

Councils of Hungary in the Early Modern Period¹

Péter Tusor / Budapest

1. Introduction

The early modern period was the golden age of the councils in Hungary, as well as throughout Europe and the colonies of the Catholic crowns. There had never been summoned as many national, provincial and ecclesiastical councils in the Hungarian church history as in the 16–17th century,² especially, if we take the synods of the Protestant denominations into account. However, it cannot be elaborated upon here.³

If we consider their actual numbers, the some two dozen events seem far less, especially in the light of the program-giving Council of Trent's (1545–1563) regulations related to the frequent local synods. It is even fewer if we reckon the synods of the Zagreb diocese owing to the 500-year-old Hungarian-Croatian *condominium*. However, it cannot be stated that Hungary was on the outskirts of the Catholic confessionalisation considering the role of the councils. The local councils, though, were not summoned regularly enough – yet the significance and effect of theirs were everywhere and considerable.⁴

¹ The research was carried out within the framework of the HUN-REN PPKE-PTE Vilmos Fraknói Vatican Historical Research Group and of the Moravcsik Gyula Institute.

² The already relevant basic works of the Hungarian synodology are owing to the Baroque scientific life: Károly PÉTERFFY, *Sacra concilia ecclesiae Romano-catholicae in regno Hungariae celebrate, I-II, Posonii 1741/42*; Ignác BATTYANY, *Leges ecclesiasticae regni Hungariae et provinciarum adiacentium, I-III, Albae Carolinae-Claudiopoli 1785–1827*; Mihály SZVORÉNYI, *Synopsis critico-historica decretorum synodaliū pro Ecclesia Hungaro-catholica aditorum, Vesprimii 1807*. Further literature: Konstantin NAGY, *A magyar kath. egyház nemzeti zsinatai, Gyöngyös 1943*; Károly MÉSZÁROS, *Tartományi zsinat Esztergomban 1858, Pest 1859, 15–65*; and the latest Margit BALOGH – Szabolcs VARGA – Lázár VÉRTESI (ed.), *Katolikus zsinatok és nagygyűlések Magyarországon a 16–20. Században* [= *Seria Historiae Dioecesis Quinqueecclesiensis 10*], Budapest-Pécs 2014.

³ On the Protestant synods, see the synthesis of Mihály BUCSAY, *A protestantizmus története Magyarországon 1521–1945, Budapest 1985, 35–100*, and Jenő ZOVÁNYI, *A magyarországi protestantizmus 1565-től 1600-ig, Budapest 1977* [= *Humanizmus és Reformáció 6*], sporadically.

⁴ Neither in the Italian chief territory of the Catholicism of Trent. See Francesco C. CESAREO, *The Episcopacy in Sixteenth-Century Italy*, in: Kathleen M. COMERFORD – Hilmar M. PABEL (ed.), *Early Modern Catholicism: Essays in Honour of John W. O'Malley, S.J.*, Toronto 2001, 67–83, 76f.

The Hungarian councils of the early modern period can be divided into two units according to their significance; the councils of Miklós Oláh / György Draskovich in the second half of the 16th century, and the ones in Nagyszombat (Trnava) and Zagreb of Péter Pázmány / Ferenc Ergelich in the 1630s. The provincial council of Esztergom, which was summoned by Cardinal Ferenc Forgách (1607–1615) in 1611 and could be regarded as national due to the participants, is the bridge between them.

The events prior to the synods of Oláh, for instance the 10 diocesan councils between 1527 and 1549 summoned by Pál Várdai (1526–1549), the archbishop of Esztergom, can be interpreted as an introductory period. There is practically no information about them, the more attractive alternative to Protestantism and the political challenges of the age hid them from us. The synod of Nagyszombat (1658), nevertheless, cannot be regarded important considering the Catholic confessionalisation. Despite its rather late-summoned nature, its resolutions are not known.⁵ The other synods were local and limited to Zagreb in the 17th century.⁶ Synods were convened less frequently in the 18th century. The ones that were held in the former territories under Turkish rule cannot be neglected. For instance, the synod of the Kalocsa-Bács archdiocese, which was summoned by József Batthyány in 1763⁷ and had a very important role in the restoration of church administration and the re-integration of this territory to the European culture and society. However, it is quite ironic that in the middle third of the 18th century this reorganization with the contribution of synods was conducted according to a program that was 200 years old at the time and was determined and influenced by the school of Enlightenment.⁸

⁵ PÉTERFFY, *Concilia* [as note 2], II 388–392. The manuscripts of the diocesan synod of 1658's proposals: Prímási Levéltár (= PL), Archivum Ecclesiasticum Vetus (= AEV), n. 231. – Although fuller information is not known about it yet, Primate Lippay might have summoned a synod in Nagyszombat in April 1660, too. “By having completed my thorough synod, I could as well apply myself to other things such as serving Your Grace”, was written to Palatine Ferenc Wesselényi on 24 April, 1660. Published in: Péter TUSOR, „From kegyelmednek, mint igaz magyar, igaz magyarnak”. Lippay György veszprémi, egri püspök, esztergomi érsek levelei magyar arisztokratákhoz, nemesekhez (1635–1665) [= *Bibliotheca Historiae Ecclesiasticae de Petro Pázmány nuncupatae*. Series II: *Collectanea Studiorum et Textuum* (= CST), Classis I, vol. 1], Budapest 2015, 365f., nr. 370. For the clergy of the royal territories, it is likely to have been equivalent to the event held in the territory under Turkish rule. See below, note 11.

⁶ Szabolcs VARGA, *A zágrábi egyházmegyei zsinatok a 16–17. században*, in: BALOGH–VARGA–VÉRTESI, *Katolikus zsinatok* [as note 2], 131–148.

⁷ Tamás TÓTH, *Az 1763-as kalocsai zsinat*, in: BALOGH–VARGA–VÉRTESI, *Katolikus zsinatok* [as note 2], 183–200.

⁸ Although its mental tendencies naturally affected the archbishops of Kalocsa, too, the whole occurrence is characterized by a certain dissynchronization, a forced peripheral attitude.

Apart from the formal synods, the conferences of the Bench of Bishops had an important role throughout the 16–17th century; they became general only from the middle of the 19th century and official in the 20th century.⁹ The Hungarian bishops gathered on the occasion of the diets to form a common consensus toward the current church political and pastoral questions. Usually, their standpoint was put in writing as a petition that was sent to the monarch or the pope in the form of a memorial.¹⁰ The existence of the conferences was based on a unique Hungarian practice of constitutional law, namely the *status ecclesiasticus*, which was one of the determining state-creating factors in Hungary. This was represented in the diets by the bishops, the prelates holding actual benefices and the legates of the chapters.¹¹

Apart from the conferences, the assemblies that lacked the conciliar character but were of grave pastoral importance and to which the ordinaries gathered the clergy of a certain area of their dioceses should be mentioned. The most typical example for this was the assembly ordered by Primate György Lippay (1642–1666) in

However, this view is softened but not eliminated by the observation that in many ways the resolutions of the Council of Trent could be realised even in Italy – in the main territory of the Catholic confessionalisation of the early modern period – by the 19th century.

