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When the Papal Legate Is Not Well Received: Confrontations Between the Papal and Royal Governments in Thirteenth Century Hungary

The Papacy became the supreme authority of the Latin Christianity at least at the turn of the twelfth-thirteenth centuries. Papal delegates, especially *legati a latere* were the "long arm" of the popes to settle and negotiate both ecclesiastical and political issues. In theory, papal representatives should have been given a warm welcome in the places where they were sent, however, as the examples in the paper show, this was by no means always the case. The paper aims to discuss this process by analysing the activities of the papal legates in the Kingdom if Hungary, the form of representation and the procedures of the negotiation (cooperation, contestation, refusal) of this authority in the context of the Hungarian Kingdom in thirteenth-fourteenth centuries.

Keywords: Papacy, Hungary, legates, reception, confrontation, thirteenth-fourteenth centuries



Before the creation of the nunciature, the form of permanent representation of the papacy from the 1530s onwards, the Roman pontiff could rely on his envoys to make his voice be heard: these men were real tools of government. The bishops of Rome had been claiming universal power since the middle of the eleventh century, but they needed representatives to bring a redefined form of representation to the whole of Christendom and to introduce it into the daily life of ecclesiastical and secular government. The popes opted for to envoys with full powers whose role was to mark their presence and set in motion the reform of the Church. The *alter ego domini pape* maintained an unbreakable link with his principal; the latter took the form of a legate sent to the pope's side (*legatus a latere*). He became his ears and eyes and represented

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the word of the Roman pontiff.¹ These legates gave an omnipresent corporeal dimension to the pope who usually validated in advance the measures they were to take during their missions. The explanation was as follows: it is the pope himself who makes his own decisions through his plenipotentiary representative.²

The Gregorian reform gave a universal dimension to the church, which soon had to face practical obstacles that proved to be difficult to overcome. How to govern a church that was geographically so vast, stretching across all Europe at the time? How could one pope be present, or even omnipresent at the same time? It goes without saying that such situation calls for the strengthening of the system of representation. The governability of a huge and complex organisation depended on several factors, of which the acceptance of Roman primacy, the ability to dialogue with local ecclesiastics and laity were paramount. When the successors of St. Peter invested a representative with full power and sent him to any region of Christendom, it was above all a question of showing the importance of the delegation of their authority on which the government of the Church rested. Therefore, the successful reception of a legate *a latere* was the acceptance of Roman authority.

The effectiveness of the papal representative, and thus of the pope, rested on their ability to cooperate with the local clergy and the secular government. The friendly tone with which the bishops of Rome addressed the prelates and the secular elite in letters of recommendation was not a mere sign of politeness. The safe-conducts through which the Roman pontiffs obtained the safe passage of the envoy were an opportunity to win the goodwill of those whom the latter would meet. These letters had the function of overriding the neglect, contempt or even refusal of the legate (*legatus a latere*) sent by the pope. Hospitality, cordial reception and respectful treatment were essential to safeguard the pope's interests.

This new system – full powers to papal representatives – highlights the existence of difficulties and did not prevent conflicts. Many of the formulas in the mandates addressed to the *legati a latere* refer to the Old and New Testaments and use a condescending and authoritarian tone.³ It were often

¹ SCHMUTZ 1966. p. 161–171; SCHMUTZ 1972. p. 441–463, here p. 448; BLET 1982. p. 92.

² "Quoniam igitur pluribus Ecclesiarum negotiis occupati, ad vos ipsi venire non possumus, talem vobis virum destinare curavimus quo nimirum post nos maior in Romana Ecclesia auctoritas non habetur, Petrum videlicet Damianum Ostiensem episcopum, qui nimirum et noster est oculus et apostolicae sedis firmamentum. Huic itaque vicem nostram pleno iure commisimus, ut quidquid in illis partibus, Deo auxiliante, statuerit, in ratum teneatur et firmum ac si speciali nostri examinis fuerit sententia promulgatum. Quapropter [...] monemus, et insuper apostolica vobis auctoritate praecipimus ut talem tantumque virum, tamquam nostram personam, digna studeatis devotione suscipere, ejusque sententiis atque judiciis, proptert beati Petri apostplorum principis reverentiam, humiliter obedire". – PL. CXLVI, col. 1295–1296.

