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A CONFLICT FOR VALUES IN THE ORIGINS
AND AT THE BEGINNING OF THE THIRTEEN YEARS' WAR

Key words: the Teutonic Order, Prussian Confederation, law and justice in cultural sense

The aim of the paper is to picture the issue of understanding the question of war and peace on the eve and at the beginning of the unpredictable in its consequences conflict. Obviously, the starting points are the parties present in Prussia, that is the Teutonic Order on the one hand, and, on the other, its confederated subjects. The Polish Kingdom and other external factors engaged the war with their own program, having little in common with the country's interest. Not only did the Teutonic Order and Prussian Estates understand war and peace in practical terms, but also perceived it through the prism of religion, morality, scholastic thought, and jurisprudence. Both parties had been engaging in a political struggle for decades, during which both of the sides reached for arguments borrowed from broadly defined Christian doctrine. In the middle of 15th century, they acquired a local color which ignited a deep irritation among the order brothers who came from the Reich. Two conflicting ideas for the country order were opposed: the Order's and the Estate's views. They had been clashing for a longer time, and finally became irreconcilable. The order, when it comes to principle, stood on the grounds of the Divine Law, which was unalterable and eternal. Its subjects invoked the things which were owed to them due to the granted privileges, the positive law. This discrepancy, and later on the conflict, has frequently been attempted to explain in legal-system terms¹. The part below attempts to encompass the problem in terms of culture.

¹ Cf. classic literature: Edith LÜDICKE, *Der Rechtskampf des Deutschen Ordens gegen den Bund der preussischen Stände*, *Altpreussische Monatsschrift*, Bd. 12: 1935, pp. 1–43, 173–231; Erich WEISE, *Das Widerstandsrecht im Ordenslande Preußen und das mittelalterliche Europa* (Veröffentlichungen der Niedersächsischen Archivverwaltung, Bd. 6), Göttingen 1955. The sources and literature on the subject are quoted to a limited extent.

In the scope of military preparations, the situation was changing dynamically, especially between 1453–1454. The conflict turned out to be an arms race. The Order set itself very limited aims of confrontation. It gathered forces necessary to pacify the country and to introduce the strong-armed government, insufficient, as it turned out².

The leaders of the Prussian Estates wanted to remove the Teutonic Order from their seats, deprive them of power over the country and, waiting for help from the Kingdom of Poland, and seize autonomous power in the country³. The question that we ask is why they were not reconciled? After the Imperial Court's sentence, neither of the parties was willing to stand down. Only in February 1454 did the Grand Master try to avoid the war, but it was already too late.

The goals which the external factors set: the King and the Polish Kingdom, Members of the Order residing beyond Prussian borders and varied groups of mercenaries, were completely alien to the values of the Prussian antagonists.

The aim of the parties in Prussia was not creating a huge-scale conflict, but creating new order in the country. The Order, aiming to reinforce its position, faced two possibilities: to negotiate with the subjects, or to break their subjects position by repressively accomplishing its plan. Together with an increase of their subjects' resistance, the latter was the only choice. The notion of the Order as a clerical corporation which created the state as a tool to fulfill its religious duty⁴, and a state which wanted to disconnect from the duty. The Prussian Confederation had practical aims: defending the interests of its

² Karol GÓRSKI, *Pomorze w dobie wojny trzynastoletniej*, Poznań 1932; Rudolf GRIESER, *Hans von Baysen, ein Staatsmann aus der Zeit des Niedergangs der Ordensherrschaft in Preußen* (Deutschland und der Osten. Quellen und Forschungen zur Geschichte ihrer Beziehungen, Bd. 4), Leipzig 1936; E. WEISE, op.cit.; Hartmut BOECKMANN, *Zu den politischen Zielen des Deutschen Ordens in seiner Auseinandersetzung mit den Preussischen Ständen*, Jahrbuch für Geschichte Mittel- und Ostdeutschlands, Bd. 15: 1967, pp. 57–104.

³ Cf. K. GÓRSKI, op.cit.; E. WEISE, op.cit.; Marian BISKUP, *Zjednoczenie Pomorza Wschodniego z Polską w połowie XV wieku*, Warszawa 1959.

⁴ E. LÜDICKE, op.cit., pp. 5 ff.; Stefan KWIATKOWSKI, *Powstanie i rozwój krzyżackiej koncepcji przywództwa religijnego w Pruach*, [in:] *Zakon krzyżacki a społeczeństwo państwa w Prusach*, red. Zenon H. NOWAK, Toruń 1995, pp. 137–148; Marie-Luise HECKMANN, *Herrschaft im Spätmittelalter – am Beispiel des Deutschen Ordens*, [in:] *Die Ritterorden als Träger der Herrschaft: Territorien, Grundbesitz und Kirche*, hrsg. v. Roman CZAJA, Jürgen SARNOWSKY (Ordines militares. Colloquia Torunensia Historica, vol. 14), Toruń 2007, pp. 9–26; Marian DYGO, *Ideologia panowania zakonu niemieckiego w Prusach*, [in:] *Państwo zakonu krzyżackiego w Prusach. Władza i społeczeństwo*, red. Marian BISKUP, Roman CZAJA, Warszawa 2008, pp. 357–369; Marcus WÜST, *Studien zum Selbstverständnis des Deutschen Ordens im Mittelalter* (Quellen und Studien zur Geschichte des Deutschen Ordens, Bd. 73), Weimar 2013, passim; Roman CZAJA, *Die Identität des Deutschen Ordens in Preussen*, [in:] *Cura animarum: Seelsorge im Deutschordensland Preussen*, hrsg. v. Stefan SAMERSKI, Köln 2013, pp. 44–57; Arno MENTZEL-REUTERS, *Der Deutsche Orden als geistlicher Orden*, [in:] *ibid.*, pp. 15–43.

members. The Order, as a clerical *Landesherr*, stood on the grounds of the canonical law. The Confederates were referring to privileges belonging to the national law. Where theoretical argumentation appeared, it was the answer to the Order's charges.

The historiographical discourse reflects the historian's cultural preconditions⁵. The historiographical narration about the Medieval Prussia and the Order revolves around the state and politics. The value of military activities is on the second place, with the concurrent depreciation of the standpoint aimed at alleviating the conflict. Hence, the achievements on the battlefield become more important or even more „lofty”. It is also present in the description of the events which did not have the expected effects or brought only illusory benefits. The war casualties were minimized accordingly to this line. However, an objective, cold-blooded discourse is also present. The political and social activities were supposed to be motivated by egoism and calculation, and the tool to achieve these ends – manipulating the legal and economic argumentation, as well as religious and theological ones. Historical determinism constitutes a variant of objectivism, in accordance with which the history of Prussia had been determined by forces above the human being and the local society, that is practically infallible judgment of history. It had not always been like this. For example, any rebellion of the subjects against the Order had been often presented through the prism of political problems, current at the time when subsequent studies and approaches were created. The opinions about national treason were the first to appear, and the leaders of the Prussian Confederation were considered traitors. Many works were also written in an apologetic tone, presenting the clash of the states with the Order authority as a fight for freedom or liberation from feudal oppression. Rudolf Greiser and Erich Weise tried to mention the declared in the sources idealistic⁶. The historiography on the subject includes a rationalization of the motifs of both parties. They come from the scope of the idea of the state, its laws and its political system; as well as from the scope of the ideas of a national state and nationalistic ideas; from the idea of freedom and sovereignty of its subjects. What is more, sociological perspective is also present and it conceptualizes the problem from the point

⁵ Cf. Marie-Luise HECKMANN, „*Krieg und Kultur*”. *Skizze für ein kulturwissenschaftliches Forschungsvorhaben*, *Militär-geschichtliche Zeitschrift*, Bd. 63: 2004, H. 2, pp. 489–497; Krzysztof KWIATKOWSKI, *Kulturelle Bedingungen der militärischen Aktivität im Spätmittelalter: der Fall des Preussen(landes) unter Herrschaft des Deutschen Ordens (I)*, *Ordines Militares. Colloquia Torunensia Historica. Yearbook for the Study of the Military Orders*, vol. 18: 2013, pp. 105–180.

⁶ For example, Grieser saw in Jana Bażyński „strenges Gerechtigkeitsgefühl” (R. GRIESER, *op.cit.*, p. 123); and Weise saw in his writings „Ausdruck des Rechtsempfindens” (E. WEISE, *Widerstandsrecht*, p. 146).

of view of the social phenomena in the Order, as well as in the social structures of the state. The most up-to-date literature describes the Thirteen Years' War not only as a fight for freedom, but to a greater extent, as an event which ruined the country, caused the misery of the populace and led to unprecedented cruelty⁷.

The topic itself, which is an attempt to specify the aims of the war shortly before it began and during the initial activities, is very complicated⁸. It is necessary to consider the circumstances, when it is discussed in the presence of distinguished experts in the sources, authors of deep analysis of the Order structures, Prussian society, as well as economic and demographic bases of the country.

