

PhD Dissertation Thesis

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THE COUNCIL OF VÁRAD AND ITS CONSTITUTIONS

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Debrecen, 2011.

I. Review of the theme. Aims of the thesis.

This thesis is aiming at presenting the historical background for the Synod of Várad (Oradea) in 1524 and as well as the decrees passed there. From the point of view of legal history, the Code of Várad is unique as this is the only existing code of medieval origin from the Archbishopric of Kalocsa. In the Middle Ages the clergy of a given diocese learnt about relevant ecclesiastical orders at a synod where the bishop promulgated them. Episcopal decrees passed at the diocesan synod were vital laws of particular legislation. The sacraments and the ecclesiastical discipline of a given bishopric were controlled by these orders. Therefore, it is my fundamental role to expose the dogmatic, pastoral and canonical indoctrinations of the medieval church through the unique and general regulations made at the Synod of Várad.

Vince Bunyitay was the first one to report on the Synod of Várad, convened by Bishop Ferenc Perényi (1514-1526) in 1524, and on its decrees in the first volume of his monography entitled *The History of the Bishopric of Várad*. He only referred to the Synod of Várad in a few sentences and remarked that its decrees were still unpublished. The full publication is therefore still unavailable because Remig Békefi published only two articles out of the thirty-nine, whose initial lines are *Sequitur sextum sacramentum de ordine clericali* and

De promovendis ad sacros ordines, respectively. Consequently, before writing this thesis I had to publish the original source in order to be able to examine the synodal texts from a greater perspective.

The other fundamental aim of this thesis is to place the Decrees of the Synod of Várad into the family of Hungarian and European synodal books. On the one hand, the relationship between the canon laws of the two main churches in Hungary, referring to the Roman Catholic Church and the Reformed Church, as well as the relation between their legal and pastoral theological decrees in the Middle Ages are still unexplored. On the other hand, doing research on synodal regulation has always had a great tradition in Hungary. Four out of the five existing medieval synodal books, namely the Constitutions of Esztergom, Nitra, Szepes and Veszprém originate from the Archdiocese of Esztergom. The codicological examination of the Constitution of Esztergom was initiated by Gedeon Borsa. After carrying out a detailed review of the Synodal Book of Esztergom, Péter Erdő unravelled the foreign canonical sources of this book. The systematic presentation and evaluation of the decrees passed at the Synod of Várad became complete when László Solymosi published their critical edition. With the works of the previously mentioned authors the research on the textual criticism and source history of the synodal books of Esztergom came to an end. It is obvious from the

above that Hungarian research focused on the synodal activity of the Province of Esztergom. By using these results the scope of the current research on medieval legal written discourse has been extended to also include the Province of Kalocsa. The uniqueness of the decrees lies in their local specialities and in the practice of law. The interval of this research extends as far as 1526 when Bishop Ferenc Perényi died.

As mentioned above, this thesis is aiming at placing the Decrees of the Synod of Várad not only in a Hungarian legal context but also in a European one. The governmental importance of the diocesan synod in the fact that ecumenical and provincial counciliar regulations were promulgated to the attendees. Therefore, it is not surprising that most of the published regulations could be traced back to the canons of ecumenical councils. Odette Pontal went to great lengths to show that the collection compiled by Petrus de Sampsona had had a remarkable effect on the texts of French diocesan synods, and later it became widespread in the medieval canonical practice of law in several countries.

II. Applied methods

Three different methods can be distinguished regarding this thesis. One of them is source criticism. There is no printed version of

the Decrees of the Synod of Várad available, only their handwritten version survived, which makes their studying difficult. Therefore, before writing the dissertation I had to prepare the text-critical edition of all the Synodal Decrees of Várad based on the manuscript marked DL 29416 and held in the National Archives of Hungary. A copy of this source publication, which has been long awaited by the clerical and the secular world, can be found in the appendices.