³ The first is from the Book of Jeremiah (Jer, 1:10): "Look, I appoint you this day over the nations and kingdoms, that you may pluck up and pull down, that you may ruin and destroy, that you may build and plant." Two differently worded passages from the New Testament coincide on the same subject: "He who receives you receives me, and he who receives me receives him who sent me." – Mt,

included in letters of recommendation, so they did not remain shrouded before those who were to receive the envoy of the Roman pontiff. Similarly, Gregory VII developed a thesis that was incorporated into canon law from the middle of the thirteenth century. This states that "the legate precedes all the bishops at the council, even if he has a lower rank than them, and that he can take a sentence of deposition against them".4 This passage from the *Dictatus papae* argues not only for the primacy of the legate's rank, but also for the legate to preside over the council, the fundamental institution of local church legislation and jurisdiction. Hildebrand, a former monk of Cluny, was also innovative in using the term "Roman" to describe the church's freedom from secular influence, which he also applied to his envoys (i.e. the "Roman legates"). He did this in order to emphasise that his legates represented the universal authority of the pope and introduced the Gregorian reform.⁵ Nevertheless, the latter would not have been complete without the commitment of papal representatives recruited from the local clergy. This solution had at least two advantages: it provided knowledge of local conditions and channels of communication. The curia successfully tried to collect and 'romanise' this clergy, which it could put at the disposal of the reform service.⁶

This desire to 'romanise', i.e. to 'liberate' the church, was a problem for the contemporaries, both for the strong opponents of any reform aimed at removing secular influence and for the many ecclesiastical communities who saw it as the abrogation of their privileges.⁷ And let us not forget that the papal

10:40. "He who hears you hears me, and he who rejects you rejects me; and he who rejects me rejects him who sent me." Luke 10:16.

⁴ "Quod legatus eius omnibus episcopis praesit in concilio etiam inferioris gradus et adversus eius sententiam depositionis possit dare". RGVII. II. nr. 55a; SCHMUTZ 1966. p. 173–174; SCHMUTZ 1972. p. 449; BLET 1982. p. 97; ZEY 2008. p. 86–87.

⁵ The Pope explains in a letter to Archbishop Manasses: "Quodsi vos Romanos legatos intelligere videremini quoslibet cuiuslibet gentis, quibus Romanus pontifex aliquam legationem iniungat vel, quod maius est vicem suam indulgat, et laudaremus sane petita et petitis libenter annueremus. Sed quia premittendo 'Romanis' continuo subiungitis 'non ultramontanis', ostenditis vos tantum eos velle Romanos habere legatos, qui vel Rome nati vel in Romana ecclesia a parvulo edocati vel in eadem sint aliqua dignitate promote". – RGVII. VI, nr. 2; SCHMUTZ 1966. p. 178–181; SCHMUTZ 1972. p. 448–451; ZEY 2008. p. 85, 88–90.

⁶ "Quod quia nobis tum propter longinquitatem terrarum et maxime propter ignaras linguas valde difficile est, rogamus vos, sicut et regi Danarum denuntiavimus, ut de iunioribus et nobilibus terre vestre ad apostolicam aulam mittatis, quatenus sub alis apostolorum Petri et Pauli sacris et divinis legibus diligenter edocti apostolice sedis ad vos mandata referre non quasi ignoti, sed cogniti et, que christiane religionis ordo postulaverit, apud vos non quasi rudes aut ignari, sed lingua ac scientia moribusque prudentes digne Deo predicare et efficaciter ipso adiuvante excolere valeant." – RGVII. VI/13, 416; ZEY 2008. p. 88.

⁷ SCHMUTZ 1966. p. 76; ZEY 2008. p. 81–83. The quarrel of Amatus d'Oléron and Hugues de Die with the clergy of Bordeaux in 1081 provides a good example. The clergy refused to welcome the legates in the procession, referring to their privilege. They fiercely defended their right not to receive any other prelate except the pope and the archbishop of Tours on the occasion of a *processio*, the latter being admitted only once in his life. The legate Amatus excommunicated the clerics of Bordeaux. This *alter ego* of the pope invoked that the Roman pontiff is present in his person, which they cannot refuse to accept even with reference to the privilege in question. For the activity of the two legates see: SCHMUTZ 1966. p. 189–193 (Hugues de Die), p. 200–203 (Amatus

