiae vitio* for some time. She was ordered to immediately leave the town of Košice without being whipped and not to come nearer than 10 miles. She was also admonished to find her husband, whom she left about 2 years prior, otherwise she would face harsher sanction should she appear back in the town.⁶³

Conclusions

The Reformation movement viewed matrimony and family as the cornerstone of a godly, peaceful and pious community; it thus vigorously criminalised all forms of behaviour that could undermine it. Municipal authorities in Hungary tried increasingly to control and regulate sexual conduct and family life for common people by issuing statutes and by radically changing their attitude and policy towards prostitution and brothels. As we have seen, they frequently enforced these principles by imposing strict punishment for all kinds of extramarital liaisons. The most common penalties for sexual offences were the pillory, flogging and banishment, but in cases of adultery, the condemned could even receive capital punishment.

Judicial practice in Hungary in the second half of the sixteenth century documents a growing number of sexual offences prosecuted by the urban courts. The examined judicial records did not differentiate between prostitution and fornication cases, using *fornication* as a blanket term for all kinds of sexual misbehaviour of unmarried people. At the same time, official records reflect a change in attitude towards prostitution and extramarital sexuality by replacing neutral, matter-of-fact language with pejorative and emotionally laden condemnatory labels and expressions. In Latin, apart from most frequently used terms

⁶² AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Adultera mulier.*

⁶³ AMK, *Pur, Protocolum iudicia et Poenas malefactorum ab Anno 1556 usque 1608, Mulier mechatrix.*

fornicatio/fornicatrix, expressions like *scortatio/scortatrix*, *mechia/mechatrix* were also used, while in German words *Unczucht* and *Hurerei/Hurerey* were used synonymously. In addition, the following expressions can be found in the sources: in Latin *meretrices diabolares*; *mulier suspectae vitae*; *sordida mulier*; *turpiter inbonesteque vixit*; *ob inbonesta vitae suae suspicionem*; *ebriosam es moli moratam fuisse* [...], in German *bosse Vettel*;⁶⁴ *offentlich hur*; *ein boses leben gefurt*; *wegenn ihres unerlichenn unnd unczuchtigen lebenns*; [...] *gancz ungeburlich und verdochtig*.

The pattern of unequal treatment on the basis of gender, however, remained. Women's honour was much more dependent on the reputation of their chastity and sexual conduct. In several fornication and adultery cases, a woman would be publicly shamed, beaten and banished forever, while the man would get off with a fine only. Even though women in overall numbers constituted only a minor part of the condemned in all criminal cases, they usually formed majority in the accusations of sexual offences. In other words, the most frequent kinds of offences that women would be accused of were sex crimes, such as adultery and fornication. In the town of Košice, where the number of preserved criminal cases from the examined period is the highest, sexual crimes account for one third of all the criminal cases. If we divide male and female offenders, sexual offences in men formed about 20%, while in women more than 57% of the total for each sex/gender. All in all, it can be stated that even though urban authorities targeted both genders, it was women that were criminalised and disciplined most often in the sphere of sexual and marital conduct.

Acknowledgements

I would like to thank Christopher Mielke for providing me with the working version of his essay which inspired me to conduct deeper research into the phenomenon of prostitution and brothels in Hungary in the late medieval period than I originally intended. Also to Katalin Szende for information and recommendations for literature on the late medieval

⁶⁴ The word was borrowed from Latin *vetula* in the fifteenth century (from *vetulus* "elderly" from *vetus* "old") and already early on had a pejorative meaning: old, slovenly and ugly woman; witch, old hag. In: *Das Wortauskunftssystem zur deutschen Sprache in Geschichte und Gegenwart* (<https://www.dwds.de/wb/Vettel>, accessed on 7th March 2018).

brothel in Sopron and to Judit Majorossy for her valuable feedback and comments.

References

Primary sources

Archival sources

Municipal Archive Košice (AMK):

Pur, Protocollum iudicia et Poenas malefactorum ab Anno 1556 usque 1608

Municipal Archive Bratislava (AMB):

No. 2a1 *Zápisnice zo zasadnutí mestskej rady / Actionale protocollum / Sitzungsprotokolle des Stadtrats 1402-1506*

No. K 73 *Komorná kniha / Kammerbuch 1520-1521*

No. 4.1.2. *Grundbuch*

No. 4.1.3. *Satzbuch*

No. 955.1 (Conscription sheets)

The State Archive in Prešov, Archive of Prešov Magistracy (AP):

No. 2685 *Kniha mestského súdu 1555-1560* (Book of the municipal court)

No. 2676 *Účtovná kniha 1515-1527* (Town account book)

The State Archive in Prešov, Archive of Bardejov Magistracy (workplace in Bardejov, AB):

Súdne zápisy a účty mesta 1559-1649 (Judicial municipal records and accounts), without shelfmark.