Works on the cultural view of the country can hardly be called sufficient. The preliminary assumption is acknowledging that the antagonized parties in Prussia: The Order and the Estates entered into the war to realize contrasting values, reflecting the subjective understanding of their own positions. These values, as I assume, had been the spiritual basis for claims on the political, economic, legal and political system grounds, as well as state solidarity against the German Order. Scientific papers on the Prussian conflict between the authority and its subjects, in search for a generalizing explanation, in principle, expose one of the levels mentioned previously. We already know much about the subjective imaginations and emotions in the Prussian society; however, this knowledge refers only to some selected aspects of life. It does not give an overall image. The remnants of the founding myth and the original community (warriors for faith) was still present in the collective consciousness. It was a society influenced by collective emotions, including mass religious experiences. Some traces of the chivalric ethos are also evident, state solidarity of people who are worthy of respect (*ehrbare Leute*), notwithstanding their formal-legal state membership. We can speak here of a collection of rules and principles of conduct which were supported by a developed self-knowledge and use this support in social institutions (in Durkheim sense). It is possible to aim at (re)constructing a certain profile of a person aware of his social

⁷ Cf. Krzysztof KWIATKOWSKI, *Zakon niemiecki jako „corporatio militaris”*, vol. 1: *Korporacja i krąg przynależności do niej. Kulturowe i społeczne podstawy działalności militarnej zakonu w Prusach (do początku XV wieku)*, Toruń 2012, passim, especially 49 ff.; 85 ff.; Sylvain GOUQUENHEIM, *Die Perspektive der Erforschung der Rittorden im Lichte der „neuen Militärgeschichte”*. *Einige Bemerkungen aus der Geschichte des Deutschen Ordens*, *Ordines Militares*. *Colloquia Torunensia Historica*. Yearbook for the Study of the Military Orders, vol. 18: 2013, pp. 7–25.

⁸ The aim of the war in the present article is not directed on the issues from the scope of military history (as it is postulated by, among others Arno MENTZEL-REUTERS, *„Unde den Vride machten wider in dem Lande” – Kriegsziele in der Historiographie des Deutschen Ordens*, *Ordines Militares*. *Colloquia Torunensia Historica*. Yearbook for the Study of the Military Orders, vol. 18: 2013, pp. 81–103, or by K. KWIATKOWSKI, *Zakon*, passim.

aims, having a certain world view, and prepared to react in a certain situation. What can stem from this ethos is the belief that reciprocal self-help against the authority is righteous, or justification of rebellious or anarchistic attitudes⁹. Were all members of the Lizard Union or the Skolimowscy family mentioned in the sources?

The system of values of both parties appeared to be symmetrical. It was based on faith and church membership, and on the chivalric ethos in its late Medieval and peripheral form which assumed defending the Church and religion, helping the oppressed and the weak¹⁰. There were attempts to respect this common attitude; however, with time, it became too weak. Even in such a difficult moment as the confrontation of both parties in front of the papal legate, Louis de Silves, Jan Bażyński stated that the Order and its subjects were called to fulfill similar aims, originating in the ideological chivalric mission. The Order leaders, in turn, preferred to refrain from confirming their doubts about the religious lives of their subjects at that time. It happened despite a visible pressure from the more and more influential prelates, and it is in their circle that the plot in Rome had hatched to present the state opposition in the worst light possible¹¹.

The principal aim of my paper is to show that the subjects of the Order, especially the elites concentrated in the Prussian Confederation, had a crystallized system of values in the structural sense, conditioned by reciprocal relations between individual elements¹². In the sources which present the argumentation of the states they are mentioned in the form of a few subdivisions, though loosely juxtaposed¹³. As an example, we can consider the

⁹ Karol GÓRSKI, *Sprawa Skolimów i pierwsza próba oporu zbrojnego przeciw Krzyżakom w Prusach w latach 1443–46*, *Zapiski Towarzystwa Naukowego w Toruniu*, t. 20: 1955, pp. 197–222.

¹⁰ Cf. Peter MORAW, *Über Entwicklungsunterschiede und Entwicklungsausgleich im deutschen und europäischen Mittelalter. Ein Versuch*, [in:] *Über König und Reich. Aufsätze zur deutschen Verfassungsgeschichte des späten Mittelalters*, hrsg. v. Rainer Ch. SCHWINGES, Sigmaringen 1995, pp. 293–320 (1. edition 1987); Werner PARAVICINI, *Noblesse. Studien zum adeligen Leben im spätmittelalterlichen Europa*, Ostfildern 2012, esp. papers: „Von dem Heidenfahrt zur Kavaliertour”. *Über Motive und Formen adeligen Reisens im späten Mittelalter* (1. edition 1993), p. 131–169 and *Von Schlesien nach Frankreich, England, Spanien und zurück. Über die Ausbreitung adeliger Kultur im späten Mittelalter*, pp. 321–386 (1. edition 2010).

¹¹ E. LÜDICKE, op.cit., pp. 32, 39 ff.

¹² The topic is known in a broader perspective, methodological as well, Cf. Elisabeth WECHSLER, *Ehre und Politik. Ein Beitrag zur Erfassung politischer Verhaltensweisen in der Eidgenossenschaft (1140–1500) unter historisch-anthropologischen Aspekten*, Zürich 1991.

¹³ Cf. recess from the parley on the establishment of the Prussian Confederation, *Acten der Ständetage Preussens unter der Herrschaft des Deutschen Ordens*, hrsg. v. Max TOEPPEN, Bd. 1–5, Leipzig 1874–1886 (later quote: AST), here: AST, Bd. 2, pp. 152–156, quotation p. 153: „hirschmals wellen obirhaben und eyn iderman synes lybes und guttes sicher seyn, und bey rechte

renouncement letter of the Confederation: „Ouch ir uns geleidigt haben an unsern gerichtten, leiben, eren, guttern, wirdikeiten wider euwers ordens zcu Prewszen brieffe und segele alle gebittiger und amptleute”¹⁴. The values, being at stake in the conflict and the polemic on legal grounds, pertain to ensure 1. peace in the country, and life safety and possession; 2. justice in both social (rule of law) and legal senses; 3. common good (*bonum commune*), 4. honor and reverence of people and 5. truth. The order of these elements constitutes the construction axis of the paper.

THE NOTION OF PEACE

According to one of the classics, the worst peace is better than the best war. This view was expressed directly after the peace treaty between Poland and the Order of 1466 was signed. Piotr of Szamotuły, the starost general of Great Poland supposedly told the Brandenburg delegate, Paul Molner, that the costs of military activities and the following damage were substantially greater than the value of the country which was acquired as a result of the war¹⁵.

St. Augustine’s dualistic system of thought included a hierarchy of values. Peace, in the metaphysical sense, can be found at the top, the emanation of good. War, moral evil bereft of any signs of good can be found at its bottom. St Augustine’s teachings delineated the direction of thinking about the world; however, it did not find any direct application. A desire for peace, which would at least partially reflect the heavenly paragon, was ubiquitous. In turn, people tried to find in war some elements of good, which was voiced through its gradual acceptance, and even glorification¹⁶.

St. Augustine’s philosophy presents man as a being unable to create good on his own. It also differentiates between *pax vera* and *pax temporalis*, or *terrena*¹⁷.

bleiben, und uff das land und stete in redlichkeit widder czunemen und gedien und wolfaren mogen”; similar in the Act of Confederation of 1440 (AST, Bd. 2, pp. 171 ff.). Emotional tones can be found in the letter from Jan Bażyński to the Grand Master of 3 April 1446: „das der herre von Heylsberg gesprochen hat redende, das man hette gethon wedir bobist, keyser, zele und ere und alle recht, das ist zu vil geret sey” (R. GRIESER, op.cit., Anhang VI, pp. 136 ff.). Similar content can be found in the Jan Bażyński address to legate Louis de Silves (quotation as per E. WEISE, op.cit., p. 170 ff.): „[...] ist unser Statut nicht wider das gemeine beste, sondern dient seiner Handhabung und Befestigung, auch seiner Mehrung und Befestigung des Friedens”.

¹⁴ AST, Bd. 4, p. 301.

¹⁵ *Codex diplomaticus Brandenburgensis*, Th. 1–3, ed. Adolf F. RIEDEL, Berlin 1849 and following, here: Th. 1, Bd. 1, no. 296, 26–27 March 1467; Marian BISKUP, *Trzynastoletnia wojna z zakonem krzyżackim 1454–1466*, Oświęcim 2014 (reprint of the 4. edition from 1967), p. 51.

¹⁶ Ernst-Dieter HEHL, *Heiliger Krieg – eine Schimäre? Überlegungen zur Kanonistik und Politik des 12. und 13. Jahrhunderts*, [in:] *Krieg und Christentum. Religiöse Gewalttheorien in der Kriegserfahrung des Westens*, hrsg. v. Andreas HOLZEM, Paderborn [et al.] 2008, pp. 323–340.

¹⁷ AUGUSTINUS, *De civitate Dei*, XIX 13 and 17; Wolfgang JUSTUS, *Die frühe Entwicklung des säkularen Friedensbegriffs in der mittelalterlichen Chronistik*, Köln–Wien 1975; Johannes

The intrinsic value is the true peace, leading to heavenly peace, and man can only achieve it through participation in God's community. The temporal peace ensures safety and prosperity, that is why it is equally valued in both earthly and divine community¹⁸. However, the earthly community – according to Augustine, erroneously – sees in it a real value, when in fact from the doctrine of salvation's point of view it can only be a means used to achieve the aim. *Pax vera* is to be based on the harmony of creation and the Creator, and *ordinata concordia* is to be its principle, ordered according to the eternal law.