envoy could count on the procuration of the local churches, which had to contribute to financing the trip and especially the stay of the legates. This constituted a considerable burden in relation to the annual income of the dioceses in charge of receiving these legates. The sources keep track of numerous prevarications and, sometimes, of the refusal to simply pay the expected payment. Conciliar decrees attempted to remedy the problem: in 1179, the Third Lateran Council granted only 25 horses to a legate.⁸ In 1215, the Fourth Lateran Council moderated the number of participants in the procession of papal legates. Although exact data are not available before the early fourteenth century, it was not uncommon for this burden to constitute a serious financial strain. For example, John XXII had to mandate his collector, Rufinus, whom he sent in 1317 to Hungary to collect the remains of the procuration of Gentile of Monteflorum, papal legate to Hungary in 1308-1311.10 In 1349, Pope Benedict XII ordered the archdiocese of Salzburg to pay 6,000 gold florins as for the stay in Hungary of his legate, Guy de Boulogne, which represented 60% of the annual income of the archdiocese.¹¹ In comparison, in 1303, Niccolò Boccasini received 120 Vienna Marks from the same archbishopric as a procuration of passage.¹²

The papacy had to demonstrate a skill in avoiding the indignation of those under the jurisdiction of the bishop of Rome. On the financial side and in measures to restrain procurations, the Roman pontiffs tried to calm hostilities. And they were not insensitive to the problems of competing jurisdictions, which included the sending of legates *a latere* of lower rank than the prelates who were to receive and obey them. From the middle of the thirteenth century, the Apostolic See found an effective solution: the solemn nuncios, who were also the pope's messengers, whose competences were limited to well-defined causes (*pro certis negotiis*) and, above all, their rank was never considered superior to their hosts. Unlike their colleagues, the *legati a latere*, these nuncios were not the pope's *alter ego*, their mandate was limited to carrying out the order of the principal, the Roman pontiff. Likewise, recruited mainly from cardinals, they had the right to take their share of the revenues devolved to

d'Oléron); SCHMUTZ 1972. p. 448, 455 and note nr. 44. (Amatus d'Oléron); BLET 1982. p. 94–95, 102–110.

⁸ Hefele - Leclerco 1907-1921. V/2. p. 1091-1092.

 $^{^9}$ Especially the canons 26 and 29. HeFeLE – Leclercq 1907–1921. V/2. p. 1354–1358; Kalous 2017. p. 129.

¹⁰ Gentile's account book contains valuable information. For the mandate addressed to Rufinus, see: Archivio Apostolico Vaticano, Registra Vaticana, 67, ep. 85; AOklt. V. 1318–1320. nr. 162; MALÉTH 2020. p. 338–339 (nr. 185).

¹¹ MALÉTH 2019. p. 180; HC I. p. 432.

¹² Österreichisches Staatsarchiv Haus-, Hof- und Staatsarchiv, Salzburg, Erzstift AUR 1303 II 17: http://monasterium.net/mom/AT-HHStA/SbgE/AUR 1303 II 17/charter (accessed: 30 June 2020). For the payment of the procuration see: Österreichisches Staatsarchiv Haus-, Hof- und Staatsarchiv, Salzburg, Erzstift) AUR 1303 III 12: http://monasterium.net/mom/AT-HHStA/SbgE/AUR 1303 III 12/charter?q=ostia (accessed: 30 June 2020).

their college.¹³ However, Clement V's decree issued in 1312 deprived the legates *a latere* of their portion of income during the time of their mission.¹⁴

It must be stated that, despite the efforts of the popes, papal representation led to conflicts in the government of the universal and local church, which had consequences for the general relations between the secular world and the papacy.

The relations between the kings of Hungary (the Árpádians) and the papacy intensified and became more complex from the thirteenth century onwards. They were not only diplomatic, but they also concerned the ecclesiastical government and jurisdiction (hierarchy, prerogatives and privileges of the clergy) and the question of faith (heresy, non-Christian population, mission, etc.), as Hungary lied on the borders of Latin Christendom facing the Orthodox (considered schismatics) and pagan peoples (Cumans, Tartars). All these issues were the subject of the activity of the pontifical representatives, who had become increasingly numerous since the early 1200s. 15

The present study is limited to an analysis of the cases of the *legati a latere*, which are better documented and makes possible to demonstrate the somewhat hidden side of papal representation and the possible causes of the government's difficulties. The three legations discussed below, cover a period of more than half a century (from the 1230s to the beginning of the fourteenth century), which includes a series of crises: confrontations between the king and the elite the king's abuses, the planned reform of the Hungarian Church and the legitimisation of Charles I of Hungary.