- ⁹ Gábor ADRIÁNYI, A római katolikus egyház zsinatai, in: BALOGH–VARGA–VÉRTESI, Katolikus zsinatok [as note 2], 13–27, here 22–24.
- ¹⁰ PÉTERFFY, Concilia [as note 2], II 192–194 (The protest of 8 prelates to Matthias II against the church regulations of 1608, cf. *Collectanea Vaticana Hungariae* [= CVH] I/4, a cura di Gaetano PLATANIA – Matteo SANFILIPPO – Péter TUSOR, Budapest-Roma 2008, 94f., too); Francisco (Ferenc) HANUY (ed.), Pázmány Péter... összegyűjtött levelei I-II, Budapest 1910/11, I 291–295, n. 181 (The *Modus iuvandi religionem in Hungaria* formulated on the diet of 1622 in Sopron). Cf. Michael LACZKO, Memoriale archiepiscopi Strigoniensis Petri cardinalis Pázmány ad Sacram Congregationem de Propaganda Fide de modo iuvandi religionem catholicam in Hungária anno 1622, in: *Most* 3 (1956) 83–93; István György TÓTH, Pázmány Péter négy ismeretlen levele, in: Lajos FÜR – András SZABÓ – ÁGNES BEREZCZ (ed.), Ráday Gyűjtemény Évkönyve 8 (Budapest 1997) 169–184. There are examples for occasions apart from the Diet. Cf. Péter TUSOR, Die päpstliche potestas indirecta und die habsburgische Religionspolitik am Anfang des 17. Jahrhunderts, in: Márta FATA – András FORGÓ – Gabriele HAUG-MORTIZ – Anton SCHINDLING (Hg.), *Das Trienter Konzil und seine Rezeption im Ungarn des 16. und 17. Jahrhunderts*, Tübingen 2019, 80–93; Péter TUSOR, Episcopal Crisis in the Hungarian Episcopate (1639), in: IDEM – Matteo SANFILIPPO (ed.), *Il papato e le chiese locali. Studi – The Papacy and the local Churches. Studies* [= *Studi di storia delle istituzioni ecclesiastiche* 4], Viterbo 2014, 147–166.
- ¹¹ On the nature of the Hungarian feudalism in the early modern period: Kálmán BENDA – Katalin PÉTER, *Az országgyűlések a kora újkori Magyarországon* [= *Előadások a Történettudományi Intézetben* 6], Budapest 1987, and latest (with further literature): István M. SZIJÁRTÓ, *A diéta. A magyar rendek és az országgyűlés 1708–1792*, Keszthely 2010, especially 29–42.

Érsekújvár (Nové Zámky) on 15 March, 1660, where the clergy of the archdiocese living in the territories under Turkish rule had to gather for crisis talks.¹²

2. The synods of Oláh and Draskovich

The synods related to Miklós Oláh, the archbishop of Esztergom (1553–1568), formed the fourth wave of the Catholic confessionalisation of Trent launched by the Humanist prelate. In his archdiocese, Oláh started his program of confessionalisation with the development of education and the regulation of the chapters and the greater church benefices. It was followed by the reformation of the functioning clergy, whose primary platform was served by his numerous synods. The first was summoned together in Znióvárálja (Kláštor pod Znievom) in September 1558. Its resolution, which was agreed upon by 200 priests and had 44 points, is a key document of the confessionalisation of Trent in Hungary. It can be divided into six greater units: the questions of pastorate (1–21); baptism (22); Eucharist (23–28); confession (29–36); marriage (37–44). The questions of doctrinal nature appeared only indirectly in the canons; in relation to the administering of the Eucharist, the auricular confession and re-marriage.¹³

The archdiocesan synod of 1558 was followed by visitations, then by other synods in 1560, 1562, 1564 and 1566. The central problem was marriage of the clergy and the Communion under both kinds. In connection with this question, Oláh asked guidance from the Council of Trent in his letter from 25 May 1563 by joining the actions of Ferdinand I, the emperor and Hungarian king (1526–1564). The resolutions of the Council did not prove to be advantageous in this field; besides this, Pius IV's (1559–1565) concession granted to the imperial dioceses and Esztergom on 16 April, 1564 did not become practice, either.¹⁴ The official promulgation of the Council of Trent's decrees also failed to come about. On a conference in March 1564, the Hungarian bishops made a decision about holding preparatory diocesan

¹² CST II/1 [as note 5], 365f., nr. 370.

¹³ István FAZEKAS, Oláh Miklós reformtörekvései az esztergomi egyházmegyében 1553–1568 között, in: *Történelmi Szemle* 45 (2003) 139–153; its newer edition: BALOGH-VARGA-VÉRTESI, *Katolikus zsinatok* [as note 2], 27–44, here 36–40. – See also on Oláh, Vojtech BUCKO, *Reformné Hnutie v arcibiskupstve Ostrihoskom do r. 1564*, Pozsony-Bratislava 1939; Id., *Mikulas Olah a jeho doba 1493–1568*, Pozsony-Bratislava 1940; Gabriel (Gabor) ADRIÁNYI, *Der erste Erneuerer des katholischen Lebens nach der Reformation in Ungarn: Primas Miklós Oláh, Erzbischof von Gran (1493–1568)*, in: Walter BRANDMÜLLER – Herbert IMMENKÖTTER – Erwin ISERLOH (Hg.), *Ecclesia Militans. Studien zur Konzilien- und Reformationsgeschichte. Remigius Bäumer zum 70. Geburtstag gewidmet*, Paderborn u.a. 1988, 491–517.

¹⁴ FAZEKAS, Oláh [as note 13], 40f.

synods, and then they would have published the canons of Trent on a provincial synod on 1 December; however, the sovereign power did not approve it.¹⁵ It did not happen only because Ferdinand I was unsatisfied with the attitude of the Council regarding the questions of celibacy and Communion under both kinds, which questions were important to him, since Pius IV's concession counterbalanced it. Namely, the promulgation with monarchic authorization would have put the resolutions of Trent into force in the mainly Protestant Hungary, which might have caused a war of religions – we assume. As it happened in France between 1562 and 1598 [1629] as a result of the quick and powerful separation of the confessional limits.¹⁶

The publication of Trent's resolutions – at least in the dioceses with episcopal authority – is related to György Draskovich († 1587), who took part in the Council as the bishop of Pécs. He held synods in Zagreb in 1570, 1573 and 1574. In the course of the latter, the paper of Mihály Buchich, the priest of Belica, which followed Calvin's doctrine of the Lord's Supper, was condemned in a declaration of 28 points. The *Catholica et Christiana doctrina de vera et reali praesentia Corporis Domini in Sancta Eucharistia* is the only known treatise that fully dealt with the questions of the doctrines.¹⁷ Neither can we find such among the resolutions of the diocese of Győr's synod in Szombathely in 1579 (*Acta et constitutiones dioecanae synodi Iau-riensis... Sabariae, patria sancti Martini episcopi habitae...*). The conference, which was celebrated by György Draskovich according to the regulations of the *Pontificale Romanum*, adopted the important reform-decrees of the Tridentinum in 37 points,¹⁸ by adding the local demands. For instance: “no priest should celebrate a mass, only if he is sober”; “he should not ask for an additional gift for administering a Sacrament; no child should die without baptism and no adult without confession and the Holy Communion out of neglect; etc.” Theological reference can be found only in the last point. Namely, “the priests would not dare to read or keep at their house the books of the heretics without the permission of the bishop”.¹⁹

¹⁵ István FAZEKAS, Kísérlet a trentói zsinat határozatainak kihirdetésére Magyarországon, in: Péter TUSOR – Zoltán RIHMÉR – Gábor THOROCZKAY (ed.), R. Várkonyi Ágnes Emlékkönyv. Születésének 70. évfordulója ünnepére, Budapest 1998, 154–164.