Peace with the basis on permanent regulations became a kind of example giving direction for human endeavor. In „new societies” of the West, the temporal peace had always been desired, which is testified by movements of „peace” or „divine truce”. What is more, people began to believe that it could be constituted by both man and positive law. Intellectuals of the epoch, mainly Albertus Magnus, Anselm of Carterbury and Thomas Aquinas, were persuading about it, although they were seemingly faithful to the Augustan idea of peace. According to them, the good of peace (*bonum pacis*) can have an aim and a social sense¹⁹. In the late Middle Ages, this thought was being continuously developed. Political and earthly significance of peace were emphasized by Marsilius of Padua (peace is the work of reason), and Nicholas of Cusa (peace as a public profit – *publica vero utilitas est pax*)²⁰. It coincided with a growing influence of moral positivism in the Medieval ethics. Since 14th century, jurisprudence had not been so strictly connected with the severity of the natural law as in the previous centuries, and it took a turn towards statutory law. Resolving the moral quality of an action did

BRACHTENDORF, *Augustinus: Friedensethik und Friedenspolitik*, [in:] *Krieg und Christentum*, pp. 234–253; Andreas HOLZEM, *Religiöse Gewalttheorien in der Kriegsführung des Westens*, [in:] *ibid.*, pp. 16–103, on the Middle Ages pp. 35–42.

¹⁸ Cf. as well: Joachim LAUFS, *Der Friedensgedanke bei Augustinus. Untersuchungen zum XIX Buch des Werkes De civitate Dei* (Hermes. Zeitschrift für Klassische Philologie. Einzelschriften 27), Wiesbaden 1973, pp. 33 ff., 88 ff. On the so-called table of peace in the theoretical thought of St. Augustine; and W. JUSTUS, *op.cit.*, p. 19.

¹⁹ Frederick H. RUSSELL, *The Just War in the Middle Age*, Cambridge 1978, pp. 261 ff.; Klaus ARNOLD, „De bono pacis“ – *Friedensvorstellungen in Mittelalter und Renaissance*, [in:] *Überlieferung – Frömmigkeit – Bildung als Leitthemen der Geschichtsforschung*, hrsg. v. Jürgen PETERSOHN, Wiesbaden 1987, pp. 133–154; Gerhard BEESTERMÖLLER, *Thomas von Aquin und der gerechte Krieg im theologischen Kontext der Summa Theologiae*, Köln 1990, pp. 96 f.; Anselm HERTZ, *Die thomatische Lehre vom bellum justum als ethischer Kompromiss*, [in:] *Die Wahrnehmung und Darstellung von Kriegen im Mittelalter und in der frühen Neuzeit* (Imagines Medii Aevi, 6), hrsg. v. Horst BRUNNER, Wiesbaden 2000, pp. 17–30.

²⁰ Cf. J. LAUFS, *op.cit.*, p. 97; Hans-Joachim DIESNER, *Stimmen zu Krieg und Frieden im Renaissance-Humanismus*, Göttingen 1991; K. ARNOLD, *op.cit.*, p. 148; Georg WIELAND, *Politik und Religion. Das Friedenskonzept des Marsilius von Padua*, [in:] *Friedensethik im Spätmittelalter. Theologie im Ringen um gottgegebene Ordnung* (Beiträge zur Friedensethik, 30), hrsg. v. Gerhard BEESTERMÖLLER, Stuttgart–Berlin–Köln 1999, pp. 79–94.

not result from natural characteristics of an action, but it was due to the norm giving the basis for taking an action²¹.

Prerogatives for guaranteeing peace were divided between the church and the secular authority. Peace and law became identical on the political grounds²². However, peace and law, as well as rule of law, as it was widely assumed, should be based on spiritual purity and morality, on a dual commitment: to God and to people. The wrong-doer could establish neither law nor peace. *Pax ordinata* was differentiated from *pax iurata* on the grounds of the Medieval systematics. *Pax ordinata* was established by authorities: the political power or the church, and was frequently called the divine or the state peace. *Pax iurata* was developing as a result of negotiations and agreement²³.

Thus, understanding the value of peace as a state ensuring safe existence was investigated in the Middle Ages in two completely different and independent from each other dimensions:

- as an unconditional renouncement of military means and cruelty;
- as ensuring a peaceful existence within *ordinata concordia*, under the condition that the range of safety in political and economic terms was delineated.

The first aspect, justified in the gospel, was voiced in the Christian ethics, although in the form far from being unambiguous. The misfortunes of war, especially foreign attacks with their unlimited abuses and cruelty, was interpreted in fatalistic categories, or as an expression of God's wrath and earthly punishment for sins. The second of the mentioned aspects was based primarily on the statutory law, although there were some trials to prove its accordance with the divine law. Hence, all regulations were assessed in the moral and theological categories. *Ius* and *iustitia* are terms which specify what is fair for and because of other people.

²¹ Cf. Jürgen MIETHKE, *Ockhams Weg zur Sozialphilosophie*, Berlin 1969, pp. 300 ff.

²² Wilhelm JANSEN, *Friede*, [in:] *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, hrsg. v. Otto BRUNNER, Bd. 2, Stuttgart 1974, pp. 547 ff.; Stefan KWIATKOWSKI, *Friedensbestrebungen im Mittelalter zwischen geistigen Quellen und pragmatischer Denkart. Geistige Quellen, kulturelle Werte und pragmatische Kalkulationen*, [in:] *Konfliktbewältigung und Friedensstiftung im Mittelalter*, hrsg. v. Roman CZAJA [et al.], Toruń 2012, pp. 9–29.

²³ Hermann CONRAD, *Rechtsordnung und Friedensidee im Mittelalter und in der beginnenden Neuzeit*, [in:] *Christlicher Friede und Weltfriede. Geschichtliche Entwicklung und Gegenwartsprobleme*, hrsg. v. Alexander HOLLERBACH, Hans MAIER (Görres Gesellschaft zur Pflege der Wissenschaft. Veröffentlichungen der Sektion für Rechts- und Staatswissenschaft), Paderborn 1971, pp. 9–34; Hans-Jürgen BECKER, *Friede*, [in:] *Lexikon des Mittelalters*, Bd. 4, München 1989, Sp. 819; K. ARNOLD, *De bono pacis*, pp. 144 ff.; Otto G. OEXLE, *Formen des Friedens in den religiösen Bewegungen des Hochmittelalters (1000–1300)*, [in:] *Mittelalter. Annäherungen an eine fremde Zeit*, hrsg. v. Wilfried HARTMANN, Regensburg 1993, pp. 87–109; Karl-Heinz ZIEGLER, *Kriegsrechtliche Literatur im Spätmittelalter*, [in:] *Der Krieg im Mittelalter und in der frühen Neuzeit: Gründe, Begründungen, Bilder, Bräuche, Recht*, hrsg. v. Horst BRUNNER, Wiesbaden 1999, pp. 57–71; studies in *Krieg und Christentum* (footnote 16).

The leadership of the Teutonic Order in 15th century, just like during the crusades, imagined peace as an order coming from God. One monk from the Carthusian Order, Heinrich Beringer, also voiced this view. He was a moral rigorist and a supporter of strong authority, which would embrace both political and religious life²⁴. „They announce peace constituted by man, but who can give us peace, but not God himself? ... For those who said «*pax pax pax*» were fooling the people, but there was no peace”. What can be seen here is a criticism of the *pax iurata* notion, a statutory peace towards which the Estates turned.

The Teutonic leaders, as it may be supposed, together with prelates, were constantly considering the spiritual aspect of peace. However, the position of their subjects was inconvenient for them for a different reason. The tendency to take over monopoly over using force against particular factors in order to establish peace was emerging in the West²⁵. An integration of the subjects to peace negotiations at the beginning of the 1430s' called this prerogative into question.

Since the war broke out in 1431, the demand that the Order ensured peace unified the opposition of the Estates. The burgermeister of the Old Town of Toruń, Herman Rewsap, asked the representatives of the Estates whether they agree with the opinion which he wanted to present, and when he heard their acceptance, he expressed the well-known and often quoted in sources, rebellious sentence: If the Teutonic Order does not guarantee its subjects life in peace, then the subjects will find the authority which will ensure it²⁶.

²⁴ Quotation of: Otto GÜNTHER, *Eine Predigt vom preussischen Provinzialkonzil in Elbing 1427 und die „Ermahnung des Carthhäusers”*, Zeitschrift des Westpreussischen Geschichtsvereins, H. 59: 1919, pp. 94–111, quotation p. 111: „Pronunciant pacem perpetuam ab homine factam: quis habet dare pacem perpetua nisi solus deus? [...] Eo quod deceperunt populum meum dicentes «pax pax pax» et non erat pax...”

²⁵ Odilo ENGELS, *Vorstufen der Staatwerdung im Hochmittelalter*, Historisches Jahrbuch, Bd. 97/98: 1978, pp. 71–86.

²⁶ E. WEISE, *Widerstandsrecht*, p. 124; Carl A. LÜCKERATH, *Paul von Rusdorf. Hochmeister des Deutschen Ordens 1422–1441* (Quellen und Studien zur Geschichte des Deutschen Ordens, Bd. 15), Bad Godesberg 1969, pp. 123 ff., 147 f., 164 f.; Klaus NEITMANN, *Die preussischen Stände und die Aussenpolitik des Deutschen Ordens vom 1. Thorner Frieden bis zum Abfall des preussischen Bundes (1411–1454). Formen und Wege ständischer Einflussnahme*, [in:] *Ordensherrschaft, Stände und Stadtpolitik. Zur Entwicklung des Preussenlandes im 14. und 15. Jahrhundert*, hrsg. v. Udo ARNOLD, Lüneburg 1985, pp. 27–79, here: p. 35; Sławomir JÓZWIĄK, *Kryzys władzy terytorialnej*, [in:] *Państwo zakonu krzyżackiego w Prusach. Władza i społeczeństwo*, red. Marian BISKUP, Roman CZAJA, Toruń 2008, pp. 332–401. AST, Bd. 1, no. 479, p. 615: „ritterschaft und dy stet und haben mir befohlen, ewer gnaden zcu sagen und zcu bythen, das ewer gnad und dy gebitiger wollen bestellen umb eynen fryde, dan sy lang zeyt in unfryd und yn grossen unvorwintlichin verderb sytzen; wurde wer gnade aber eyn sollichs nicht thun und uns frid und ruhe schaffen, so soll ewer gnade wyssen, das wir selber darfur gedennen wollen, und wollen eyn herrn suchen, der uns fryde und ruhe wirt schycken. Das must der hoemeyster zu herzen nehmen und darnach stehn, das er eynen ewigen fryd mechet”.