Regional Archive in Levoča (Spišský archív v Levoči), Archive of Levoča Magistracy (AML):

No. 3. XXI.1. *Malefický Buch 1550-1643*.

Secondary sources

Literature and source editions

Bartal, Antonius. *Glossarium mediae et infimae Latinitatis regni Hungariae*.

Budapest: Magyar Tudományok Akadémia in aedibus B. G.

Teubneri, 1901.

- Brundage, James. A. *Law, Sex and Christian Society in Medieval Europe*. Chicago: University of Chicago Press, 1987.
- Das Wortauskunftssystem zur deutschen Sprache in Geschichte und Gegenwart*, <https://www.dwds.de/>, accessed on 7th March 2018.
- du Cange, et al., *Glossarium mediae et infimae latinitatis*, 1887, <http://ducange.enc.sorbonne.fr/>, accessed on 7th March 2018.
- Charlton, T. Lewis and Short, Charles. *A New Latin Dictionary*, Oxford: Clarendon Press, 1891.
- Fejérpataky, László. *Magyarországi városok régi számadáskönyvei. (Selmeczbánya, Pozsony, Besztercebánya, Nagyszombat, Sopron, Bártfa és Körmöczbánya városok levéltáraitól)*. [Old Accounts Books of Hungarian Towns (From the Towns Archives of Banská Bystrica, Bratislava, Banská Bystrica, Trnava, Sopron, Bardejov and Kremnica)] Budapest: Magyar Tudományos Akadémia, 1885.
- Forcellini, Aegidius. *Totius Latinitatis lexicon*, 4 volumes. Padua: Typis Seminarii, 1771. <http://www.lexica.linguax.com/forc.php>; accessed on 7th March, 2018.
- Grieco, Sara F. Matthews. "The body, Appearance, and Sexuality." In *A History of Women. Renaissance and Enlightenment Paradoxes*, ed. Natalie Zemon Davis and Arlette Farge, series editors Georges Duby and Michelle Perrot. Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1993, 46-84.
- Groszmann, Malvina. *Bártfa város 1418-1444-iki számadáskönyvei művelődéstörténeti szempontból* [The account books of the city of Bártfa from a cultural history point of view]. Budapest: Minerva, 1911.
- Házi, Jenő and János Németh. *Gerichtsbuch - Bírósági Könyv 1423-1531* (Quellen zur Geschichte der Stadt Ödenburg, Sopron Város Történeti Forrásai, Reihe A/Band 2). Sopron: Soproner Archiv des Komitats Győr-Moson-Sopron, 2005.
- Hsia, Ronnie Po-Chia. *Social Discipline in the Reformation: Central Europe 1550-1750*. London and New York: Routledge, 1992.
- Iványi, Béla. *Eperjes szabad királyi város levéltára. 1245-1526*. Szeged: Szeged városi nyomda és könyvkiadó R.-T., 1931.
- Iványi, Béla. "Lőcsei vonatkozású adatok művelődéstörténeti a középkorból." *Közlemények Székes vármegye múltjából* II/1 (1910): 20-23.

- Jankó, Ferenc, József Kücsán and Katalin Szende, ed. *Sopron*. (Hungarian Atlas of Historic Towns /Magyar Várostörténeti Atlasz. Vol. 1). Sopron: Soproni Levéltár, 2010.
- Karras, Ruth Mazo. "The Regulation of Brothels in Later Medieval England." *Signs: Journal of Women in culture and society* 14 (1989): 399-433.
- _____. *Sexuality in Medieval Europe. Doing unto Others*. New York and London: Routledge, 2005.
- Kolosvári, Sándor, Kelemen Óvári. *Corpus Statutorum Hungariae municipalium*. Budapest: Magyar Tudományos Akadémia, tomus II. pars II. (1890), tomus III. (1897), tomus IV. pars II. (1892), tomus V. pars II. (1904).
- Kováts, Ferencz, ed. *Monumenta Hungariae Judaica/Magyar-Zsidó oklevéltár IV. 1379-1564*. Budapest: Societas Litteraria Hungarico-Judaica, 1938.
- Lyndal, Roper. *The Holy Household. Women and Morals in Reformation Augsburg*. Oxford: Clarendon Press: 1989.
- Magyary-Kossa Gyula. *Magyar orvosi emlékek. Értekezések a magyar orvostörténelem köréből* I.-IV. (4 volumes) [Hungarian Medical Records: Studies on Hungarian Medical History]. Budapest: Orvosi Könyvkiadó, 1929 I.-II., 1931 III., 1940 IV., reprint of I.-II. volume in 1994: Szegedi nyomda.
- Majorossy, Judit and Katalin Szende. "Hospitals in Medieval and Early Modern Hungary." In *Europäisches Spitalwesen. Institutionelle Fürsorge in Mittelalter und Früher Neuzeit: Hospitals and Institutions in Medieval and Early Modern Europe*, ed. by Martin Scheutz, Andrea Sommerlechner, Herwig Weigl and Alfred Stefan Weiß. Vienna: Oldenbourg, 2008, 409-454.
- Majorossy, Judit. "A foglalkozás topográfiája. A társadalmi téről a személyes térig: a társadalmi mobilitás térbeli elemei a 15. századi Pozsonyban [The topography of occupation. From social space to personal space: spatial elements of social mobility in 15th century Bratislava]." *Korall* 45 (2011): 102-135.
- _____. "A pozsonyi városi elit és az udvar (az udvari nemesség) kapcsolatának megközelítési módjai a késő középkorban és a kora újkorban [The Different Aspects of the Relationship Between the Urban Elite and the Court (Court Nobility) in Late Medieval and Early Modern Pressburg]." *Urbs, Magyar Várostörténeti Évkönyv /*