¹⁶ Latest: Mack P. HOLT, *The French Wars of Religion 1562–1629*, Cambridge 2005.

¹⁷ András KOLTAI, A győri egyházmegye 1579. évi szombathelyi zsinata, in: *Magyar Egyháztörténeti Vázlatok (Regnum)* 7 (1995), 41–60; its newer edition: BALOGH–VARGA–VÉRTESI, *Katolikus zsinatok* [as note 2], 45–68, 48.

¹⁸ Its Hungarian translation on the basis of the contemporary Latin document: KOLTAI, *A győri egyházmegye* [as note 17], 55f.

¹⁹ *Ibid.*, 56.

3. The national synod of 1611 and the promulgation of the decrees of Trent

The synods of Oláh and Draskovich represented only the remote overture of the Catholicism of Trent's blossoming in Hungary, which reached its peak in the 17th century. The fronts of confessionalisation had been outlined by the turn of the century. They went a great way towards the feudal national unrest's development into a general conflict. The civil war of István Bocskai (1604–1606) in its outbreak, spread and treaty (Vienna, 1606) was influenced by religion, or rather the question of the freedom of religion,²⁰ namely, in every respect it was equal to a war of religion.²¹

The diet of 1608, which enacted the peace treaty, considerably cut back the Catholicism's positions of state church inherited from the Middle Ages. Therefore, it was pressed to replace its counter-reformation strategy based on power position with an organic work of confessionalisation, which focused on the accumulation of the inner resources. Péter Pázmány, the Jesuit confessor of the eager and relentless cardinal, Ferenc Forgách, was behind the change of conception.²²

The synod was summoned as an answer for the Lutheran synod held in Zsolna in 1610. (The synod, which was organized and acted as a chairman by the Lutheran Palatine György Thurzó, was a huge step in the establishment of the *Confessio Augustana's* independent organizational form in Hungary.)²³ On the opening of the epochal event of Nagyszombat the participants declared their adherence to the doctrines of Trent according to the rules (sess. 25, c. 2) and publicly agreed with all the resolutions of the ecumenical council, finally they read the canons related to the residency obligation of the prelates (sess. 6, c. 1; sess. 23, c. 1). „...*iuxta praescriptum fidei catholicae professio publice recitata fuit, omniaque ac singula, quae ab hac S. Synodo Tridentina definita sunt, palam recepta*” – as it is written in the files.²⁴

²⁰ Cf. recently the analysis of Géza PÁLFFY, *Győztes szabadságharc vagy egy sokféle sikert hozó felkelés? A magyar királysági rendek és Bocskai István mozgalma (1604–1608)* [= Századok Füzetek 3], Budapest 2009, which can be regarded as the most objective one (though, it does not pay much attention to the religious aspect).

²¹ Cf. Konrad REGEN, *Was ist ein Religionskrieg?*, in: ZKG 97 (1986) 334–349, and even Julia A. SCHMIDT-FUNKE, *Religion und Gewalt in der Frühen Neuzeit. Einführung*, in: *Schepunkte* 8 (2008) Nr. 7/8 ><http://www.schepunkte.de/2008/07/forum/religion-und-gewalt-in-der-fruehen-neuzeit-52/> <(20.01.2023).

²² Péter TUSOR, *Az 1608. évi törvények római inkvizíció előtt: II. Mátyás kiközösítése*, in: *Aetas* 4 (2000) 89–105; on the role of Pázmány as confessor: IDEM, *Pázmány, a jezsuita érsek. Kinevezésének története 1615–1616 (Mikropolitikai tanulmány)* (= CVH I/13), Budapest-Roma 2016, 309f.

²³ On its history see the still relevant: Mihály ZSILINSZKY, *Az 1610-ik évi zsolnai evangélikus zsinat háromszázados emlékünnepe, Egyháztörténeti tanulmány, Selmezbánya 1910.*

²⁴ PÉTERFFY, *Concilia* [as note 2], II 197f.

There is no doubt that the event covered the late promulgation of the decrees of Trent in the framework of a synod. However, the secondary literature, surprisingly, sees it otherwise and states that the *Tridentinum declaratio* did not happen in Hungary.²⁵ Yet, the event of Nagyszombat was definitely a formal promulgation. Namely, if a local synod publicly accepts (“*palam recepta*”) the “definitions” of the former ecumenical council at the beginning of the gathering, it is enacted by canon law without any separate documents of confirmation. However, it was not defined by constitutional law, namely, the promulgation in Hungary happened without the contribution and assistance of the state and out of the framework of the state church, without a law or sanctioning. In our view, the Lutheran synod of 1610 in Zsolna and the Catholic synod of 1611 in Nagyszombat were the confessional handling and denominational “enactment” of the freedom of religion, declared in the Treaty of 1606/1608 and by the power of law. Both events significantly consolidated the multi-confessional nature of the country. After the central power had been obliged to give the case of religion to the orders due to the lost war and the change of monarchs after the “Bruderzwist”, they (both the mainly Protestant *status saecularis* headed by the palatine, and the *status catholicus* led by the cardinal primate) grasped the opportunity and shaped the course of their own, well-circumscribable denominational development within their own “parliamentary” compass.²⁶

In Western Europe the division between denominations was determined by the territories. We can hardly speak about multi-confessional regions, there are only a few exceptions, like that of Vienna.²⁷ In the territories, which were clear considering confessions or rather made clear by force, the relation of the state and the denomination was without problems, it was almost symbiotic. After 1606 until the 1670s, in Hungary the central power was forced to give up its attempt to homogenize the denominations. Concerning religion, the orders became relevant by using their existing legal and power means. The Protestantism was in the majority in the counties and towns until the end of the 17th century. The Catholics could rely on the middle and upper clergy’s participation in the diet (namely as an order) and on a few positions of the executive power (lord-lieutenancy of the counties, the royal chancel-

²⁵ The short introduction of the synod: EGYED HERMANN, *A katolikus egyház története Magyarországon 1914-ig* (= *Dissertationes Hungaricae ex historia ecclesiae* 1), München 1973, 236. His sentences reflect the view of the older as well as latest literature.

²⁶ On the unique Hungarian constitutional arrangements, where the power is mutually exercised by the monarch and the feudal orders, out of which the first was the Catholic upper and middle clergy, see SZIJÁRTÓ, *A diéta* [as note 11], 29–42 and *passim*.