The peace which the subjects of the Order demanded was understood as *pax iurata*, stated as a result of the social pressure, with social guarantees. The Melno Lake peace was a precedence. The negotiations of the Brest Treaty were conducted under the pressure of the Prussian Estates, and Paul von Rusdorf's concessions had far-reaching consequences²⁷. The representatives of the Estate opposition could from then on accuse the Teutonic lords that they enter into political alliances and start wars according to their will, without the Estate's agreement²⁸.

The Prussian Estates' leaders identified domestic peace with respecting the law and privileges, as well as the defense of the weak and the oppressed. The Prussian Confederation Statute of 1440, according to J. Bażyński's assurance, which he pledged before a papal legate, had the aim of preserving peace and law²⁹. Breaking the law meant acting against the domestic peace.

COMMON GOOD (*BONUM COMMUNE*) (*DAS GEMEINE BESTE*)

The Estate opposition perceived the governmental and legal order as a consequence of negotiations with other people, hence, as a value socially substantiated by the society and for the society, as *bonum commune*.

According to the archaic Teutonic Order notion, ruling was based on the order of divine will. In morality and religious law, the superordinate norm (stemming from theology) was the relation between God and man. What is true to divine enactment and order is just. Thomas of Aquinas' ethics caused a major breakthrough, as it claimed that the human, as a being to whom God granted thought and reason, can and should autonomously differentiate good from evil³⁰. On this basis, he validated the earthly life, which started to be a valuable subject of recognition and study³¹. The social and political order on the earth was acknowledged as a human domain, subjected to his will and control.

The medieval jurists, according to the entire intellectual method of the epoch, had never forgotten about the supernatural aspect of the earthly order. However, the human being became the creator and the guarantor of the bases of its existence, including common good – *bonum commune*. Preserving common good and peace became a seminal criterion of judging human acts. According

²⁷ K. NEITMANN, *Die preussischen Stände*, with a further source and historiographic documentation.

²⁸ AST, Bd. 4, no. 17, p. 30, Par. 65.

²⁹ E. WEISE, *Widerstandsrecht*, pp. 169 ff.

³⁰ Stefan ŚWIEŻAWSKI, *Albertyńsko-tomistyczna a kartezjańska koncepcja człowieka*, [in:] idem, *Człowiek średniowieczny*, Warszawa 1999, pp. 99 ff.

³¹ G. BEESTERMÖLLER, op.cit., p. 63; Franz-Martin SCHMÖLZ, *Recht und Politik bei Thomas von Aquin*, [in:] *Recht und Sozialphilosophie des Mittelalters*, hrsg. v. Erhard MOCK, Georg WIELAND (Salzburger Schriften zur Rechts-, Staats- und Sozialphilosophie, Bd. 12), Frankfurt am Main 1990, pp. 37 ff.

to jurists, the law defended *bonum commune*. Even J. Bażyński referred to this principle in his speech of 2 January 1451, saying: „Who exercises his rights does not wrong anyone”³².

According to an opinion shared by the Confederates, uncertainty of law or even lawlessness were present in the country. However, even the sources of the Order present how the brothers converted into „local tyrants”. The local Teutonic administration was infested with local tyrants, as *Danziger Chronik vom Bunde* described them, „kleine Hochmeister”³³. Ties of solidarity among the citizens against the abuse of law emerged among the citizens on the local level³⁴. The incident between the commander of Golub and the servant knight from his circle in 1453, described in his report to the Grand Master, seems to prove the weakening of local authority³⁵.

Common good in the political culture of Prussia was a subject of agreements between the lordship and was seen in country regulations (*Landesordnungen*)³⁶. It was broadly comprehended, not only in its legal sense, but most importantly as a religious and moral order. In the post-Tannenberg era, reaching a consensus on the political system grounds was growing more and more difficult³⁷. The Order and the Prussian church kept the position of the sole guarantor of religious and moral order. However, legal and moral orders were difficult to separate. The Estates were gradually usurping the role of guarantor of common good. The principle that resistance and organized action (even military) against breaking the law and privileges became one of the ideational bases of the Prussian Confederation. The manners of comprehension of *bonum commune* by the Order and its subjects differed to such an extent that it prevented any agreement between both parties.

³² More on the text E. LÜDICKE, *op.cit.*, pp. 39 ff., and in another way E. WEISE, *Widerstandsrecht*, pp. 170 ff.; according to Weise (p. 170, note 3): „Dorum thun wir nicht unrecht, das wir unser statut bei kreften und bei macht welle halden. Item sintdemole, das das recht spricht: «Quod iniuriam nemini facit, qui utitur iure suo», das ist gesprochen: Niemand tut dem andern unrecht, der sein recht fordert”.

³³ *Danziger Chronik vom Bunde*, hrsg. v. Theodor HIRSCH, [in:] *Scriptores rerum Prussicarum*, Bd. 4, Leipzig 1870, p. 413; E. WEISE, *Widerstandsrecht*, p. 117.

³⁴ Cf. Hartmut BOOCKMANN, *Zakon Krzyżacki. Dwanaście rozdziałów z jego historii*, Warszawa 1998, pp. 236 ff.

³⁵ Zenon H. NOWAK, *Die Rolle der Konvente des Deutschen Ordens im sozialen, religiösen und kulturellen Leben Preussens*, [in:] *Die Rolle der Ritterorden in der mittelalterlichen Kultur*, hrsg. v. Zenon H. NOWAK (*Ordines Militares*, 3), Toruń 1985, pp. 23–35. Cf. E. WEISE, *Widerstandsrecht*, p. 117, note 7, where negative opinions of Prussian Teutonic Knights about local knighthood were quoted.

³⁶ Klaus NEITMANN, *Die Publikation von Staatsverträgen und Landesordnungen im Deutschordensland Preussen*, [in:] *Kommunikationspraxis und Korrespondenzwesen im Mittelalter und in der Renaissance*, hrsg. v. Heinz-Dieter HEIMANN, Paderborn 1998, pp. 113–124.

³⁷ Cf. R. CZAJA, *Gesellschaft und Landesherr*, p. 563.

How can one understand the emergence of the belief that it was permitted to use military force in order to repair domestic relations? The order, both in its self-understanding and with the acceptance of its subjects, had long understood military violence as one of the principal means of realizing the aims of its creation, as well as the benefit of Christians who were in their care. It assumed the legitimation of the use of force for the authority's interest. In the view of its supporters in the Reich, the Order should wield the law (canonical and ducal) in one hand, and sword in the other³⁸.

Guarantees of peace were one of the basic elements of *bonum commune*. In the effect of negotiations of the Brest Peace Treaty, the Order and its subjects reached one crucial agreement which considered the subjects' safety against external threat a political aim of the Order. One can see that the Prussian society believed that from this moment on the country was not directly threatened with an external invasion. Prussian Confederation presented itself as a guarantor of *concordia ordinata*. It seems that J. Bażyński voiced it best by stating that the if someone acts against the Order, he will cause the collapse of the country³⁹.

IUS AND IUSTITIA

The discourse on *iustitia* – *Gerechtigkeit* was defined and mastered from the point of view of law and judiciary. Hence, we know plenty of details on establishing a national court in Prussia at that time, as well as polemics on its make-up and competences. We know far less about the cultural context of the argument.

Ius, as well as its stems, *iustum* and *iustitia* (which brought about order among people), was supposed to be the basis for interpersonal relations. It indicates the requirement of preserving justice in relation to another person, giving back to him what belonged to him⁴⁰. If in the middle of 15th century both parties in Prussia operated the same notion and could not reach an agreement, then probably they had to interpret it differently.

In Prussia, the Teutonic Knights represented a type of culture which they had brought from abroad, from countries of their origin, culture settled in monastic rule and statutes, but referring directly to church law, as well as privileges. In 15th century, the system of an increasingly rigorous towards subjects ducal

³⁸ H. BOOCKMANN, *Zu den politischen Zielen*; Marie-Luise HECKMANN, *Zwischen Anspruch und Wirklichkeit... Die Selbstsicht der Führungsgruppe des Deutschen Ordens beim Ausbruch des Dreizehnjährigen Krieges*, [in:] *Der Blick auf sich und die anderen. Selbst- und Fremdbild von Frauen und Männern in Mittelalter und früher Neuzeit*, hrsg. v. Sünje PRÜHLEN [et al.] (Nova Mediaevalia, 2), Göttingen 2007, pp. 237–263.

³⁹ The speech of Jan Bażyński (according to Schütz, cf. Karol GÓRSKI, *Związek Pruski i podanie się Prus Polsce*, Poznań 1949, p. 155): „Aber Conrad von Erlingszhausen ... und Ludewig von Erlichzhausen wolte diesen Bund abhaben, und solte auch das gantze Land darüber zu bodem gehen”.

⁴⁰ Josef PIEPER, *Über die Gerechtigkeit*, München 1967, p. 11.

law was also a model. *Ius* and *iustitia* were interpreted as an implementation of authorization and execution of the law towards subjects⁴¹. *Iustitia* was supported by the authority of canonical and imperial law, as well as the national law (we are your law). The Teutonic Knights and their supporters claimed that the Confederates rebelled against the just law of the Order and the Church. They believed that, although under *iustitia* the subjects were obliged to be obedient and loyal, as people of a certain status (*ehrbar Leute*), they acted rebelliously.

