

Church and State in Hungary in the 15-16 centuries

The Hungarian Royal Patronage and
Supremacy

University of Graz, May 2015

The Church organisation in late medieval Hungary (1)



The Church organisation in late medieval Hungary (2)



The Hungarian Royal Patronage and Supremacy

Various Interpretations

- Ecclesiastical authors: emphasize the total illegitimacy of this legal practices according to canon law
- Other authors: different interpretation of apostolic privileges, serving as the legal basis of the sovereign's influence
- Old view and practice: the Hungarian Kings, possessing special apostolic rights, have had the widest possible authority over all of the ecclesiastical benefices of the country

The Hungarian Royal Patronage and Supremacy Standpoint of the Canon Law

- The root of the problem, as with other dominant legal questions in 16-17 centuries, goes back to the period of the 15th century
- The Pope's sole right is the filling of the bishoprics (*provisio*), the *nominatio regia* is a personal privilege (to propose the person to the Pope)
- There is certain canonical validity only in the case of capitular election, in this case could one talk about papal confirmation and not provision

The Hungarian Royal Patronage and Supremacy

The Cardinals' ,bull' of Constance

- The fulfilling of minor benefices was placed within Hungary's borders, under the authority of an ordinary
- It mentions the Hungarian Kings' right of presentation based on ancient tradition (*ex vetere consuetudine*), which is a special terminus of the Patronate
- It gives authorisation to the King only to nominate suitable persons for bishops and archbishops

The Hungarian Royal Patronage and Supremacy

Hungarian State Ideology: Werbőczy's Tripartitum

- The conferment of *every* ecclesiastical benefice is the King's privilege, the Pope had and has only the right of confirmation, while
- 1. in Hungary every church was founded by the kings
- 2. The Hungarian people adopted Christianity because of their first monarch, St. Stephen, who was an apostol
- 3. The practice is continuous during 500 years
- 4. This 'liberty of the country' was acknowledged by the Council of Constance

The Hungarian Royal Patronage and Supremacy

Development of the Hungarian State Practice

- After the Investiture Controversy capitular elections were dominant. In the 14th century Hungary was also characterised by a dominance of papal reservations
- During the Great Schism, in 1403 King Sigismund decided not to obey Pope Boniface IX for political reasons
- For almost a decade Sigismund kept the filling of the episcopal sees under his authority, he administered translocations of the bishops himself etc.
- Specials royal charters of endowment came into existence

The Hungarian Royal Patronage and Supremacy

The pillars of the Hungarian State control

- The existence of individual patronage
- The feudal endowment of estates (also in case of church properties)
- Assuming the rights of capitular elections. The King's influence had encompassed the conferment of minor benefices, including capitular dignitaries. This is the real fund of the „apostolical/canonical validity” of the royal appointments until 1918 (!)

The Hungarian Royal Patronage and Supremacy

Summary of its development

- The „ancient tradition” referred in the ,bull’ of Constance, intended to gain the acceptance of the Holy See, was in fact a rather novel but viable development. The real foundation for Hungarian legislation, which had become consolidated by the beginning of the 16th Century, was
 - 1. the practice of Sigismund from 1403
 - 2. the letter of Constance
 - 3. the total expiration of capitular election, „inherited” by the „apostolic” Kings

The Hungarian Royal Patronage and Supremacy

The Holy See's attitude

- The developing papal centralisation despite of the promissory letter of the Cardinals' Collegium de iure does not acknowledge the Hungarian practice at all
- There is no concordat, that proves that the „Bull of Constanz” remained in force. The Roman Curia was consistent in filling Hungarian episcopal sees only on the basis of the monarch's proposal
- Independent initiatives were only made based on the most narrowly interpreted papal reservations

The Hungarian Royal Patronage and Supremacy

The style of the historical documents

- As opposed to German, French and Spanish examples, the fact of the King's involvement was almost never recorded in the Roman Curia's consistorial papers
- Royal documents addressed to the Pope use terms „*vetustum regni iurispatronatus privilegium*”, *electio*, *nominatio*, *translatio*, *praesentatio*. Misses however the special term of the conferment (*collatio*). This is mentioned only in the appointing letter, given to new bishop, the chapter, secular authorities of Hungary