²⁷ Latest, with further literature: HEINZ SCHILLING, *La politica del papato e la formazione degli stati territoriali in Europa nell’età della confessionalizzazione*, in: Irene FOSI – Alexander KOLLER, *Papato e Impero nel pontificato di Urbano VIII (1623–1644)*, Città del Vaticano 2013 [= *Collectanea Archivi Vaticani* 89], 1–16.

lery) that were preserved from the Middle Ages despite the interdicts of 1608. Furthermore, both were supported by the noblemen and the aristocrats' adwoson over the churches.²⁸ The *ius patronatus* after "the reformation of the landlords" in the 16th century more and more favoured the Catholics due to the increasing number of conversions among the aristocrats in the 17th century. The Habsburg state power remained Catholic, though, in Hungary its scope for action was minimally limited by the legal restrictions, the inner- and foreign affairs and military situation (the attacks of the princes of Transylvania, the challenges of the Thirty Years' War) for more than fifty years. This minimal scope for action is fairly shown by the diets' debates over religion, when the Protestant orders could paralyse the work of the diets for months by bringing up the smallest religious cases and grievances (*gravamina*); therefore, the monarchs and the Catholics always had to make concessions. The most expressive example for this is the diet of 1646/47.²⁹

As a consequence, if we want to evaluate the synod of Nagyszombat in 1611 in its own importance, we should take it into consideration: the event was a key moment of the denominational self-organization in a very unique, territorially not separated multi-confessional medium. Its importance is further increased by the fact that it was a national synod, after all. Not only because the ecclesiastical province of Esztergom basically covered the territory under Habsburg rule in Hungary, but also because the archbishop-metropolitan of Kalocsa, the head of the other Hungarian church province (covering Transylvanian and Croatian territories and areas under Turkish rule) attended, too. Although, Demeter Naprágyi, the archbishop of Kalocsa was present – in defence of his rights – as an ordinary of Győr, his attending three suffragans: the effectively residing bishops of Zagreb, Bosnia and Szerém did not exercise such reservation of rights. Moreover, along with the bishops from his ecclesiastical province, Naprágyi signed the resolutions not only as an administrator of Győr, but also as the archbishop of Kalocsa. As a consequence, the synod of 1611 can be regarded as a national synod not only because of its importance, but also due

²⁸ On the characteristics of the Hungarian confessionalisation: Katalin PÉTER, *Papok és nemesek. Magyar művelődéstörténeti tanulmányok a reformációval kezdődő másfél évszázadból* [= A Ráday Gyűjtemény tanulmányai 8], Budapest 1995, especially *A katolikus megújulás és a protestáns reformáció*, 5–14; *Az 1608. évi törvény és a jobbágyok vallásszabadsága*, 129–151 and 246–249.

²⁹ Mihály ZSILINSZKY, *A magyar országgyűlések vallásügyi tárgyalásai* [= A Magyar Protestáns Irodalmi Társaság kiadványai], I–IV, Budapest 1881–1897, *passim*; IDEM, *A linczi békekötés és az 1647-ki vallásügyi törvényezikkek története* [= A Magyar Protestáns Irodalmi Társaság kiadványai], Budapest 1890; Katalin PÉTER, *A protestáns vallásszabadságért folyó harc az 1646–1647. évi országgyűlésen*, in: *Egyháztörténeti Szemle* 7 (2006) 2. Originally in English: Katalin PÉTER, *The Struggle for Protestant Religious Liberty at the 1646–1647 Diet in Hungary*, in: ROBERT J. W. EVANS – T. V. THOMAS (ed.), *Crown, Church and Estates. Central European Politics in the Sixteenth and Seventeenth Centuries*, London 1991, 261–268.

to the aspects of canon law; although, the name of the *Concilium Provinciale Strigoniense* was on the synodical invitation, therefore, the secondary literature refers to it as a provincial synod.³⁰ The synod earned extra attention also from the Holy See. In his lengthy breve, Paul V (1605–1621) not only encouraged those present, but also oriented them. His nuncio, Placido de Mara, who was accredited to the Hungarian king, Matthias II (1608–1619), attended the sessions held in Latin. His participation was unprecedented in the history of the Hungarian synods.³¹

The resolutions of the synod themselves are separated into five chapters. 1. The episcopal service and jurisdiction; 2. The discipline and education of the clergy; 3. The sermons and the administration of the sacraments; 4. The church benefices; 5. The visitations carried out by the archdeacons.³² According to the classical model, the canons often referred to the decrees of Trent in detail, and their adaptations to the local characteristics. The points were altogether signed by 32 people; 5 consecrated diocesan bishops, 4 nominated bishops, the representatives of the chapters, the actual beneficiaries and a representative of one of them, namely Péter Pázmány S.J. as the provost of Turóc.³³

There are some requests attached to the synodical files addressed to Paul V and Matthias II, which factually inform us about the occurring problems of the synod. Various cases of the benefices were submitted to the monarch in eleven points. Paul V requested the following: 1) to appoint somebody from the Hungarian prelates to conduct the canonical investigation of the bishop nominees as he did not have a nuncio in Hungary; 2) to provide three places for the Hungarian, Croatian and Slavic students in the papal colleges of Prague, Olomouc, Graz and Vienna; 3) to appoint Forgách, archbishop of Esztergom as the cardinal protector of Hungary and the *Collegium Hungaricum* in Rome (which, as we know, functioned in a merger with the Germans); 4) how could those be consecrated and granted the *di-missoriales* who were from such territories where there were no bishops, or chapters; 5) to allow the consumption of milk and egg products during Lent; 6) to approve

³⁰ According to the definition of the national synod, “it is the assembly of the bishops of a certain country discussing the church affairs of the whole country and taking resolutions upon them.” Such synods already existed in the 3rd–4th century; the ones convened in Hispania, Britannia, Gallia and Hungary are particularly important (1092, 1111, 1256, 1279, 1309). With further literature see the relating entry of the Magyar Katolikus Lexikon, »<http://lexikon.katolikus.hu/N/nemzeti%20zsinat.html>« (20.10.2023); István KATONA, *A kalocsai érsek egyház története II*, ed. by Imre RÖMSICS – Gábor THOROCZKAY, Kalocsa 2003, also 62–65. According to his interpretation, in 1611 the term of national synod was not used only out of respect for Naprágyi.

³¹ PÉTERFFY, *Concilia* [as note 2], II 199f. The short introduction of the synod: HERMANN, *A katolikus* [as note 25], 236f.

³² PÉTERFFY, *Concilia* [as note 2], II 203–216.

³³ PÉTERFFY, *Concilia* [as note 2], II 216f.

the usage of the local (Esztergom) missal and breviary after their correction; 7) to employ a Hungarian confessor in Rome and Loreto.³⁴

4. About the synods of Pázmány

The requests addressed to the pope perfectly illustrate the real and practical problems of the Catholic confessionalisation in Hungary of the early modern period.³⁵ The broader development of the process itself required two more lean decades, on account of the insecure situation of foreign and internal affairs, mainly caused by the confusion of the Habsburg-succession and the attacks of Gábor Bethlen, prince of Transylvania. This development is embodied by Péter Pázmány's synods. He held archdiocesan synods in 1629, 1633, 1634, 1635 and 1636; national synods in 1630 and 1633 („*Synodus nationalis*”, „*Synodus provinciarum primatiae nostrae annexarum*”).³⁶

The temporary centre of the archiepiscopacy, Nagyszombat, played host to all of them. Although, their overall analysis is still awaited, the secondary literature elaborated upon these synods quite thoroughly and established that: “the acts that were passed on two national and provincial synods and on six diocesan synods summoned by Pázmány can be categorized in the following way: synods, visitations, the residence of the churchmen, the possession of church benefices, the strengthening of the discipline of the clergy and monks, the education of the congregation, the unification of the liturgy and the advancement of the education of the future priests”.³⁷ Similarly

³⁴ PÉTERFFY, *Concilia* [as note 2], II 217.