The Prussian society (in the borders after 1309) crystallized on the basis of feudal law in corporations or institutions possessing many features of corporations. Certain ties were similar to the corporate ones and they developed among servant knights who were centered in commandries. The role of chivalric houses was only partially recognized, especially the Pomeranian ones. There was a corporate and a quasi-corporate culture of coexistence, based on a single faith and religious cult; shared aims, models of cooperation, group solidarity. This culture defined the forms of cooperation with other environments and foreigners. That is why the notion of *iustitia* refers to human laws in the Confederate argumentation; subjects of the authority, although equipped with guarantees. This assumption, in major part, specified the relations between the subjects and the authorities of the Order. It is visible in activities of distinguished figures of this period: Konrad von Erlichshausen's and J. Bażyński's. The Estates believed that the corporate model fully regulated interpersonal relations and was suitable for systemic regulations in Prussia.

The motto of justice of people towards other people constituted one of the bases of the ideology of the Prussian Confederation. It was defended by J. Bażyński in his address to the legate in 1451⁴². It is also powerfully expressed in the complaints of the Confederation about the Teutonic Order. Numerous examples of incidents of breaking the law come from the past, dating back to 1411. E. Weise suggests that it can substantiate the difficulty in quoting more current examples of these dealings from the period when the Prussian Confederation existed. However, on this basis, it can be inferred that not only in the memory of the Confederates did the violent crimes committed by the Teutonic masters against their subjects have a timeless and a symbolic dimension⁴³. The follow-

⁴¹ When the Estates paid tribute to Konrad von Erlichshausen, they asked the Grand Master to respect their privileges. The Grand Master responded that in exchange he had expected privileges of the Order by its subjects, cf. E. LÜDICKE, *op.cit.*, p. 8.

⁴² AST, Bd. 3, p. 243 n., no. 92, sections 17–20 and 255 n. (no. 92): „virde sache ist von gewalde wegen etc., wente veile ritter, knechte unnd burger, prister unnd geistliche lute unnd cortisannen sin gebrocht zum tode ane irfolgunge des gerichtes”.

⁴³ AST, Bd. 4, p. 307: on 4th February 1454, the townspeople of Toruń were blocking the Teutonic castle and expostulating the Teutonic knights attack on the Confederate legation in Moravia.

ing example best illustrates the way in which the righteousness of the Teutonic Order was perceived. In the summer of 1438, the Grand Marshal of the Teutonic Order, Heinrich von Rabenstein, visited the Chełmno Land, which caused the knights to massively flee to Toruń and Chełmno⁴⁴. Before the congress of 24 September, the Estates demanded from the Grand Master safe conduct passes.

Ludwig von Erlichshausen's readiness to yield in February 1454 was late. The point is that not only did the offers of the Teutonic Order include offers of concession, but coming back to the negotiation culture as well, which had been marginalized at least since the spring of 1451⁴⁵.

ACCUSATION OF UNORTHODOXY AND LACK OF RELIGIOUS ZEAL

The Middle Ages was the time when the accusation of heresy was the most serious accusation. What is more, unorthodoxy was being counteracted institutionally. Heretics, who were often idealized in historiography and represented as heroes of unorthodox thought, not only were subjected to repressions, but they also were excluded from the society, incessantly tortured, underwent humiliating procedures, were mocked by the mob which was inspired to do so. However, not only heresy, but also neglecting the duty of serving the church, or religious duties could become a reason to undertake church sanctions. What also followed was the deprivation of honor. A loss of credibility due to insufficient faith and ties with the church led to moral disqualification, and was perceived as disgraceful.

The State of the Teutonic Order was beyond any accusations in terms of orthodoxy. The Hussite movement, just like all other heresies, was stigmatized in all churches. The Hussite invasions in 1433 inspired even more hostility of the society towards this movement. Accusing somebody of having Hussite views, which was considered extremely dangerous, became a common invective in arguments. Lack of religious zeal among the Christians appeared in texts evaluating the condition of priesthood both in the Grand Master's legislature, as well as among bishops. It quickly became a typical polemical device, applied by the Church party in its arguments with the lay people. The Prussian Confederation, from the very beginning was defined by its enemies

⁴⁴ E. WEISE, *Widerstandsrecht*, p. 130.

⁴⁵ Cf. the source accounts about the Teutonic authorities alarm concerning the reports about introducing military formations by the leaders of the Prussian Confederation: in 1451 Jan Bażyński arrived to the Chełmno Land assisted by 6 men-at-arms, AST, Bd. 3, no. 121, p. 290; however, in August of 1453 regarding the Estate congress, convened in Grudziądz, where the representatives were supposed to arrive on horses and in armor, cf. AST, Bd. 3, pp. 689 f.; AST, Bd. 4, pp. 1–21. The Order argued that it had been against custom, which can be perceived as referring to some paragons of negotiation culture in the event of a growing tension between the conflicted parties.

as ungodly, and contradictory with the divine and natural laws. The Teutonic Order represented this view in Vatican⁴⁶.

The Teutonic Order's accusations which caused particular turbulence were the ones used in order to politically fight with the opposition. In Franz Kuschmalz's treaty, apart from regular accusations of unlawful action and acts against the freedom of church, what was also expressed was the view that the Confederates live in a state of sin. The Teutonic Order fully comprehended the offensiveness of the accusations included in the treaty, which can be learnt from the attempts to alleviate the situation by renouncing the accusations⁴⁷. In the final days of May, on the congress of the Estates, the bishop of Pomesania presented a letter from the church dignitaries in which they explained that the said treaty was drew up out of concern for common good. They also expressed understanding that in the atmosphere of impatience, it caused an outrage of the country, to some extent justified, as one could see questioning honor and dignity of the Estates⁴⁸.

From the very beginning the Grand Master's and his plenipotentiaries' actions to summon the papal legate staked on thin ice⁴⁹. One of the tasks of Louis de Silves was discovering whether religious life in Prussia was neglected. Even this doubt was considered offensive in public life. This is one of the reasons why the Teutonic authorities preferred to pretend that not only do they support sending a legate, but are also ready to defend their subjects against slanders. Even in the beginning of the negotiations, the Estates delegate responded to the legate that he would have found bad Christians and pagans in Portugal. In his address to the legate, J. Bażyński emphasized the fact that the Confederates are not „ketzer adir freveller des cristengloubens”⁵⁰. Both of the conflicted parties made

⁴⁶ E. LÜDICKE, op.cit., passim.

⁴⁷ More in E. LÜDICKE, op.cit. pp. 10 ff.; E. WEISE, *Widerstandsrecht*, 156 ff., underscores the impropriety of theses included in it, biased and emotional resonance, which put the Order in the role of *eines ungeeigneten Sekundanten*. Jan Bażyński expressed his outrage in the letter of 3 April 1446 addressed to the Grand Master, cf. R. GRIESER, op.cit., Anhang no. VI, quotation in footnote 13.

⁴⁸ AST, Bd. 2, no. 438, p. 703: (inter alia) „Nw vernemen wir, das man uns das zcum ergesten ausleet unde in ungedult hot uffgenommen, unde wir vernemen, das man uns schult gibt, wir hetten euch an ewir ere zere gereth, das unsir gedanken ny gewest seyn, sundir die vaer, die wir darinne betrachtet haben als euwir prelate und hirten [...]. Darumme, lieben ritter und knechte und lieben frunde, bitten wir unde begeren von euch, das ir sulche rede und gedanken abethut”. Cf. E. LÜDICKE, op.cit., pp. 10 ff. (in the light of given facts, the author's assumptions that Kuschmalz led the Prussian bishops at the time can be doubted). E. WEISE, *Widerstandsrecht*, pp. 156 ff.; K. GÓRSKI, *Zakon krzyżacki a powstanie państwa pruskiego*, Wrocław 1977, pp. 152 f. The content of the treaty is discussed in detail in E. LÜDICKE, op.cit., pp. 15 ff.

⁴⁹ E. LÜDICKE, op.cit., pp. 22 ff.; E. WEISE, *Widerstandsrecht*, pp. 169 ff.; M.-L. HECKMANN, *Zwischen Anspruch*, pp. 248 ff.

⁵⁰ E. WEISE, *Widerstandsrecht*, p. 169.

every effort so that the accusation of weakening of religiousness did not lead to imposing penance on the subjects, which would be connected with some costs, economically encumbering the whole country⁵¹. It is worth mentioning here how the Teutonic authorities were unwilling to let the subjects to participate in jubilee year at the beginning of 1450 in the fear of the economic hampering of the country⁵².

Once an open confrontation started, the Order did not recognize any brakes in discrediting the Confederates. The Prussian Confederation used a defaming campaign against the Order so as to incite the public opinion against the Teutonic knights. That is how the defaming statements (in an abbreviated and ferocious form) of the Warmian bishop, Franciszek Kuhschmalz, and the commander of Elbląg, Henryk Reuss von Plauen, became well-known⁵³. On the other hand, the Teutonic Order commanded priests to say that belonging to the Prussian Confederation caused living in the state of mortal sin⁵⁴.