From the 1220s onwards, King Andrew II (1205–1235) had to face heavy political and social tensions, especially the growing indignation of some barons, as well as a rebellion of the prelates. The famous royal 'Golden Bull' of 1222 was intended to put an end to the claims.¹⁶ In some years, the prelates repeatedly denounced the non-respect of their prerogatives. They claimed both the exclusive jurisdiction of the ecclesiastical courts in any legal proceedings concerning a cleric, and their economic privileges (the near monopoly of the salt trade, the collection of tithes in naturalia, etc.). The avalanche of complaints led to the drafting of a solemn privilege in 1231.¹⁷ The latter had no effect, the return of the "reform" party to the royal court provoked a new confrontation in 1232, which then resulted in the sending of the *legatus* a latere, James of Pecoraria, cardinal-bishop of Preneste. The situation was very serious - the archbishop of Esztergom had issued an interdiction on the kingdom and excommunicated the king and his family – and the legate was urged to meet the king to force him to put an end to the abuses and restore the prerogatives of the ecclesiastics.¹⁸

¹³ Kyer 1979. p. 37–55, 61–66.

¹⁴ BAUMGARTEN 1898. p. XXXVII, 1-2; LUNT 1939. p. 544.

¹⁵ Kiss 2010; Kiss 2011.

¹⁶ ZSOLDOS 2019.

¹⁷ DRMH I/1. p. 34-41.

¹⁸ Kiss 2011. p. 50. Concerning James of Pecoraria's curriculum see http://delegatonline.pte.hu/search/persondatasheet/id/148 (accessed: 26 August 2019).

James of Pecoraria arrived in Hungary in August 1232¹⁹ and remained there for almost two years before leaving the kingdom to return to Lombardy in March 1234.²⁰ As Hungary was in a state of emergency, the meeting between the legate *a latere* and the king could not have been delayed, at least from the point of view of Gregory IX's envoy. This influential pope was well informed by the king: in 1217, the cardinal-bishop of Ostia, then called Hugolinus de Segni, had conducted negotiations with Andrew II on the preparations for the Fifth Crusade.²¹ When he became pope, he had to see how the situation in Hungary was worsening. The archbishop of Esztergom, who in 1227 was granted a legacy to carry out the conversion of the Cumans²² openly abused the legal frameworks of his mandate when he issued the interdiction and excommunication of the kingdom and the royal family²³

With the arrival of James of Precoraria,24 the pope was represented by a legate sent from his side with full powers. He was to prevail over the two Hungarian archbishops, notably those of Esztergom and Kalocsa. The relation of the two prelates were characterized by several guarrels since the midtwelfth century. The archbishops of Kalocsa were hostile to the prerogatives and to the long-contested primacy of Esztergom.²⁵ However, the activity of the cardinal-bishop was not opposed by the Hungarian prelates, who were more interested in the legate's support to secure their privileges. For example, the legate suspended the bishop of Pécs, Bartholomew of Brancion (or de Gros), for being absent from his episcopal see because of a royal diplomatic mission.²⁶ Pecoraria conducted an investigation to verify the complaints against the Bosnian bishop.²⁷ The legate took measures in the litigation of the election of the bishop of Várad (today: Oradea, RO) and tried to persuade the king to accept the Teutonic Order to return in the kingdom.²⁸ James also passed a sentence in the trial of the Benedictine abbey of Pannonhalma concerning the abuse committed by certain laymen.²⁹ He confirmed in Esztergom the act of union of the collegiate church of Háiszentlőrinc and the archdeaconry of Bodrog at the request of the archbishop of Kalocsa. He also convened a legatine synod to put into effect the treaty concluded with the king.³⁰ Finally, just before

¹⁹ RGIX. nr. 1498-1500.

²⁰ RGIX. nr. 3177, 3179, 3180, 3362.

²¹ http://delegatonline.pte.hu/search/persondatasheet/id/103 (accessed: 30 June 2020).

²² http://delegatonline.pte.hu/search/persondatasheet/id/43 (accessed: 30 June 020).

²³ http://delegatonline.pte.hu/search/persondatasheet/id/43 (accessed: 30 June 2020).

²⁴ https://delegatonline.pte.hu/search/persondatasheet/id/148 (accessed: 11 September 2022)

²⁵ Kiss 2013.