³⁵ It was problematic during the century up until the end of the Hungarian cardinal protectorate. On its history: Péter TUSOR, Magyarország bíboros protektorátusa a 15–17. században, in: *Egyháztörténeti Szemle* 19 H.4 (2018) 3–21. On the students of the papal colleges: Mihály BALÁZS – István MONOK, Pápai szemináriumok magyarországi alumnusai [= *Peregrinatio Hungarorum* 7], Szeged 1990; Endre VERESS (ed.), *A római Collegium Germanicum Hungaricum magyarországi tanulóinak anyakönyve és iratai* [= *Fontes rerum Hungaricarum* 2], Budapest 1917; István BITSKEY, *Hungáriából Rómába. A római Collegium Germanicum Hungaricum és a magyarországi barokk művelődés*, Budapest 1996. On the *dimissoriales* and dispensations to receive orders: Ferenc GALLA, *Magyar tárgyú pápai felhatalmazások, felmentések és kiváltságok a katolikus megújulás korából* [= *Regnum-Könyvek. I: Egyháztörténeti források 1 – Special edition, Levéltári Közlemények* 24–25 (1946–1947)], I, Budapest 1947; and CVH II/3. With further literature on the later conflict concerning dispensations from the rules of fasting and abstinence: CVH I/2. On the Jesuit Hungarian confessors of the 17th century working in Rome: Ferenc MONAY, *A római magyar gyónatók*, Róma 1956.

³⁶ On their character: KATONA, *A kalocsai* [as note 30], II 63–65.

³⁷ Konrád SZÁNTÓ, Pázmány főpásztori tevékenysége, in: László LUKÁCS – Ferenc SZABÓ (ed.), *Pázmány Péter emlékezete. Halálának 350. évfordulójára*, Róma 1987, 269–304, here

to the synods of Oláh, Draskovich and Forgách, these programmes followed the *De reformatione* canons of Trent without exception: they explain them and adopt them according to the local circumstances and indoctrinate them among the more and more educated local clergy. For two reasons, out of the resolutions we highlight only one decision of the synod of 1630,³⁸ which dealt with the compulsory introduction of the Roman rite. On the one hand, it properly shows the initial “ultramontane” character of the Catholic confessionalisation in Hungary, which was altered by the middle of the 1630s due to mainly political reasons.³⁹ On the other hand, because this was primarily the resolution that caused serious conflicts with the bishops of Zagreb in the following years, these conflicts were the first grave signs of the tension in the Hungarian-Croatian coexistence in the early modern period.⁴⁰

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In our consideration so far, we can state that the Hungarian synods in the early modern period from Miklós Oláh to Péter Pázmány had the same aim: to adopt the reform-decrees of *Tridentinum*. The theological and dogmatic questions did not occur on the sessions, they were accepted without a special debate, evaluation or comment. These synods – although they had a key role in the introduction of the Catholicism of Trent in Hungary – were not of a noteworthy character or nature. Neither was the national synod of 1611 that was not analysed by the secondary literature in more detail yet, and it meant a turning point in the history of Hungarian Catholicism and was the general advertising of confessionalisation⁴¹ according to Trent in Hungary.

279–286; HERMANN, A katolikus [as note 25], 246–248. The résumé of the canons and negotiations of the synods: NAGY, A magyar [as note 2].

³⁸ Ádám FÜZES, Külső vagy belső kényszer? Pázmány indítékai a római rítus bevezetésére, in: Magyar Egyházzene 18 (2010/11) 225–237.

³⁹ See for instance Péter TUSOR, Le origini della bolla “Sancta Synodus Tridentina”, in: José MARTÍNEZ MILLÁN – Rubén GONZÁLEZ CUERVA (ed.), La Dinastía de los Austria: Las relaciones entre la Monarquía Católica y el Imperio, Madrid 2011 (= Colección “La Corte en Europa” Temas 5), 205–227. And most recently: Rotraud BECKER – Péter TUSOR, „Negozio del S.r Cardinal Pázmány”. Péter Pázmány’s Imperial Embassy to Rome in 1632 (With Unpublished Vatican Documents), Budapest-Roma 2019 (= CVH II/7).

⁴⁰ Szabolcs VARGA, A zágrábi egyházmegyei zsinatok a 16–17. században, in: BALOGH-VARGA-VÉRTESI, Katolikus zsinatok [as note 2], 130–148.

⁴¹ On the confessionalisation of the early modern period most recently with further literature: Wolfgang REINHARD, Felekezeti és felekezetszerveződés Európában. A tudományos diskurzus fejleményei, ed. by Péter TUSOR, translated by András FORGÓ [= Collectanea Studiorum et Textuum III/1], Budapest 2017.

5. The conduct of Palatine Miklós Esterházy on the national synod of 1638

This picture is, however, not complete; the established thesis is not correct despite the precise references. Namely, if we also cover the two national synods after Pázmány's age, the one of Imre Lósy (1637–1642) in 1638 and of György Lippay (1642–1666) in 1648, then not only the Hungarian, but also the international synodology can be enriched with two new elements and characteristics. Firstly, there was a secular aristocratic influence on the course of the synod, namely a part of the canons was based on the quasi proposals of the palatine of Hungary in 1638. Secondly, the national synod appeared as the supreme forum of the ecclesiastical order's autonomy as against the state power in 1648.

The synod summoned by Primate Imre Lósy on 14–16 June, 1638, similar to the one in 1611, can be regarded as a national synod. It is already special compared to the previous one in that the questions concerning faith are more stressed here.⁴² True, they were less doctrinal than practical. For instance, in *caput I (Circa fidem)* it was ordered that the many-centuries-old requirement should be finally met and a theologian prebend should be established in every cathedral chapter. Furthermore, it was decreed that only the competent cleric is allowed to intervene in a religious dispute. Those, who did not have the necessary qualification and experience, they should be satisfied with only the representation of the dogmas.⁴³ The *caput IV* deals with the interpretation of the indulgences. More abstract questions occur in connection with the divine services (*Divina Officia*), the veneration of relics and sacred images and with the cult of saints (*caput II and III*). Chapter V (the annual synods of the dioceses), VI (visitations), VIII (seminaries), IX (residence) and XI (the observance of the earlier synods' resolutions) discuss the actualities of the usual reform-programmes. However, chapter VII and X are more special. The requirement and thorough regulation of the synodal examinations (VII) and the careful circumscription of the episcopal jurisdiction (X) give proof of the Hungarian consolidation of the Catholic confessionalisation better than the earlier clauses.

⁴² Its files published by: PÉTERFFY, *Concilia* [as note 2], II 346–375. The copy of the resolutions (and the description of the synod) bound in leather with illuminated title: Archivio Segreto Vaticano, Congregazioni Romane, Concilio, *Concilia*, n. 89. On this fond: Willy HENKEL, *Inventar des "Fondo Concilii"* im Archiv der Konzilskongregation, in: AHC 15 (1983) 430–451. Except for this, only the verbals of the one in Esztergom in 1858 (under the same number) and the provincial synod of Kalocsa in 1863 (n. 27) can be found in the archives of the Congregation of the Council. According to all indications, despite the canonical obligation, the dispatch of the resolutions of the synod to the Curia from Hungary was not pressed – even if certain verbals were not properly archived in Rome.