SUBJECTS' HONOR AND DIGNITY

Lords of the land granted privileges which constituted the basis for building a sense of honor and dignity. The process which can be seen in Prussia was a part of a European-wide phenomenon consisting in growing aspirations of new people who were subjects; however, thanks to their exceptional skills and social qualifications, were free from encumbrances for their lords⁵⁵. Obviously, the group adapted values and notions from the chivalric tradition for its own needs, including the principle of a need for military defense of honor and dignity⁵⁶. There were some conflicting interests among the Confederates, which the Order could use to achieve its ends. The more important it is to explain the creation and continuity of solidarity of the townspeople and knights. The tradition of common beginning in Prussia could have constituted the cultural basis, which was expressed in a legend referring to living together in a stronghold during the

⁵¹ E. LÜDICKE, op.cit., pp. 27 ff.

⁵² More Axel EHLERS, *Die Ablasspraxis des Deutschen Ordens im Mittelalter* (Quellen und Studien zur Geschichte des Deutschen Ordens, Bd. 64), Marburg 2007, pp. 332 ff.

⁵³ AST, Bd. 4, p. 225, a report of 9 December 1453 of the vogt of Lipienko to the Grand Master, among others about the atmosphere in Toruń: „wy meyn herre von Heilsberg und der komphthor vom Elwinge smelichin gehont und gesmeet solin habin vor unserm allernedigsten hern dem keyser und yn sullen zcugelegt haben, wy sy heyden unde hunde sint und haben sy geleichet Lucifer”.

⁵⁴ E. LÜDICKE, op.cit., p. 179.

⁵⁵ The phenomenon is discussed more broadly (albeit only starting from 14th century) by Susan REYNOLDS in *Fiefs and Vassals: the Medieval Evidence Reinterpreted*, Oxford 1994.

⁵⁶ The viewpoint presented here obviously does not have any connection with the historiographic myth of Fehde, cf. Hans H. KORTÜM, „Wissenschaft im Doppelpass”? *Carl Schmitt, Otto Brunner und die Konstruktion der Fehde*, *Historische Zeitschrift*, Bd. 282: 2006, pp. 585–617.

times of war with the pagans. The functioning of the military organization in the country gave the opportunity to a solidary attitude of the townspeople and servant knights against the lords and chiefs to emerge. The subjects were exposed to a confrontation with the privileged position of the Order and the prelates on an everyday basis.

The awareness of a common fight of the Order and newcomers against the pagans and cooperation in building a new reality of Prussia between 13th and 14th centuries was of great importance. It was emphasized by J. Bażyński (2 January 1451) when he stated that the Teutonic Order and the Prussian Confederation invoked the common ideals of chivalry, obliging them to fight injustice, to defend the weak and the oppressed⁵⁷.

The transformations in relations between the Teutonic Order and the Estates is presented in the literature as a loss of balance due to growing demands of the Estates in the post-Tannenberg period. However, series of sources which indicate incessant humiliations that the subjects endured from their Teutonic lords can be juxtaposed. A carthusian, Heinrich Beringer, mentioned that when the subjects invoked the Kulm law, the Teutonic knights were to respond: „And what is the Kulm law? We are your law”⁵⁸. Written privileges would be ignored, or even people were forbidden to invoke them⁵⁹. It seems that the extent of the rights of knights who held land were limited to a greater extent, even in such marginal cases as fishing⁶⁰.

Petty disputes were gradually transforming into political ones. Both parties reached for arguments from general values included in morality, religious obli-

⁵⁷ „Item das recht spricht, c. 9 C XXIII qu.8, «Omni timore»: Alle ritterschaft ist gesatz und gemachet umb zweierlei sachen: Zum ersten uszutreiben die ungerechtheit, zum andern die, umb rettunge zu vollbringen”, quotation from E. WEISE, *Widerstandsrecht*, p. 171, footnote 4. For the earlier period, turn of 14th and 15th c. cf. Roman CZAJA, *Gesellschaft und Landesherr im Ordensland Preussen zu Beginn des 15. Jahrhunderts*, *Zapiski Historyczne*, vol. 75: 2010, no. 4, pp. 553–565, considering earlier body of literature; Stefan KWIATKOWSKI, *Spółczesność pruskie wobec Zakonu po 1410 r. Pokolenie, które przeżyło Grunwald*, [in:] *Conflictus Magnus apud Grunwald. Między historią a tradycją. Materiały z Międzynarodowej Konferencji Naukowej „Grunwald-Tannenberg-Žalgiris” zorganizowanej 20-24 września 2010 r. w Malborku i Krakowie*, red. Krzysztof OŻÓG, Janusz TRUPINDA, Malbork 2013, pp. 159–172.

⁵⁸ *Die Ermahnung des Carthäusers*, hrsg. v. Theodor HIRSCH, [in:] *Scriptores rerum Prussicarum*, Bd. 4, Leipzig 1870, p. 458.

⁵⁹ AST, Bd. 3, p. 578, account of the Commander of Ostróda about his argument with a knight from his region.

⁶⁰ AST, Bd. 4, p. 225 f.; H. BOOCKMANN, *Zakon*, p. 237; Jürgen SARNOWSKY, *Die ständische Kritik am Deutschen Orden in der ersten Hälfte des 15. Jahrhunderts*, [in:] *Das Preussenland als Forschungsaufgabe. Eine europäische Region in ihren geschichtlichen Bezügen. Festschrift für Udo Arnold zum 60. Geburtstag gewidmet von den Mitgliedern der Historischen Kommission für ost- und westpreussische Landesforschung*, hrsg. v. Bernhart JÄHNIG, Georg MICHELS, Lüneburg 2000, pp. 403–422.

gations and law. The politics in medieval sense was supposed to serve the implementation of human values which included: durable belonging to a Christian community and the feeling of fulfilling ideals (faithfulness, honor, chivalry). The Order reached for the ideological instruments of justifying ducal power over the country which crystallized in the Reich, and for the immunity of the rights of the church. Both were defended by moral qualifications. Not only was it considered punishable to fight these laws, but more importantly, it was considered disgraceful and sinful. Initially, the representatives of the Estates were not prepared for it. When the bishop legate Silves came, they demanded (quite successfully) that the Grand Master defend the country against „doctors”, accusations in terms of general doctrine⁶¹. As soon as in summer of 1451, the dukes of the Reich also made accusations against the Estates.

The representatives of the Prussian Confederation had been intrusively asking the Grand Master to vouch for his subjects, but he refused. They heard that they had to respond to the accusations themselves and in their own name, pointing out that they were acting without the Teutonic Order's acceptance⁶². However, the Estate's opposition was gradually becoming of a more and more universal gravity, applying not only to particular privileges, but also to political bases of its activity, using the help of professional lawyers⁶³.

The feudal law in Prussia was only partially applied, but tribute pledges referred to it. These tributes were pledged to the Grand Master by the social representations. These acts were particularly visible on the cultural grounds. The status of vassal included a sense of personal dignity and honor, made him a partner, thought visibly subjected to the lord. The ruler – in Prussian practice of the middle 15th century, the Grand Master – accepted the allegiance pledged by people of the society of honor. Thus, he could not question their honesty and reliability without any reason.

Franz Kuhschmalz, the bishop of Warmia, was the initiator of applying the doctrine of the West in argumentation against the Estate opposition. It stemmed from his experience, as he had already known the inefficient (from the authority's point of view) hassle for the subjects' privileges. The prelates were ignor-

⁶¹ E. LÜDICKE, op.cit., p. 37; E. WEISE, *Widerstandsrecht*, p. 170; M. BURLEIGH, *Anticlericalism in Fifteenth-Century Prussia: the Clerical Contribution Reconsidered*, [in:] *The Church in Prereformation Society*, eds. Caroline M. BARRON, Bill Ch. HARPER, Woodbridge 1984, pp. 38–47.

⁶² AST, Bd. 3, p. 298.

⁶³ Stephan SELZER, *Nachholende Professionalisierung. Beobachtungen zu den Gesandten des Preussischen Bundes in den Auseinandersetzungen mit dem Deutschen Orden*, [in:] *Spezialisierung und Professionalisierung. Träger und Foren städtischer Aussenpolitik während des späten Mittelalters und der frühen Neuzeit*, hrsg. v. Christian JÖRG, Michael JUCKER, Wiesbaden 2010, s. 121–142.

ing the national law⁶⁴, and some of the brothers of the Teutonic Order followed them, especially the part close to the supporters of L. von Erlichshausen.

A new situation emerged when the Order attempted to break the Estate opposition and tried not only to use the doctrine, but external, universal authority. The reasons for Luis Perez's legation were considered to demean the dignity of the Teutonic Order subjects.

However, up to this point the Order had been hoping to avoid an open confrontation. The situation changed once the Emperor was appointed arbiter and judge. The Order sent headstrong enemies of the Estate Confederacy to the Habsburg court. These representatives were aware of the Reich dukes' support and hence they were behaving arrogantly⁶⁵.

Initially, the Confederation was self-confident, depended on the strength of its arguments and a considerable sum of money. The leaders pretended that the delegation of the Confederation to the court achieved successes, which were supposed to be stressed by public exhibition of the Imperial confirmations⁶⁶. However, it mainly suffered defeats, initiated by an attack on its legation and a loss of goods intended for formal and informal court proceedings. The court sessions led to humiliating the Estates polemics and accusations, with the encouragement of the arbiters. The plenipotentiaries of the Teutonic Order demanded that dignity be returned to these confederates who broke their ties with the Confederacy. Jan Bażyński expressed the impressions of these days in his address to king Casimirus IV: „[...] er schalt uns für Ketzler, Verretter, rebellische und abtrünnige Leute”⁶⁷.

