

## II. REVIEW

### OUTLAWS AND WRONGDOERS IN 15<sup>TH</sup> AND 16<sup>TH</sup> CENTURY TRANSYLVANIA

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The painting by Pieter Bruegel on the cover of the book is a typical image for the period of time on which the author also focuses, the image of a dark forest and a landscape that is mostly wild, dotted at times with fortifications, with the gallows as its center, an image that is symbolic for the heavily sanctioning regime of the era, as death by hanging was one of its specific penalties.

Set at the meeting point between law and history, the text takes us through what society meant at that time (monarchy, church, social structures, familial structures), being both a historical analysis and a work of legal history, taking into consideration the legislation and sources of the law, the crimes and the criminals, and the judicial apparatus. Also, at the borderline between worlds is the territory explored by the author, Transylvania, whose history the author presents to us „cleansed of obstructionist cliches,” as PhD Associate Professor Șerban Turcuș calls it in the afterword. This text is the doctoral thesis of the author, prefaced by his thesis advisor, the late professor Nicolae Edroiu, PhD, who, as we do, believes the thesis to be “one of the most fully realized and appreciated doctoral theses” in the field.

The first chapter is a methodological and historiographical digression on the issues discussed, necessary to clarify the author’s motivation, the time period he has in mind, the sources (multiple and diverse: toponymy, iconography, archaeology, Medieval literature, and especially the chancellery documents and the written sources). The next chapter begins with the legislative

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basis of the era, the decrees, subsequently considering the two essential components to the process of defining criminality – the king, the kingship, and the Roman-Catholic Church. This chapter provides an overview of the rich Ecclesiastical span of criminality (tied to marriage and sexuality: concubinage, homicide between spouses or relatives, domestic violence, seduction, rape, polygamy, homosexuality, incest, pedophilia, prostitution, etc, but also to the sacred, to clerical functions and dogma: simony, heresy, sacrilege, perjury, etc.). A distinct category is the one related to the invocation of forces from beyond (divination, magic). The final part of this chapter is dedicated to the study of the phenomenon of the socially marginalised of the time, sometimes correlated to the phenomenon of criminality, but sometimes not, as the marginalisation stemmed exclusively from fear and prejudice (the mentally ill, the lepers, the Jews, the Muslims, the gypsies, the schismatics, the pagans, etc.). For these situations, the author identifies, in the documents and sources of the time, concrete cases, assembling, for the first time, an extremely interesting casuistry. Chapter III analyses law in the kingdom of Hungary, while Chapter IV focuses on the judicial structures (the judicial apparatus, procedures, privileges, detention spaces and torture) of the kingdom of Hungary, the state under whose jurisdiction Transylvania was at the time.

The final chapter deals with crimes against the king, but also the crimes that, in part, can be found regulated in the penal legislation of today (robbery, murder, physical assault, verbal assault, arson, destruction, forgery and use of forgery, abuse, embezzlement, as well as attempt of any of the aforementioned crimes).

Based in an extremely rich bibliography, the text represents an ample work of documentary research of the sources of the time through the study of the collections of documents, but also of law and chronicles, historical summaries, texts with a broader scope, studies and articles, literature, patristics, amounting to hundreds of bibliographical sources.

Without claiming to be perfect or complete, the text is a historical endeavor that is unique, for the time being, in our historiography, which, although it desires to be, according to the author, a beginning, a source of new questions, with no definitive conclusions, and a starting point for new research, is in reality a demonstration of true scientific research, rich in information, the kind that we can rarely find anymore in the present.