⁴³ *Controversias fidei pro concione ii tractent, qui in iis versatissimi sunt alii; qui minus periti sunt in iis, satis est, si articulos fidei simpliciter tradant, ne se in huiusmodi controversiarum tractationem frigide et sine fructu immergant.* (PÉTERFFY, *Concilia* [as note 2], II 358).

Nevertheless, the most important peculiarity of the national synod of 1638 is that its debates did not happen only through the proposals of the summoning primate-metropolitan (which we do not know by text), but the course of the conference and the resolutions were also greatly influenced by the motions of Miklós Esterházy, the palatine of Hungary (*Prorex*) (1625–1645). The content of the points, called *considerationes* by their author, are known from the copies of the Vatican Archives,⁴⁴ namely, Károly Péterffy – presumably due to their very critical nature – mentions them only in key-words in his book of reference.⁴⁵

Originally, the secular aristocrat wanted to participate in the synod in person, however, he cancelled it due to other engagements, though, he explicitly regarded the presentation of his view as his duty (*officium*). The *Considerationes* sent to the synod by him discuss the current problems of the contemporary Hungarian Catholicism, those, which indeed hindered the development of the Catholic confession-alisation of the early modern period – partly as medieval heritage. Therefore, it is worth dealing with them more closely, in points.

According to the palatine of Hungary:

1) The biggest danger is the rivalry among the leaders of the church (“*perniciosae intrinsecae animorum simultates*”), which poisons them and results in great harm and the indignation of the faithful. To shake off this and to create mutual understanding and a clear soul is indispensable in leading to salvation for those depended on them with the help of the Holy Spirit.

2) It is known that the already wealthy bishops accumulate smaller benefices by taking them from the worthier indigents. Therefore, there is a lack of preachers in several places. As a consequence, it would be useful if certain benefices were granted to different churchmen, especially if they make a living for a person.

3) Many members of the ecclesiastical middle layer, as it is known, accumulate numerous benefices for themselves and try to collect even more. This way, not only the number of the priests and preachers decreases and many of them find it difficult to make ends meet (in the meantime, the number of the students and future priests is increasing by the mercy of God), but the accumulation of benefices also results in the Catholic votes’ decrease on the diets, since three to four places have only one representative. This problem should also be remedied.

4) Certain orders disappeared, or left Hungary in the past years and started to adopt other orders’ regulations. Their estates and functions were taken over by secu-

⁴⁴ Biblioteca Apostolica Vaticana, Barb. Lat., vol. 6894, fol. 15r–17v; vol. 7009, fol. 21r–24v. Esterházy personally gave the *Considerationes* to Malatesta Baglioni, the apostolic nuncio of Vienna (1634–1639) by asking him to dispatch it to the papal court. *Ibid.*, vol. 6986, fol. 109rv.

⁴⁵ PÉTERFFY, *Concilia* [as note 2], II 346f.

lar priests and possessed according to canonical regulations. Now, these monks were taking every effort to return and also on the basis of canon law they demand their possessions. It spread confusion, which needed to be provided for.

5) It is also worth being considered that after the death of the priests possessing the orders' properties, other religious orders acquire the benefices at the expense of the order that was their original owner. Of which, this type of occurrence had already caused numerous scandals.

6) Several monks, also foreign ones, whose profession and vows prohibit, desire bishoprics and other church benefices. Moreover, they already possess them without a papal confirmation. This should be paid more attention, since the reduction of votes on the diet and the foreign gaining ground are obviously harmful to the country as well as the church order.

7) It is pernicious that many bishops do not reside, though, they could; they rather spend time elsewhere for convenience's sake by losing their problems. They do not know their sheep; therefore their sheep do not know their shepherd. The relating regulations of the *Tridentinum* should be enforced in conciliar regulation by the administration of the prescribed canonical punishment.

8) Several beneficiaries keep their benefices in name; however, in secret they transfer them to somebody else in return for annual dues by endangering the souls.

9) The visitations are totally neglected, which leads to the scandalous lifestyle of the clergy and the wasting of the church property and favours to the Protestant preachers. There is only one out of ten churches that does not serve secular purposes; the newly consecrated altars are either broken or bare. There are few images or they have already been damaged. There are no chalices and tools, the churches are recognizable only due to their exterior, there are no masses or sermons held in them. People live like cattle; the churches are shelters of the knaves, in many cases they serve as a granary along with the parishes.

10) In Sopron there are more church benefices. Although every benefice implies duties, their owners only consider the profit and neglect their obligation. However, the Protestants pay huge attention to the religious businesses. Therefore, a Hungarian and a German scholar should be placed there, who would exemplarily exercise their duties with their word and deeds.

11) Once and for all, it should be laid down that the bishops and beneficiaries should keep their chairs. Namely, the senior prelates go on and on hankering for more lucrative dioceses amid scandals and by neglecting their church duties. It is unprecedented throughout the whole world that in case of vacancy, they always change their places like the titular bishops by hurting their sheep. As a result of the frequent changes, the congregation does not know their shepherds; the attention is given to the incomes rather than the souls. Furthermore, the episcopal sees also become neglected. In agreement with the pope and the monarch, such aspirations

have to be stopped, thus, the episcopal incomes and residences can be bestowed greater care and the sheep can know their shepherds.

12) It is important that the grant of the bishoprics and other benefices was with the metropolitan's knowledge and on the basis of his information. This would not hurt the monarch's right of patronage, since the grant would still happen by his will. Therefore, there is no need to ask the assistance of foreign forces, who neither know the Hungarian affairs, nor are well-disposed towards them.

13) Although the bishoprics of Vác is located in the territory under Turkish rule, it has certain benefices. As the serfs there live like cattle, it is necessary and to be realized under grave sin that the bishop would provide for at least two parish priests, who could perform the preaching and the divine service.

14) Although, the episcopate of Transylvania was granted to a suitable person by the monarch, the pope did not confirm it. If it was because the Curia considers Transylvania torn from Hungary that papal confirmation could not be given in the dioceses under Turkish rule, either. However, it is given with dispensation there; it should not be hindered in Transylvania, either. In this case, the pope should be uniformly asked.

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This paper cannot critically and thoroughly examine the statements of the palatine.⁴⁶ Their authenticity is proved by the fact that the national synod accepted the conduct of the palatine; it "received" the *Considerationes*. It did not declare it unwarranted; moreover, the "ideas" were actually accepted as proposals (*propositio*), since the majority of the points were commented. The *Caput IX (De residentia ac beneficiorum adeptione)* is almost completely based on the "proposals" of Miklós Esterházy. As these are published as well as available on the internet in *facsimile*,⁴⁷ we do not detail them. In addition, it should be noted that conciliar decisions cannot be found in the published files concerning the bishopric of Transylvania. For the sake of the acceptance of the royal right of appointment and the canonical filling of the diocese, the bishops and prelates of the Kingdom of Hungary ("*Episcopi et Prelati Regni Hungariae*") "*ex synodali congregatione*" addressed a separate document to the pope by adding the request of exemption from the charges of the bulls' issue. The proposal – due to

⁴⁶ See these in our study under preparation that will analyse and elaborate the question in detail: Péter TUSOR, Esterházy Miklós nádor és az 1638. évi nemzeti zsinat, in: Egyháztörténeti Szemle 21 H.2 (2020) 40–63.