Similar content was included in the termination act: „Ouch so hat uns euwer wirdikeit gelobet zcu halden vor euwer lieben getruwen, so hat uns euwer wirdikeit lassen schenden, lestern, unerren, meyneide und vorretnisse zugelelgt und gezogen, uns vor eigen gesprochen, unsere veter und vorfaren getruwe dinste, dem orden gethan, nicht habet wolt zcustehen, und viel lesterliche schriffte von uns konigen, fursten, herren, gemeinheiten, steten obergaben habt und hulffe, radt und beystandt an fursten und hen widder uns suchet und gesucht habet”⁶⁸.

The war broke out due to radicalization of the conflicting forces in Prussia: the Teutonic Knights and the social elites. The agenda of the new leadership circle of the Teutonic Order was based on legal-system reclamations. If the Prussian Confederation party decided to start a military resistance, then its aim was an extensive program of values and building on its basis a new country order. Thus,

⁶⁴ AST, Bd. 2, p. 693; E. LÜDICKE, op.cit., p. 32 ff.

⁶⁵ E. LÜDICKE, op.cit., p. 196 ff.; E. WEISE, *Widerstandsrecht*, p. 173 ff.

⁶⁶ Cf. *Die Staatsverträge des Deutschen Ordens in Preussen im 15. Jahrhundert*, Bd. 2: (1438–1467), hrsg. v. Erich WEISE, Marburg 1955, no. 189 f.

⁶⁷ Cf. K. GÓRSKI, *Związek Pruski*, pp. LIV, 155.

⁶⁸ AST, Bd. 4, pp. 300–302.

inefficiency of the traditional order was proclaimed. It consisted in the fact that at least since the end of 14th century, a certain culture existed in Prussia, which found expression, among others, in the Teutonic Order's relations with its subjects: reciprocal respect and living in a culture of negotiation. Political consisted in norms respected by parties and were led in a certain framework. Regarding L. von Erlichshausen's and his people's agenda, this culture turned out to be fallible. Searching for system solutions and arbitrage outside Prussia turned out to be a breakthrough. After all, J. Bażyński, as a supporter of peace and agreement, was in favor of the Confederation's dissolution in exchange for drawing up privileges and guarantees⁶⁹. Thus, the non-existence of the Prussian Confederation caused a crisis.

The aims of the Estates and the Order were of local scope, limited to Prussia. They only wanted to establish order in accordance with their view. In the 20th century historiography, the phrase „in accordance with their interests” would have been used, but it does not only pertain to the verbal aspect, but to the thinking behind this pragmatic historiographic practice connected with the belief that the aim of science is to discern the phenomena which can be said to objectively exist, although not accessible for common (meaning non-academic) minds. This conceptualization seems to be too limited. *The Teutonic Knights* represented in Prussia a type of culture which they brought from abroad, from their countries of origins, drawing from the monastic statutes and monastic rules. The Prussian society (in the borders after 1309) crystallized on the basis of feudal law in corporations or institutions possessing many features of corporations (servant knights centralized in commandries). Furthermore, a corporate culture of coexistence emerged, based on common faith and religious cult; sharing goals, models of cooperation and group solidarity. The culture specified forms of cooperation with other environments and with foreigners. The models of functioning created in this society specified to a large extent the relations between the subjects and the Teutonic authorities. It is visible, among others, in workings of the distinguished figures of this period: K. von Erlichshausen's and J. Bażyński's.

Moreover, the key concepts mentioned above and their understanding can be the result of superimposition of the language on values and forms on functioning which were shaped in corporations.

These two cultural systems: the Teutonic and the Estate, specified the aims of war between 1454 and 1455⁷⁰. Both sides of the Prussian conflict, even in

⁶⁹ R. GRIESER, *op.cit.*, p. 128, believes that if Jan Bażyński's aim was to establish a compromise between the Teutonic Order and its subjects, then only at the expense of the Teutonic Knights.

⁷⁰ M. BISKUP, *Trzynastoletnia*, pp. 36 ff. K. Górski justified this periodization (*idem*, *Pomorze*, p. 88): „The first period – is the period of the uprising of the subjects of the Teutonic Order [...]. Simultaneously, the culminating and turning point is the battle of Chojnice, and it lasts

the initial stage of the war, found themselves at a disadvantage. Initially, the aim of both of the antagonists was to establish a national system according to their respective plans. After 1455, the aim of both sides of the conflict was survival. After the uprising broke out, the church authority, despite temporary successes, could not have been maintained. The hospital for the German nobles who ruled the country on the basis of the rights of clerical corporation was in a ruin. On the other hand, the Estate's euphoria was buried after the battle of Chojnice defeat. The Confederates had not yet suffered devastating losses⁷¹. However, the knights of Prussia turned out to be helpless against mercenaries more and more boldly plundering the country. The Confederation received a decisive blow when a party of mercenaries from Gniez captured Świecie on 10 July 1455. Many confederate knights died, some of them were taken captive⁷². From then on, the military significance of the Prussian knights became marginal. Their leaders relentlessly supported the Confederation, retained their honors and titles granted by the king, but their social support among knights decreased, and together with it – the values creating the system together with social basis. Great cities led by oligarchic elites, practically intact by the war, continued the fight, but mainly for retaining their economic position. Particular interests were of greater and greater importance in their activities. However, the issues causing cruelty in interpersonal relations were still important for the Estates: conflict between different loyalties, personal arguments with a political background⁷³. The balance of aims of war for the Estates is paradoxical, as the struggle for legal and economic privileges was won.

The pace of change in this situation is reflected in sources. Recesses from proceedings and letters illustrate the dynamics of transformations better. In chronicles, even those written relatively shortly after the war, the period between 1450 and 1455 is poorly reflected. The chroniclers focused on the military events, death and devastation⁷⁴. The Gdańsk historiography constitutes an exception,

from the beginning of military activities [...] until September of 1455, that is until Kneiphof was captured. Later, the unpaid Teutonic military refuse to fight, Poland and the Confederation are exhausted. In this period, the Prussian Confederation suffers the most, as it emerges defeated, yet not destroyed [...].” M. BISKUP, *Trzynastoletnia*, p. 36 ff., discerned the first „period when the Polish levée en masse was advantageous” (until the end of 1460) according to the external factor contribution.

⁷¹ M. BISKUP, *Trzynastoletnia*, pp. 264 ff.

⁷² K. Górski emphasizes this fact's significance (idem, *Pomorze*, pp. 94 f.); M. Biskup possibly undervalues it, M. BISKUP, *Trzynastoletnia*, p. 389.

⁷³ Cf. *Society at War. The Experience of England and France During the Hundred Years War*, eds. Christopher T. ALLMAND, Woodbridge 1998 (1. edition 1973), it is a collection of documents translated into English, for the topic especially pp. 172 ff.: *The Problems of Peace*.

⁷⁴ Cord ULRICHS, *Der 13jährige Krieg zwischen dem Deutschen Orden und dem preußischen Ständebund im Spiegel der „Geschichte von wegen eines Bundes“ und anderen Chroniken*, [in:] *Krieg und Verbrechen nach spätmittelalterlichen Chroniken* (Kollektive Einstellungen

written in the town which was successful at the beginning of the war and was not directly affected by failures⁷⁵. The late-medieval war lost its aspects of ethos and honor, belligerence and chivalric adventure; it became professionalized. The state and the local populace were helpless against the organized groups of mercenary soldiers, demoralized and cruel because they had not received soldier's pay⁷⁶. The external factors achieved a continuous advantage: king Casimirus and his monarchy; and mercenaries hired by all sides of the conflict.

The issue of cultural context is also important from the point of view of fight for Estate privileges. The cultural foundation of the privilege was dignity and honor of the privileged party. The loss or questioning this feature meant loss of rights to the privilege. The issue concerns the subjective justification of state authority in the Middle Ages as well. Power over country was a privilege, most often possessed due to the universal formula *Dei gratia*; meaning that it was based on a special authentication. The leaders of the Prussian Confederation, apart from strictly political activities, criticized the Teutonic Order. In the critical moment of abandoning allegiance, it did not refer to the evil *Herrschaft*, but to breaking honorable commitment of the Teutonic Orders to the subjects. Thus, they questioned the privilege of Teutonic lords to rule over Prussia.

AIMS OF WAR – RESEARCH POSTULATES

The basis for the present essay is a body of cultural values which became, as it can be hypothetically assumed, the subject of the conflict between the national authority and the subjects. It has an introductory nature, as it is based on a review, and not a systematic critique of the sources. The history of the breakthrough decades in Prussia of the 15th century, at first glance, have already been

und sozialer Wandel im Mittelalter NF, Bd. 4), hrsg. v. Christoph HEIDUK [et al.], Köln 1997, pp. 185–241; Rolf SPRANDEL, *Die Subjektivität der Chronisten nutzen: Krieg und Verbrechen im Bilde der spätmittelalterlichen Chroniken*, [in:] *Die Geschichtsschreibung im Mitteleuropa*, hrsg. v. Jarosław WENTA, Toruń 1999, pp. 291–303; Gerrit HIMMELSBACH, *Kriegsmonographien und das Bild des Krieges in der spätmittelalterlichen Chronistik am Beispiel der Burgunderkriege*, Zürich 1999; Marie-Luise HECKMANN, *Krieg und historische Erinnerung im landesherrlichen und im städtischen Milieu des Hanseraums*, [in:] *Das Bild und die Wahrnehmung der Stadt und der städtischen Gesellschaft im Hanseraum im Mittelalter und in der frühen Neuzeit*, hrsg. v. Roman CZAJA, Toruń 2004, pp. 115–162.

⁷⁵ Jolanta DWORZACZKOWA, *Dawne dziejopisarstwo gdańskie do połowy XVI wieku*, Gdańsk 1962; M. WÜST, op.cit., pp. 118 ff.