The ,bull' of Constance, facsimile (1)

[illegible]

The ,bull' of Constance, facsimile (2)

EPERJES
szám: Nr. 14008
BEVELTARA
236 szám

The Hungarian Episcopate and Rome in the 16th century, after the Battle of Mohács

- After the Battle of Mohács (1526) the peculiar but consolidated relations changed and radicalised
- Almost complete expropriation of benefices by the State and by the Protestant landlords
- Many and long „sedis vacantiae”
- The bishops became the most fervent enthusiasts and beneficiaries of the State-Church system

The Hungarian Episcopate and Rome in the 16th century

The ideology of „Regnum Apostolicum”

- On the State-Church formation and the St. Stephen's traditions developed an own ideology and practice:
- 1) The Kings of Hungary have a sacred iurisdiction over the bishoprics
- 2) After the royal nomination, the newly „elected” bishop has all the temporal and some spiritual iurisdiction over his diocese
- 3) The already consecrated bishops are not obliged to obtain the papal bulls to sanction their governance of their new bishoprics.

The Hungarian Episcopate and Rome in the 16th century

No Anticurialism

- Despite of the canonically illegitim thinking and practice the Hungarian hierarchy was faithful to the Papacy
- The Hungarian ideology („Hungaricanism”) could hardly gain ground in the royal nomination letters send to Rome

The Hungarian Episcopate and Rome in the 16th century

Idea of Bulwark of the Christianity (1)

- In the middle of the sixteenth century Hungarian demands were expanded: the papal bulls should be issued free of charge in the form of annates or other taxes
- The old-new argument was referring to the costs of the fight against the Turks, to the idea of „Propugnaculum Christianitatis”

The Hungarian Episcopate and Rome in the 16th century

Idea of Bulwark of the Christianity (2)

- This idea is the reason, why the Papacy, contrary to what happened in England in the 16th century and in France in the 17th century, did never launch a sweeping attack against the Hungarian State-Church system
- We are aware of only one case where the Roman Curia applied sanction against the Hungarian prelates for their illegal possession of benefices

The Hungarian Episcopate and Rome in the 16th century

Idea of Bulwark of the Christianity (3)

- The idea of „Propugnaculum Christianitatis” did not prove to be effective enough not to pay the annates and taxes
- Only occasional concessions were made on behalf of the Curia Romana
- The question of the annates caused many tension in the 17th century between the Hungarian Catholicism and Rome

The Hungarian Episcopate and Rome in the 16th century

The Standpoint of the Curia Romana

- Until the 1560s the consistorial papers in general preserved no sign of any involvement by the monarch
- In 1550 and 1554 a consistorial decree announced, that the rights of the king of Hungary over the ecclesiastical benefices canonically could not be verified
- During the pontificate of Pius IV (1559-1565) the contours of a *modus vivendi* were beginning to take form

Facsimilia of the used sources (1)

CLEMENS. EP. VI]

Carissime in chrō fili nr salut et aplicam ben. Jam ex lris M^{ris} tua. q̄ & Nuntio tuo ad nos destinato intelleximus eandē Mtm tuam Pauli de varda als per Mtm tuam ad eccliam Agrien et tunc vacantem nominati providere, ac lras desuper gratis ob cau. ut rem gratam eidem Mtm tua faceremus, libenti animo fecissemus, nisi ut ipse Nuntius tuus tibi referre poterit maior p consistoriales fieri non consueuerunt. Post calendas autem octobris, quibus speramus in alma vrbe nrā cum omnibus Ca sancti viti in Macello Martirum diacenum car. cui relationem comisimus, in consisterio nrō secreto proponi faciemus viterbi sub annulo piscatoris die xxviij. Junij. M. D. xxviij. Pontificatus

[illegible]

F
Collagen

A handwritten signature in cursive script, appearing to read "S. J. May Jr.", written in dark ink on a light-colored background. The signature is fluid and somewhat stylized, with large loops and flourishes. It is positioned at the bottom right of the page, below the typed name "S. J. May Jr.".