⁴⁷ PÉTERFFY, Concilia [as note 2], II 370–372 »https://books.google.hu/books/about/Sacra_Concilia_Ecclesiae_Romano_Catholic.html« (20.01.2023).

its place of occurrence – was discussed by the plenum of the Sacred Congregation for the Propagation of the Faith, without a resolution or any result.⁴⁸

As the evaluation of the canons was based on the proposal of the palatine, it can be established that in most cases the conciliar fathers confined themselves to ask the monarch to solve the problem (for instance he should exercise self-constraint concerning the transfer of the bishops). The treatment of the *cumulatio beneficiorum* is worthy of extra attention. The prelates declared that they would insist both on the law of the *Tridentinum* (which actually bans plurality) and Hungary (which actually allows it) carefully written in the canon. This duality indicates – beyond question – the basic problem of the Hungarian Catholicism in the early modern period: the differences between canon law and the Hungarian secular law and tradition, the more and more obvious antagonism of the pope and the monarch concerning the control of the Hungarian church organization.⁴⁹

Besides his personal devotion, it is an unavoidable question as to what made the palatine intervene in such an unusual manner and how the *Considerationes* could be written in Hungary. The answer can be found in the multi-confessional structure of the country, where the unique and indefinite power relations had not been realized yet, and in the country's constitution and function's unique feudal character.

Taking the confessional interaction, the Lutherans' consistorial and the Calvinists' Presbyterian nature, and the synodical function of these two majority denominations in 1638 into account, it is not unusual at all that the secular elite also expressed their opinion in the formation and improving of the life of the Catholicism of Trent that endeavoured hegemony. This elite is not satisfied with the role of an advowee or a patron (as later, practically until the end of the 19th century, the establishment of the Catholic People's Party), but it speaks to a point with a fair problem-sensitivity, mainly concerning matters of negligence or abuse of power. The parallel is actually evident in 1610, Palatine György Thurzó summoned and presided over the Lutheran synod of Zsolna; the Catholic Esterházy, who converted to Catholicism as a young adult when he was about 18 years old, arrogated a similar role to himself, not as a simple aristocrat, but as a palatine. He did this with due foresight and with an almost over-careful drafting. Besides the inter-confessional motivations of Esterházy, the Hungarian characteristics of feudalism in the early

⁴⁸ Published in: CVH I/4, 76–78.

⁴⁹ With further literature on the debates and origin of the Hungarian royal patronage and supremacy: Péter TUSOR, *The Papal Consistories and Hungary in the 15th–16th centuries. To the history of the Hungarian Royal Patronage and Supremacy*, Budapest-Roma 2012; IDEM, *I vescovi ungheresi e la Santa Sede Apostolica nel Seicento. Problemi e svolte decisive*, in: *Annuario 1998–2002. Studi e documenti italo-ungheresi*, Roma 2005, 138–161; IDEM, *Episcopal Crisis in the Hungarian Episcopate (1639)*, in: TUSOR–SANFILIPPO, *Papato* [as note 10], 147–166, here 159–166.

modern period should be touched upon. The power, which rested upon medieval basis and was consolidated and regulated in 1608, was of a dual nature: it was mutually exercised by the estates and the monarch. Besides the nobility, or rather above it in the rank, the Catholic clergy were state-creating factors; they were followed by the representatives of the quite weak free royal towns. On the diets, the prelates and the aristocrats participated in the sessions of the Upper House and voted there; while the provosts, abbots and the representatives of the chapters negotiated in the Lower House along with the delegates of the noble counties. In the meetings of the county council, which were presided or by the bishop, either by the aristocrat lord lieutenant, the churchmen and the laymen conferred with each other. The scenes of the mutual work were increased by the forums of the national tribunals (*tabula septemviralis*, *tabula regia*) and by the jurisdiction of the county.⁵⁰

The close and frequent interaction in the European milieu of the early modern period – where religion and *politicum* went hand in hand – not only explains the action of the palatine, but it also endowed it with the feature of reciprocity. It indicates the idea that as in the affairs of the country a mutual decision was made by the church and the laity, it could not be otherwise concerning the affairs of the church itself. This church is simply called apostolic by Esterházy (*Ecclesia nostra Apostolica*), which was founded by the first Hungarian king, Saint Stephen – who was both a sacral and a secular person at the same time according to the Hungarian tradition and common knowledge. However, the obligate term that the Saint King would “*ex nutu summi pontificis*” exercise his power began to fade away temporarily during these years.⁵¹

Given this knowledge it is understandable why the palatine personally wanted to participate on the synod and why he considered the drafting of the *Considerationes* obligatory ex officio. His action is a *novum* itself. The secular presence was still determinant on the universal councils of the 15th century led by the summoning and organizing role of Sigismund, Roman and Hungarian king. In Trent the representa-

⁵⁰ Cf. BENDA–PÉTER, Az országgyűlések [as note 11], and István M. SZÍJÁRTÓ, A diéta. A magyar rendek és az országgyűlés 1708–1792, Keszthely 2010, especially 29–42; most recently: András FORGÓ, Egyház, rendiség, politikai kultúra. Papok és szerzetesek a 18. század országgyűlésein, Budapest 2017; furthermore Győző EMBER, Az újkori magyar közigazgatás története Moháctól a török kiűzéséig [= Magyar Országos Levéltár kiadványai, III. Hatóság- és hivataltörténet 1], Budapest 1946, at some parts.

⁵¹ On this problem and its context: Sándor BENE, A Szilveszter-bulla nyomában. Pázmány Péter és a Szent István-hagyomány 17. századi fordulópontja, in: IDEM (ed.), „Hol vagy István király?” A Szent István-hagyomány évszázadai, Budapest 2006, 89–124; Gergely TÓTH, Szent István, Szent Korona, államalapítás a protestáns történetírásban (16–18. század), Budapest 2016, 19 et seq.; Péter TUSOR, Rationes, ob quas cancellarius Ungariae a residentia episcopali excusari merito debet, in: Ildikó HORN – Éva LAUTER et al., Művészet és mesterség. Tisztelegő kötet R. Várkonyi Ágnes emlékére I, Budapest 2016, 333–347.

tives of the monarch also attended the meetings; Ferdinand I even had proposals on the Council. However, on lower levels in contrast to the Protestants the Catholic synods were reduced to the business of the clergy; yet the national synod of 1638 was a refreshing and a one-time exception. With the strengthening of the Absolutism and the Catholic hegemony, the manifestation of the secular Catholic elite of such sort as well as the synods themselves were relegated to the background. In the process of the secularisation's blossoming, the churchmen had less of a chance to intervene in the administrative and political affairs, whereas the laity could not affect the inner life of the church: in 1638, the still existing and accepted opportunity began to be monopolised by the state, which reached its peak in the decades of Josephinism and post-Josephinism.