²⁶ RGIX. nr. 2322; Koszta 2007. p. 38.

²⁷ RGIX. nr. 1377; Theiner I. p. 113, nr. 192. Almási 1993. p. 134; Ganzer 1968. p. 132–133; Kiss 2009. p. 49; Ternovácz 2016. p. 219–220; Weigl 2002. p. 177–178.

²⁸ RGIX. nr. 559, 935, 1096, 2882, 3304; Almási 1993. p. 135; Hunyadi 2008. p. 154–156; Zimmermann 2000.

²⁹ In 1233: POTTHAST. nr. 8968, 10847. In January 1234: MARSINA I. p. 315, 324.

³⁰ The meeting of the Hungarian prelates took place on 24 January. The Archbishop of Esztergom and several Hungarian prelates confirmed the Treaty of Bereg *in the presence* of the legate James

leaving the kingdom, the legate also defined the benefits and services of the hospital in Bács and the collegiate church in Székesfehérvár.³¹

Nevertheless, these acts, which were typical of the activity of a legate *a latere* who was at the same time an ordinary judge acting on behalf of the pope, were secondary to the main reason for sending James of Pecoraria to Hungary, namely to reinstate the prerogatives of the ecclesiastics, formulated in the "Golden Bull" of 1231, and have them approved by the king.

Andrew II, for his part, did his utmost to hide his intention to any personal meetings with this *legatus a latere*. James of Pecoraria had to resort to delegates who hurried to seek out the king, who was absent on the pretext of the campaign to be conducted in Galicia. On 20 August 1233, the bishop of Veszprém, Bartholomew, and the canon of Esztergom, Cognoscens, forced Andrew II to accept the treaty of Bereg.³² In September, Andrew II was obliged to take an oath and approve the treaty measures³³ Finally, the legate had this agreement confirmed by the prelates at the above-mentioned synod of Esztergom.³⁴ The king's strategy of postponing an agreement that would have undermined his competence in ecclesiastical matters was a failure. It consisted of not receiving the legate in order to get rid of any constraints. Nevertheless, the king's geopolitical room for manoeuvre was very limited: the legate dominated Hungary's "zone of authority", known as the *medium regni*.³⁵ The itinerary of James of Pecoraria³⁶ confirms that the legate was aware of his power and was able to take advantage of the control he had over the area and the influence he had over the Hungarian prelates.

Some forty years later, on 22 September 1278, Nicholas III sent Philip, Bishop of Fermo, his legate *a latere*.³⁷ The pope was informed by Hungarian prelates who lamented that Hungary was on the verge of a civil war: he king, who had only recently reached the age for independent action (1277) was still unable to control the opposing parties of the oligarchs who were fighting each other (Kőszegi, Gutkeled, Csák, Kán, Rátót genus), not to mention the difficulties posed by the Cumans. The Rákos Diet held in 1277 to consolidate the royal power was initiated by the same ecclesiastical dignitaries have formed a narrow group having university degrees, and who were in possession of the high direction of the kingdom's government by virtue of their office: Stephen Báncsa, archbishop of Kalocsa (chancellor of Queen Isabella of Anjou, the nephew of the first Hungarian-born cardinal of the same name),

of Pecoraria. This meeting appears to be a legatine synod. Gregory IX approved the document on 1 February. Theiner I. p. 122, nr. 205–206; RGIX. nr. 1749; ZIMMERMANN 1913. p. 109–110.

³¹ Bács: Potthast nr. 9460. Székesfehérvár: RGIX. nr. 1969; Almási 1993. p. 137.

³² ENDLICHER 1849. p. 436-442.

³³ THEINER I. p. 116.

³⁴ See above, note nr. 32.

³⁵ A region which includes the area bounded by the cities of Esztergom, Buda, Veszprém, Székesfehérvár in Transdanubia. Cf. Altmann – Biczó – Buzás – Horváth – Kovács – Siklósi – Végh 1999: Kiss 2021, map nr. 1.

³⁶ Kiss 2021.

³⁷ Theiner I. p. 327–336, nr. 544–552.

Bishops Lodomerius (Várad), Timoteus (Zagreb), Póka (Sirmium), Job (Pécs, royal chancellor), Demetrius (provost of Székesfehérvár, vice-royal chancellor), Thomas (provost of Hanta, vice-royal chancellor), Paul (provost of Veszprém), John (provost of Óbuda, *comes capelle* of the king).³⁸ This attempt failed,³⁹ prompting these prelates to turn to the pope.