⁷⁶ Leopold AUER, *Formen des Krieges im abendländischen Mittelalter*, [in:] *Formen des Krieges. Vom Mittelalter zum „Low – Intensity – Conflict“*, hrsg. v. Manfred RAUCHENSTEINER, Erwin A. SCHMIDL, Graz–Wien–Köln 1991, pp. 17–43, especially pp. 33 ff.; Philippe ROGGER, Benjamin HITZ, *Söldnerschaften – räumliche Logiken und Gewaltmärkte in historische-vergleichender Perspektive. Eine Einführung*, [in:] *Söldnerschaften. Frühneuzeitlichen Gewaltmärkte im Vergleich*, hrsg. v. Philippe ROGGER, Benjamin HITZ (Zeitschrift für Historische Forschung, Bd. 49), Berlin 2014, pp. 9–43.

scrutinized in detail, hide numerous unexplained phenomena, are also blurred by excessively occurring (*Vor*)urteile of previous political and religious formations. This category embraces vourts *a priori* referring to values which were ascribed to the parties of the conflict. Idealistic references, which this essay draws upon, were connected with ascribing the Estate opposition attempting to acquire freedoms and political rights. Nowadays, the conceptualizations which attributed the parties nationalistic motifs are completely outdated.

We can be doubtful whether Medieval studies researching the history of the Teutonic Order and its Prussian rule is sufficiently prepared to extend the research catalog proposed here. The well-known sources are not assisted by satisfactory edition of the sources. The basis for developing an interdisciplinary cooperation between historians and philologists, philosophers, theologians and specialists from related humanities is not prepared to a satisfactory degree. The problem of the present times, which cannot be omitted, is the theoretical-cognitive breakthrough in human sciences. Not only does it refer to the revision of traditional (and high) evaluation of the value of findings of history. The medievalists are currently able to specify the results of earlier historiographic conceptualizations in terms of products of a specific (sub)culture, which is the science of the modern era. What remains a problem is specifying their own intellectual and cultural identity, which is connected with credibility towards the recipients of the historical works.

(*transl. by Marek Placiński*)

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KONFLIKT O WARTOŚCI W GENEZIE I POCZĄTKU WOJNY TRZYNASTOLETniej

Streszczenie

Słowa kluczowe: zakon krzyżacki, Związek Pruski, prawo i sprawiedliwość w znaczeniu kulturowym

W przededniu wojny trzynastoletniej stanęły naprzeciwko siebie dwie koncepcje ładu krajowego: zakonna i stanowa. Ścierały się one ze sobą od dłuższego czasu, aż w końcu stały się nie do pogodzenia. Zakon, jeśli chodzi o zasadę, stał na gruncie priorytetu prawa Bożego, z zasady niezmiennego, wiecznego. Jego poddani, skonfederowani w Związku Pruskim, powoływali się na to, co przysługuje poddanemu z racji otrzymanych przywilejów, prawa pozytywnego, pojmowanego jako gwarancja zachowania sprawiedliwości między ludźmi.

Podstawą sporu o wartości stało się pojęcie *ius* i pochodne od niego: *iustitia* i *iustum*, zaprawdzające ład w stosunkach między ludźmi, regulujące to, co przysługiwało człowiekowi w relacjach z innymi ludźmi. Zakon, jako duchowny pan kraju, stał na stanowisku, że *iustitia* opiera się na autorytecie prawa kanonicznego i cesarskiego, następnie władzy krajowej wyposażonej w przyrodzone prerogatywy (znany jest cytat opinii brata zakonnego wobec poddanych: „my jesteśmy waszym prawem”). Krzyżacy i ich poplecznicy twierdzili, że związkowcy występują przeciw słusznym prawom Zakonu i Kościoła, że chociaż na mocy *iustitia* poddani są zobowiązani do posłuszeństwa i lojalności, to jako ludzie o określonym, wysokim statusie postępują buntowniczo, czyli niegodnie.

Związkowcy powoływali się na przywileje należące do prawa krajowego. Na nich opierali poczucie swej godności (*ehrbar Leute*) i subiektywne rozumienie sprawiedliwości. Postawy tej nie można zrozumieć bez uwzględnienia jej kulturowego kontekstu. Według związkowców na mocy ogólnego wyobrażenia o prawie i sprawiedliwości przywódcy zakonni i prałaci mieli być związani powinnością zachowania sprawiedliwości człowieka względem drugiego człowieka, oddania tego, co mu się należy. Dlatego w argumentacji związkowej pojęcie sprawiedliwości odnosi się do praw ludzi, którzy są poddanymi władzy zakonnej, ale wyposażonymi w prawne gwarancje. *Ius* i *iustitia* miały być fundamentem z jednej strony ładu krajowego (zapewnienie dobra powszechnego, w szczególności pokoju i sprawiedliwych sądów), z drugiej zaś – gwarancją czci i honoru poddanych.

To założenie w znacznej mierze określało faktyczne stosunki poddanych z władztwem zakonnym już w okresie wcześniejszym. Jednakże w połowie XV w. przedstawiciele Zakonu i Związku Pruskiego zradykalizowali swe pozycje. Krzyżacy dążyli do umocnienia swoich władczych prerogatyw w kraju. W argumentacji związkowców, zasługującej zresztą na uwzględnienie przez historyka jej antropologicznych aspektów, Zakon pogwałcił prawa mieszkańców Prus, a przez swoje zarzuty wobec nich zniesławił ich i zakwestionował publicznie, na szerokim forum ich poczucie godności, honoru i prawowierności.

DER WERTEKONFLIKT BEI DER ENTSTEHUNG
UND AM ANFANG DES DREIZEHNJÄHRIGEN KRIEGS

Zusammenfassung

Schlüsselwörter: Deutscher Orden, Preußischer Bund, Recht und Gerechtigkeit in kultureller Hinsicht

Am Vorabend des dreizehnjährigen Kriegs standen sich zwei Konzeptionen von der Ordnung im Land gegenüber: die des Ordens und die der Stände. Sie hatten sich seit langem aneinander geliebt, bis sie nicht mehr miteinander zu vereinbaren waren. Was ihre Grundsätze betraf, so vertrat der Orden den Vorrang des göttlichen Rechts, dass seinem Wesen nach unveränderlich und ewig war. Seine Untertanen, die im Preußischen Bund zusammengeschlossen waren, beriefen sich auf das, was einem Untertanen aufgrund der erhaltenen Privilegien zustand, nämlich auf das positive Recht, das als Garantie für die Wahrung der Gerechtigkeit unter den Menschen verstanden wurde.

Grundlage für den Streit um die Rechte wurde der Begriff des *ius* und der davon abgeleiteten *iustitia* und *iustum*. Sie würden Ordnung in die Beziehungen der Menschen untereinander bringen und das regeln, was einem Menschen in seinen Beziehungen zu anderen Menschen zustehe. Der Orden stand als geistlicher Herr des Landes auf dem Standpunkt, dass die *iustitia* sich auf die Autorität des kanonischen und kaiserlichen Rechts stütze, danach auf die Herrschaft im Land, die mit angeborenen Vorrechten ausgestattet sei (bekannt ist die Äußerung eines Ordensbruders gegenüber Untertanen: „Wir sind euer Recht“). Die Ordensritter und ihre Anhänger waren der Meinung, dass die Mitglieder des Bundes sich gegen die gerechten Rechte des Ordens und der Kirche wandten. Auch wenn die Untertanen durch die *iustitia* zu Gehorsam und Loyalität verpflichtet seien, so verhielten sie sich als Menschen von einem bestimmten, hohen Rang, aufrührerisch und damit unwürdig.

Die Mitglieder des Bundes beriefen sich auf Privilegien, die zum Landesrecht gehören würden. Auf sie stützten sie das Bewusstsein ihrer Würde (ehrbar Leute) und ein subjektives Verständnis von Gerechtigkeit. Diese Haltung ist unverständlich, wenn man nicht ihren kulturellen Kontext berücksichtigt. Nach den Mitgliedern des Bundes waren die Führer des Ordens und die Prälaten entsprechend einer allgemeinen Vorstellung von Recht und Gerechtigkeit durch die Pflicht gebunden, einem Menschen gegenüber einem anderen Menschen Gerechtigkeit widerfahren zu lassen und ihm das zu gewähren, was ihm zustand. Deswegen bezog sich in der Argumentation des Bundes der Begriff der Gerechtigkeit auf die Rechte der Menschen, die der Ordensmacht untertan, aber mit rechtlichen Garantien versehen waren. *Ius* und *iustitia* sollten einerseits das Fundament der Ordnung im Land sein (Sicherung des Gemeinwohls, besonders von Frieden und gerechten Gerichten), andererseits eine Garantie für Ansehen und Ehre der Untertanen.

Dieser Grundsatz umschrieb weitgehend die tatsächlichen Beziehungen, wie sie zwischen den Untertanen und der Ordensherrschaft schon in früherer Zeit geherrscht

hatten. Doch in der Mitte des 15. Jahrhunderts radikalisierten die Vertreter des Ordens und des Preußischen Bundes ihre Positionen. Der Orden war um eine Festigung seiner Herrschaftsprärogativen im Land bemüht. Nach der Argumentation der Mitglieder des Bundes, deren anthropologischen Aspekten die Historiker übrigens Beachtung schenken sollten, hatte der Orden die Rechte der Einwohner Preußens verletzt, sie durch seine Vorwürfe an sie verleumdet und ihr Gefühl für Würde, Ehre und Vertrauen öffentlich auf breiter Front in Frage gestellt.