6. Autonomy effort of the church on the national council of 1648

The peculiarity of the synod of 1648 was not due to the pastoral or dogmatic originality of its canons. This was the first synod in the 17th century, though, its resolutions are unknown; only its proposals are known.⁵² More precisely, only one, in which the bishop of Győr, György Draskovich (1635–1650) was divested of his goods' governing, two other prelates were entrusted with the administration of the incomes and with spending the money on proper church purposes; furthermore, 5,000 forints were established as the bishop's cost of living.⁵³ After the bishop had applied for legal remedy from the nuncio and Ferdinand III (1637–1657), Primate György Lippay, who headed the synod, defended the "*synodalis constitutio*" in a lengthy memorial. The *Informatio pro Deliberatione Sacrae Synodi* is a unique source of the conciliar way of thinking of Hungary.⁵⁴

On the one hand he denies the competence of the nuncio. Although, he accepts the right of appeal to the pope, he finds it outrageous that without an extra authorization from the pope, the nuncio would judge the whole synod by exercising his ordinary faculty; namely, he was not the chairman of the synod appointed by the pope on behalf of the Apostolic See. The *Informatio* aptly states that the bishops are not confirmed by the nuncio, but by the pope, just like the conciliar resolutions. It declares that the country and the clergy of the Hungarian Kingdom would never allow the nuncio or his auditor to censor and correct, or even repeal the resolutions

⁵² Published: PÉTERFFY, *Concilia* [as note 2], II 374–388. In a manuscript: PL AEV n. 231.

⁵³ Cf. Béla SZABADY, Draskovich György győri püspök élete és kora (1599–1650), in: A 300 éves soproni szent benedekrendi Sz. Asztrik Kat. Gimnázium jubileumi értesítője az 1935/36. isk. évről, Sopron 1936, 100.

⁵⁴ Its place of occurrence: Magyar Nemzeti Levéltár Országos Levéltára, Magyar Kancelláriai Levéltár, Magyar Királyi Kancellária, *Acta Particularia* (A 93), 8. cs., 672r–682r.

and statutes that were unanimously voted for (*voto deliberarunt*) by the whole *status ecclesiasticus* (every bishop and prelate).

While the struggles of the local episcopate and the nuncios were usual in Western Europe, it was novel in Hungary. In the European relation, too, it was special that in the *Informatio*, which defended the resolutions of the synod of 1648, the *synodus nationalis* expressly appears as the self-governing forum of the *status ecclesiasticus*, and this phenomenon is palpable in the analysis of the appeal to the apostolic king. The following statement was drafted in this respect: "The appeal to His Majesty in ecclesiastical cases would be in contradiction with secular and canon law." The paper supports the legitimacy of the canonical "self-jurisdiction" with the example of the Hungarian feudal tribunal practice; namely, in the Kingdom of Hungary one could not appeal to the king in secular or civil cases. The final decision was made in the octave of the palatine. This was the case, even more so, concerning the church's affairs.

The developing self-government of the *status ecclesiasticus* did not avoid the question of the royal right of patronage. The *Informatio* declares that "according to our laws, concerning the ecclesiastical goods the Royal Majesty has no other right but the patronage and supremacy; namely to bestow them on suitable people when they become vacant and to elect bishops for the presentation for His Holiness." The phrasing is superb and can be regarded as precise in terms of canon law, since it refers to the term of *collatio*, which had been long questioned by the Roman Curia, to the episcopal estates and goods and not to the bishoprics themselves in the spirit of the traditional Hungarian legal interpretation and practice. Likewise, it does not mean the royal heredity of the capitular election that provides certain canonical rights when it refers to the *electio*, but only election for the nomination and presentation for the pope. The royal right of patronage is almost completely interpreted in the manner of the manorial patronate by the *Informatio*, and it states that the advowson exists as a right only at the moment of the filling; furthermore "they [the monarchs] are not responsible if the clergymen subject somebody to scrutiny either for preventing damages or for meeting a debt".

In the *Informatio*, the monarch is obliged to support the execution and providence of the sacred synod's resolution that serves beneficent purposes (the redemption of the church goods, the education of the future priests, etc.). Moreover, the view (*sententia*) of Péter Pázmány which was shared among many theologians is also quoted; namely, the monarch cannot freely provide the church incomes, not even in case of vacancy, as he is doing. The incomes collected by the Chamber belong to the newly appointed bishop. However, now, as it is repeated by the memorial, the vacancy is out of the question, because the bishopric is still filled: "it has a prelate, upon who was bestowed by His Majesty and while he is alive, the monarch cannot dispose of the incomes and goods, only as the protector of the churches at most. Consequently, temporarily the sacred synod did not suspend the right of the monarch, but of

the bishop and did not touch upon the royal right, at all.” In addition, it states the following: “the sacred synod ... did not assign the right of the bishop to the laity, neither to his Majesty, but to churchmen as the administration of the goods had been depended on a churchman earlier, therefore, their pure management would be entrusted to them, as well.”

The feudal dualism in the early modern period: the feudal rights and the defence of the feudal freedom had always been a sensitive question within the compass of the mutual exercise of power of the estates and the monarch in Hungary, which was regulated in 1608.⁵⁵ According to all indications, besides the secular one, the *status ecclesiasticus* should also be considered. The natural factor of this “freedom” is the self-governing, the so-called *autonomy* that relied upon the secular, feudal, as well as canon law; its main representative body was nothing else but the national synod. Its existence and decisions greatly limit the right of patronage, namely, they acknowledge only one sort of protectorate besides the licenses relating to the filling of the benefices. Its gist is nothing else but to assure the execution of the synod’s resolutions. The court of Vienna had a different opinion of it, and despite the coherent argumentation, Ferdinand III suspended the ongoing execution of the conciliar decision, then he took the judgement over the bishop of Győr within his competence and practically exempted him from the conciliar censorships.⁵⁶

It could also be regarded as symbolic that the idea of the Catholic feudal autonomy – which was embodied by the national synod against the Habsburg regime that had been favoured against the Protestantism or the Holy See – was just born in 1648, in the year of the Peace of Westphalia, which is known by the international historiography as the end of the confessionalisation and the turning point of the process of secularisation.⁵⁷

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⁵⁵ BENDA–PÉTER, *Az országgyűlések* [as note 11], op. cit.; SZÍJÁRTÓ, *A diéta* [as note 50], op. cit.; FORGÓ, *Egyház* [as note 50], op. cit.

⁵⁶ The decree of the monarch: MNL OL, MKL, *Conceptus Expeditionum* (A 35), n. 44/1649; cf. SZABADY, *Draskovich* [as note 53], 104. On the examination conducted in parallel by Camillo Melzi, the nuncio of Vienna: ASV Segreteria di Stato, *Germania*, vol. 147, fol. 52r–55v.

⁵⁷ With a more detailed apparatus and further literature as well as with the publication of the *Informatio*: Péter TUSOR, *Nemzeti zsinat, 1648. Katolikus rendi autonómiatörekvés a kora újkori Magyarországon*, in: BALOGH–VARGA–VÉRTESI, *Katolikus zsinatok* [as note 2], 69–130; Péter TUSOR, *The National Council and the Habsburg State Power in Hungary in the year of the Peace of Westphalia*, in: *AHC* 46 (2014) 239–258.

The final thesis is the following: the early modern period is the golden age of the synods in Hungary, their number and significance is considerable until the mid-17th century. Typical reform-synods rarely discussed theological questions. Their special characteristic is the national synods' central role. In 1638, the active contribution of the nobility occurred on the national synod; whereas in 1648, the forum of autonomy against the Habsburg regime – that was an ally in other respects – became apparent, at least in theory. The study outlines the synods of the period from Miklós Oláh (the archbishop of Esztergom in 1553–1568) to Péter Pázmány (the archbishop of Esztergom in 1616–1637). It analyses the conduct of Palatine Miklós Esterházy on the council of 1638: his motivations, circumstances and consequences. Furthermore, it outlines the context of the autonomy effort in 1648.