The stay of the legate Philip, far from providing a remedy, aggravated the crisis. Several factors played a decisive role: ignorance or neglect of the balance of power and the political climate, authoritarian intervention in the most sensitive issues of the kingdom (the situation of the Cumans, the introduction of an ecclesiastical reform). The attitude of Ladislas IV also prevented the legate from carrying out his duties. The king's attempt to escape a meeting with the legate, 40 like his predecessor Andrew II, further encouraged Philip to find the rare occasions when he could expect to obtain results in accordance with his authorisation. From the geopolitical point of view, the legate had a promising advantage: he mastered the 'zone of authority' of the kingdom, the *medium regni*.⁴¹ As far as the Cumans were concerned, the legate had to force the king to sign the 'Cuman laws' which prescribed their conversion and creating permanent settlements. With these acts, Philip deprived Ladislas IV of the main support he had against the oligarchs and contributed to the outbreak of a political crisis that was much more serious than before his arrival.⁴² The decrees of the synod convened by the same legate (14 September 1279 in Buda) were for long considered by historiography as the reaction to the lamentable state of morals and customs of the Hungarian clergy, which they tried to remedy. Recent research questions this interpretation and places more emphasis on the fact that Philip of Fermo arrived in Hungary already with an elaborate programme of reform in his suitcase. 43 As for the king, he absented himself from the synod of Buda both to express his disagreement with the reforms envisaged by Philip and to regain the support of the Cumans. The presence of the king at the synod could have given him additional authority. Ladislas IV's stance was to encourage the Cumans and the oligarchs to react. At the turn of the year 1279–1280, the Cumans arrested the legate, whom they accused of being the "cause of all evils", as he urged the king to publish the laws that deprived them of their freedom. Soon after, it was the turn of the oligarchs to capture the king. The purpose of this action was to have a hostage as leverage against the Cumans and the legate. The kingdom was again on the verge of a civil war. And although through the intervention of the king's godfather, Charles I of Anjou, king of Sicily, and the pope, Ladislas IV and Philip of Fermo were released and reconciled, the rest of the legate's stay revealed the same problems as before: the king's negligence and even contempt for the

³⁸ Szűcs 2002. p. 387–409, 418–419.

³⁹ Szűcs 2002. p. 410–417.

⁴⁰ Kiss 2021.

⁴¹ KISS 2021.

⁴² Kovács 2019.

⁴³ Kovács 2019. p. 135–136.

legate, who blamed him for the whole crisis. Finally, Philip had to leave Hungary in early autumn without having achieved the expected results (*nichil in rege proficiens*).⁴⁴

The legation of the bishop of Fermo began unfavourably and resulted in a failure, which can be attributed as much to the political crisis in Hungary as to the measures that had nothing to do with the political-religious situation of the kingdom. The legate's authoritarian actions – secular and ecclesiastical legislation – deprived him of an acceptance worthy of the rank of an *alter ego* of the pope and generated the negative reception, the abuses he had to suffer and even the expulsion from the kingdom in 1281. The only positive result of the presence of the legate *a latere* in Hungary was the jurisdictional and judicial activity it generated: Philip, as an ordinary judge, was much sought after during his stay in Hungary, without being unaware of the measures concerning the government of the Church.⁴⁵

However, public opinion at the time was more concerned with the failure of Philip's mission. From the beginning, his mission was unfortunate. The king tried to prevent the legate from entering the kingdom, then tried to avoid meeting him. For his part, Nicholas III did not hide his dissatisfaction with the king's behaviour. Philip of Fermo was received with great suspicion, and the papal envoy even had to endure a physical threat during his stay in Hungary. Shortly after the publication of the "Cuman laws", at the end of 1279, the Cumans captured Philip, as the Austrian chronicler Ottakar related. He adds that the Cumans threatened the legate with death. Philip's departure also caused a stir, which attracted the attention of contemporary witnesses. The author of the *Annales Polonorum* noted that the legate was captured and humiliated by being taken out of Hungary for having committed several insults against King Ladislas. The same Ottakar states that Philip swore never to return to the kingdom. Philip tried to control the

⁴⁴ Szűcs 2002. p. 419-429; Kovács 2019. p. 123-131.