- Hungarian Yearbook of Urban History / Ungarisches Jahrbuch für Stadtgeschichte* 7 (2012): 171-199.
- _____. "A test és a lélek fürdője. A középkori pozsonyi fürdőkről" [Bath and body of the soul. Baths from medieval Bratislava]. In *"Köztes-Európa" vonzásában: Ünnepi tanulmányok Font Márta tiszteletére*, ed. by Dániel Bagi, Tamás Fedeles and Gergely Kiss. Pécs: Kronosz, 2012, 343-356.
- Mollay, Karl, ed. *Das Ofner Stadtrecht. Eine deutschsprachige Rechtssammlung des 15. Jahrhunderts aus Ungarn* (Monumenta Historica Budapestinensia, 1). Budapest: Akadémiai kiadó, 1959.
- Mollay, Károly. "A Rózsák utcája. (Részlet Sopron középkori helyrajzából)." [The Street of Roses. (Detail from Medieval Topography of Sopron)]. *Soproni Szemle* 46/3 (1992), 231–244.
- _____. "A Rózsa utca nevének eredete (Válasz Szilágyi István cikkére)." [The Origin of the Rose Street Name] *Soproni Szemle* 47/1 (1993), 25-30.
- Norberg, Kathryn. "Prostitutes." In *A History of Women. Renaissance and Enlightenment Paradoxes*, ed. Natalie Zemon Davis and Arlette Farge, series editors Georges Duby and Michelle Perrot. Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1993, 458-474.
- Online Etymology Dictionary. <https://www.etymonline.com/>, accessed on 7th March, 2018.
- Ortvay, Tivadar. *Geschichte der Stadt Pressburg. II./3. Der Haushalt der Stadt im Mittelater. 1300–1526*. Preßburg: Commissionsverlag von Carl Stampfel, 1900.
- Otis, Leah Lydia. *Prostitution in Medieval Society: The History of an Urban Institution in Languedoc*. Chicago: University of Chicago Press, 2014.
- Quellen zur Geschichte der Stadt Brassó I.* (Chroniken und Tagebücher 1. Band). Brassó: auf Kosten der Stadt Brassó von dem mit der Herausgabe betrauten Ausschuss, 1903.
- Ramming, Johann. *Neulateinische Wortliste. Ein Wörterbuch des Lateinischen von Petrarca bis 1700*, www.neulatein.de/, accessed on 7th March 2018.
- Richards, Jeffrey. *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages*. New York: Routledge, 1991.
- Schuster, Peter. *Das Frauenhaus: Städtische Bordelle in Deutschland (1350-1600)*. Paderborn: Schöningh, 1992.

- Segeš, Vladimír. “Žena ako subjekt a objekt kriminality v stredovekej Bratislave.” In *Žena a právo. Právne a spoločenské postavenie žien v minulosti*, ed. Tünde Lengyelová. Bratislava 2004, 57-65.
- Szeghyová, Blanka. *Súdnictvo a súdna prax v mestách Pentapolitany v 16. storočí* [Judiciary and Judicial Practice in the 16th Century Pentapolitana Towns]. Bratislava: Veda, 2016.
- Szilágyi, István. “Rózsa utca, rózsza lányok.” [Rose Street, Rose Maidens] *Soproni Szemle* 47/1 (1993), 19-25.
- The Oxford English Dictionary* (OED). Oxford: Oxford University Press, 2017. <http://www.oed.com/>, accessed on 27th March 2018.
- Urbanová, Norma. “Premeny miest v neskorom stredoveku.” In *Gotika. Dejiny slovenského výtvarného umenia*, ed. by Dušan Buran. Bratislava: Slovenská národná galéria, 2003, 277-284.
- Vámossy, István. *Adatok a gyógyászat történetéhez Pozsonyban*. Pozsony: Pozsony szabad királyi város közönsége, 1901.
- Ziegler, Arne. *Actional Protocollum. Das älteste Stadtbuch von Bratislava/Prefßburg aus den Jahren 1402-1506*. Bratislava: Múzeum kultúry karpatských Nemcov, 1999.