 $+ 5\frac{1}{2} \text{ per}$

\neq qua prim^o
~ 2^o 3^o 4^o

many aging

Facsimilia of the used sources (3)

Beatissime in Chrō Pater & Dne Dñe R^{me} Post humilem Commendationem filialis observantie nostrę conti-
nūum incrementum. Comissimus Hon.^{li} Gabrieli Xantho Internuntio nostro apud S^{tem} Vram, eidem qđā
nomine nostro referenda, sicuti ab eo coram intelligere dignabitur, quā cum Ecclia Nitrien in Regno
nrō Hungarię confirmationem Annateę remissionem concernant. Beat^{non} V. emixe rogamus, s't habita
dicto Internuntio solita ac plena fide in ijs, quā sic verbis nostris dixerit, se superinde ita gerere ex-
hibereq; velit, prout de Sua benignitate plane confidimus. Commendantes promide nos dictumq; nego-
tium eidem S.^{ti} Vestrę per q̄ accurate & humiliter, Datū in Ciuitate nrā Vienna die xxij Mensis
Augusti Anno Domini M D xxxi & Regnorum nrōr. Romani Nono Alior. vero xij.

E. S. V.

Humilis obsequens
Horsman?

Facsimilia of the used sources (4)

*R*udolphus Secundus, Diuina fauente clementia Electus Ro-
manorum Imperator, semper Augustus, ac Germaniae, Hun-
gariae, Bohemiae, Dalmatiae, Croatiae, Sclauoniae &c. Rex
Archidux Austriae, Dux Burgundiae, Stiriae, Carinthiae, Carnio-
liae & Wirtembergae &c. Comes Tirolis &c. &c. Quarendissimo
in Christo patri, Domino Decio S. R. E. presbytero Cardinali Aze-
solino. Amico nostro charissimo. Salutem & benedictionem no-
stram affectum. R. me in Christo pater, Amice charissime. Sum
Honrabilis, Religiosus, deuotus nobis dilectus Bonauentura
de Aquila, Ordinis S. Francisci de Observantia, per plures iam
annos, in Aula nostra Caesaris, Concinatoris Italici munere ita fuit
sit, ut tum ob eximiam pietatem, doctrinam ac ritae exemplaris pro-
bitatem, cum diuersis alijs optimis animi dotibus coniunctam,
tum etiam ob insignem operam Religionis Catholicae à toto eo tem-
pore, non minori cum fructu & laude sua, quam nostra ac aliorum
omnium satis factione nauatam, dignum se reddiderit, qui ad
maiores Ecclesiasticae dignitatis gradum eueheretur. Nos,
vacante & nouissimis Episcopi Segniensis obitu, Ecclesia is fa-

SUMMARY

- „HUNGARICANISM”: The real head of Church of the *Regnum Apostolicum* is the (Habsburg) Apostolic King, all faithful to Rome
- This State-Church system is the result of a long historical development, begun in the time of the great Western Schism and Conciliarism
- The Papacy *de facto* accepts this „*supra modum*” royal influence (*ius supremum patronatus regii*), but *de iure* and continuously only from the 1560s, and only the simple right of nomination admits

SUMMARY

- The reason of this peculiar historical phenomenon, begun in the late middle ages, has developed and consolidated in the early modern period:
- 1) a special Hungarian tradition and way of thinking
- 2) the strong and long Ottoman threatens
- 3) the influence of the Habsburgs to the papal Court (in 1758 Benedict XIV officially confirms the „Apostolic King” title of Hungarian rulers)
- 4) The existence of Protestantism in Hungary (by the end of the 16th century 90% of the population was Protestant: Lutheran, Calvinist and Antitrinitarianist)

THESIS

- It has been hindered by the special Hungarian State-Church structure that Hungary should become totally Protestant, despite of its 90% majority
- The crown and the (rather devastated) episcopate was Catholic, and this fact served as *punctum saliens* to a wide, more and more hegemonistic spreading of the Tridentine Catholicism in Hungary during the 17th century markhalled by the name of Péter Pázmány, archbishop of Esztergom (Gran) and Cardinal

The Church organisation in early modern Hungary



Church and State in Hungary in the 15-16 centuries

The Hungarian Royal Patronage and
Supremacy

University of Graz, May 2015