⁴⁵ Kovács 2019. p. 133–147, Annexes 2, 3.

⁴⁶ "Licet itaque in primo ipsius Legati progressu displicuerit nobis et merito, quod sicut audivimus, tu eius reformidans adventum et ingressum, forsan dubitans, illum dicebaris, quod invite referimus, impedire [...] Et demum audito, quod te improvide appellationis refugio, immo potius diffugio commiseras, et pretextu appellationis huiusmodi, quasi baculo harundineo incautus inherens, non solum legato non parebas eidem, sed te ipsum, necnon et alois ab eius prelatorum sibi adherentium obedientia non absque note macula, interdum comminationibus, inductionibus, interdum penarum inflictionibus rerahebas [...]". – Theiner I. p. 342.

⁴⁷ "They snatched him and brought him to the place where they used to shoot at the target with the arrow, there they wanted to kill him with arrow shots and shed his blood [...]". – Translation by the author. For the edition, see: Ottokar p. 327.

⁴⁸ "a rege Ungarie captus est et extra Ungariam turpiter in curru eductus, eo quod in officio sue legacionis multas iniurias intulit eidem regi nominee Wladyslao". AP p. 646.

⁴⁹ "When he arrived in Zadar he vowed to God [...] that he would never set foot on Hungarian soil again, the king could fall back into paganism with all his followers, but he would not stick to it. So he left the kingdom." – Translation by the author. Ottokar p. 329.

medium regni in order to achieve results. In reality, his inability to understand relations of power and authoritarian measures led to his failure and rejection.

After the extinction of the male branch of the Árpádians with the death of Andrew III, another *legatus a latere*, Niccolò Boccasini, arrived in Hungary in 1301 to pacify the Kingdom of Hungary. The death of King Andrew III opened the way to different candidates to claim the throne based on rights of dynastic descendance from the female branch. The Angevin pretender, Charles I, son of Charles Martel and Clemence of Habsburg claimed the succession established by the marriage contract concluded in 1269 between Isabella of Anjou and Ladislas (the future king Ladislas IV) on one hand, and Mary of Hungary (daughter of the Hungarian king, Stephen V) and Charles II of Anjou on the other. Another candidate was present and the same time, Wenceslas of Bohemia who proclaimed himself king of Hungary as a descendant of the female branch of the Arpadians. The papacy avoided to confirm one or another candidate at this time, emphasising the exclusive right of the pope to decide the case of the rulership. The fight for the throne of the candidates resulted in a civil war, therefore, the papal legate's activity focused on the normalisation of the situation and the re-establishment of the peace, and especially on the prerogatives of the ecclesiastical institutions.⁵⁰ Boniface VIII reserved for himself the exclusive right to decide the royal succession in Hungary. He followed his predecessors, Nicholas IV and Celestine V, in approving by a solemn act the right of the Angevins to the Hungarian throne. However, it happened only after the end of Boccasini's legation on 31 May 1303. The legate sent from his side was therefore to execute Boniface's decision, which proved to be the justification for papal supremacy. The legate, this *alter ego* of the pope, found himself in the awkward position of having to represent this supremacy in a kingdom where the real political actors, the oligarchs, undoubtedly subscribed to the idea of the right of free election of the king.⁵¹ The failure of the legate, who had to leave Hungary in 1303 without having achieved his aims, was a refutation of this papal supremacy.

Boccasini, like his predecessors, did not hesitate to impose himself in the *medium regni*⁵² However, the legate's action was condemned for various reasons. The pope left the archiepiscopal see of Esztergom vacant and did not confirm Gregory of Bicske. This were part of the postponing policy of the pope, who tried to gain the highest possible number of supporters among the prelates. It is not surprising that Boccasini reserved as soon as possible the archbishopric office of Kalocsa after the death of John, who had crowned one of the candidates, Wenceslas. At the moment when Boniface VIII took the solemn decision and proclaimed Charles of Anjou king of Hungary (31 May 1303), only a few numbers of archbishops and bishops were present in Anagni:

 $^{^{50}}$ https://delegatonline.pte.hu/search/persondatasheet/id/119 (accessed: 11 September 2022); MALÉTH 2020. p. 143–150, 325–326, nr. 156.

⁵¹ Generally see: Kiesewetter 2006; Csukovits 2013; Zsoldos 2013; Kiss 2011. p. 101–116. Cf. Kiss 2020a

⁵² See generally: Kiss 2021.