The second method applied is description. This study is clearly divided into three distinctive units but their contents are closely related. The first unit presents the historical background of the Synod of Várad in 1524. In the Middle Ages a diocesan synod was a legal institution supporting the governance of a given diocese. This research sums up the synodal activity of the Province of Kalocsa and also presents the intellectual and cultural sphere in which the decrees themselves were made. It clarifies the concept of a synod and its types, and gives a brief survey of the diocesan synods of the Hungarian ecclesiastical provinces.

It was rather difficult for the Province of Kalocsa to observe the universal canon law and to hold an annual diocesan synod. The necessary canonical knowledge could only be acquired at universities. It was challenging to generate revenue for financing university studies when the area itself was exposed to a threat from the Turks. Synods

were held more regularly in the Province of Esztergom than in the Archdiocese of Kalocsa. Based on the available sources, the synodal activity of these two Hungarian archdioceses was far behind that of other European ecclesiastical provinces. This thesis places the Decrees of the Synod of Várad in 1524 into the context of Hungarian synodal activity. It presents the life of Bishop Ferenc Perényi, who convened the aforementioned synod, as well as presents the location, its date and participants. It also gives a review of the reasons which made the bishop congregate this synod. The members of the Cathedral Chapter, members of the Collegiate Chapter of St. Stephen of Váradelőhegy, as well as the members of the Chapter of Blessed Virgin Mary and members of the Chapter of St. John along with the abbots, archdeacons, priests and friars took part in this synod. The bishop relied mainly on the chapters in his practice of ecclesiastical legislation. The unnamed lawmakers included canons with theological, canonical and liturgical knowledge from the cathedral.

After that, the structure of the Decrees of the Synod of Várad and that of the Hungarian synodal books are compared. Therefore, the third method used is analytical comparison. Apart from the above mentioned manuscript source, various printed sources have been used for this part of the thesis. First, the influence of the Synodal Book of Veszprém on the creation of the decrees of Várad is examined. Major

differences and unique regulations are highlighted. For the sake of a full comparative analysis, the study has been extended into the distinctive versions of the synodal books of Esztergom. The document is analysed from the point of view of canon law, legal history, art history, codicology, library history and literary history.

After these five considerable chapters, the content of the Synodal Book of Várad is dealt with. The individual chapters of the document are presented in the third part of the thesis. Within the framework of the dissertation the legal historical antecedents of the regulations are also disclosed in the individual chapters. The regulations regarding the life and activities of the pastoral clergy touch on the conscientious handling of material and spiritual wealth, too. The list of medieval religious holidays is a constant clause of synodal books. The presentation of these lists reveals differences and local specialities among the holidays of the Diocese of Várad and that of other Hungarian bishoprics.

III. The most important results

By means of the discussion of the synods of the Province of Kalocsa, it can be established that the legislation of the Transylvanian Synod in 1453, in 1466 and in 1520, as well as the Synod of Kalocsa

in 1490 were expected to renew religious life and eliminate ecclesiastical disciplinary abuse. The convention of the Synod of Várad fits into this practice as the work of the synod was meant to protect faith, elevate moral life and enhance theological knowledge. Therefore, a bishop's action can be regarded as an action against neologists, and a synod could be conceived as a possible tool for spiritual cleansing.

The structure of the Decrees of the Synod of Várad follows that of the medieval Hungarian diocesan regulations. The prologue distinguishes four topics within the core text of the decrees. The introductory section of the partial law of Várad focuses on the sacramentological foundation of the conciliar decrees. A separate chapter is devoted to each of the Seven Sacraments. The norm covers general legal regulations and unique procedures regarding the receivers and administerers of sacraments. The dogmatic tractates are followed by pastoral information in each chapter. The theoretical knowledge regarding sacraments originate from the regulations of previous synods.

Starting from Bunyitay's opinion and by refuting that it has been stated that the Decrees of the Synod of Várad do not follow the norms set up in Veszprém faithfully. In our opinion the text of the given norm

shows more resemblance to the Estei version of the Synodal Book of Esztergom than to the Decrees of Veszprém.

Thus, the texts of the contemporary synodal books, including that of Esztergom and the unique regulations of the Synodal Book of Várad, can be clearly distinguished. The chapter which starts with the line saying *De interdicti tempore* highlighted the prohibition of marriage without a marriage license. In the chapter entitled *Additio ad Constitutionem de Concubinariis* the duties of the archdeacon pertaining to canonical visits were broadened. He was obliged to write a list of the future priesthood candidates and check the condition of cemeteries. He had to be well-informed regarding the misuse of dogmatic teachings of the Church and heresy. The section which starts with the line saying *De missis, vesperis ac matutinis* regulated the liturgical order of the cathedral. It ordained that chaplains had to participate in the prayer-meetings along with those priests who were responsible for the arrangements on the altar. Instead of sitting at their books, they had to stand at the separator of the altars throughout these meetings. Negligent priests were strictly punished and ordained to fast on bread and water, those priests with no legitimate reason for skipping masses were fined for 1 forint. The section which starts with the line *De promovendis ad sacros ordines* determined the age limit of men wishing to be inducted into the clergy.

The Decrees of the Synod of Várad placed a great emphasis on the elimination of legal abuse occurring in the diocese. It disapproved of the nuptial ceremonial practice of the parish priests of Körösszeg and Farnos because they took part in the administering of the sacrament in forbidden times. It also banned the practice of couples' getting married without a marriage license and while still being wedlock-bound. It gave clear instructions how to avoid simony, at the same time it urged the sequelae to remunerate the priests for their efforts accordingly. Archdeacons were given a comprehensive guide to the professional performance of their duties related to canonical visits. The compilers of the Decrees of the Synod of Várad paid a great attention even to the smallest details. Archdeacons were ordered to check the guarding of the Eucharist thoroughly so that birds or worms could not damage the sacrament.

The Decrees of the Synod of Várad prove the statement supported by various sources that Várad was one of the citadels of liturgical life. Among the liturgical regulations of the Decrees of the Synod of Várad there were a few insertions of great importance. Such as the one which regulated the age limit, with a reasonable canonical flexibility, for one's becoming a deacon or a subdeacon. There was another insertion which abolished the facilitation regarding the

canonical hours of prebendaries. It also called their attention to the proper administering of religious rituals.

The list of Holy Days at the end of the Synodal Decrees of Várad is the previously unknown calendar of the diocese. The cult of saints was alive and flourishing in the city of Saint Ladislaus I. There are six such Holy Days recorded in this calendar which are entirely unknown on the basis of the similar lists of contemporary synodal books.

The Decrees of the Synod of 1524 are important records regarding the legal historical activity of the Bishopric of Várad, as well as fine evidence for the literacy of the Chapter of Várad and for the legal tradition of the Ecclesiastical Province of Kalocsa. In spite of the great resemblance arising from the nature of legislation regarding synodal books, the Synodal Book of Várad can be conceived as an independent work.

IV. Published articles in this theme.

1. The synodal book of Varad. [A váradi szinodális könyv] In: *Magyar Könyvszemle* 126. (2010) 193-211.

2. The religious life of Debrecen in the late Middle Ages. [Debrecen vallási élete a késő-középkorban] In: *Valóság* 8. (2010) 74-88.
3. The works of the diocesan synod of Kalocsa in the late Middle Age. (forthcoming) [A középkori kalocsai egyháztartomány zsinati tevékenysége.] in: *Acta Universitatis Debreceniensis*

V. Further works by the author

1. Saint Augustine in a few words. [Szent Ágostonról pár szóban.] in: *Velünk az Isten. Emlékkönyv Keresztes Szilárd püspök 70. születésnapjára a kispapoktól.* Szerk: Ivancsó István. Nyíregyháza, 2002. 543-553.
2. The papacy of Saint Leo the Great in the light of his correspondenc and preach. [Nagy Szent Leó pápasága levelezése és beszédei tükrében.] In: *Communió* 16. (2008) 160-172.
3. Regulation of public association as juridic person in the eastern and western law. [A hivatalos társulás mint jogi személyiség szabályozása a nyugati és a keleti jogrendben.] In: *Athanasiana* 29. (2009) 41-60.