Stephen of Kalocsa, Benedict of Veszprém, Theodore of Győr and Michael of Zagreb. In addition, two cathedral chapters, Vác and Transylvania and two collegiate chapters, St. Thomas Becket of Esztergom and Vasvár were represented by their provosts.⁵³ Thus, it is to be stated that Boccasini's activity aiming to gain the support of the Hungarian prelates to the papal policy achieved moderated results. It clearly reflects the resistance of the major part of the Hungarian prelates to the papal supremacy.

A major part of the two years long stay of Pope Boniface VIII's legate is characterised by jurisdiction acts, taken occasionally or in the frame the two synods he held during his legation in Hungary. His decisions dealt with the restoration of the prerogatives of the clergy (*electio canonica*, tithe, defense of abuses, etc.).⁵⁴ Even in this field, Boccasini had to face difficulties.

The *Illuminated Chronicle* or the Fourteenth century *chronicle composition* fits into this context, even if the narrative does not always appear clear. The chapter entitled "*The Pope Excommunicated by the Priests of Buda*" is already revealing. It very briefly relates Niccolò Boccasini's activity in Hungary (which, as it says, had no results), his return and the fact that he was elected pope (under the name of Benedict XI) after the death of Boniface VIII. The chronicler does not shy away from expressing the hostility of the commune of Buda to the papal intervention. He notes that Boccasini left Buda, one of the major cities of the *medium regni*, under the threat of an interdiction. However, some pseudopriests and perfidious traitors (traitors) did not respect this ecclesiastical censure and continued to administer the sacraments, celebrated masses and even dared to excommunicate the pope, the prelates and clerics of the Hungarian kingdom.⁵⁵

The story refers to some real elements: the legate had to move first to Pozsony (Bratislava, SK) instead of residing in Buda. He obtained the tiara in 1303 and took the name Benedict XI. The synod held in Udvard in 1307 confirms only part of the story: the administration of the sacraments and the celebration of masses by schismatic priests under the aegis of the citizens of Buda, one of whom was Peturmann.⁵⁶

⁵⁴ https://delegatonline.pte.hu/search/persondatasheet/id/119 (accessed: 11 September 2022); Kiss 2011. table; MALÉTH 2020. p. 366–368, table nr. 5.

⁵³ Kiss 2020b, table.

^{55 &}quot;Papa per sacerdotes Budenses excommunicatur. Eodem tempore frater Nicolaus de ordine Fratrum Predicatorum, episcopus Hostiensis cardinalis, apostolice sedis auctoritate suffultus in Hungariam pro Carulo advenit. Qui Bude residendo diebus plurimis, aliquot, videns se nichil posse proficere, reversus est in curiam et ibi mortuo Bonifacio VIIIo in summum pontificem eligitur et creatur et Benedictus [XI] appellatur. In suo autem recessu cives civitatis Budensis pro quodam casu in interdictu reliquerat. Interdictum quippe religiosis et plebanis stricte servantibus surrexerunt quidam pseudo-sacerdotes et perfidi, qui manifeste divina populo celebrabant et sacramenta ecclesiastica ministrabant publice interdicti. Insuper malum malo comulantes perniciosius convocato populo, accensis lucernis summum pontificem, Christi vicarium, archiepiscopos et episcopos universos regni Hungarie ac viros religiosos communiter excommunicatos altis vocibus promulgabant. Hoc factum est castrum Budense quodam dicto Preturmano (Peturmanno!) regente, quem pro Ladizlao captivato rex prefecerat Vencezlaus". – SRH I. cap. 190, p. 481–482.

The account is the work of a chronicler belonging to the convent of the Friars Minor in Buda,⁵⁷ who was probably frightened by this religious movement opposing all ecclesiastical authority. The protagonist, Peturmann, belonged to the city's patriciate of which he was rector. This small group of citizens had long-standing quarrels with certain prelates and religious establishments, all of whom wanted to profit from the lucrative wine production and trade of the area around Buda.⁵⁸ Furthermore, on 30 December 1301, the legate mandated the parish priest of Buda, Albert, to warn Peturmann and three other citizens of Buda to pay the rental of the tithes to the bishop of Veszprém on pain of ecclesiastical censure.⁵⁹

The legate took a similar decision in the spring of 1302.60 The rejection of the sentence of prohibition could be the reaction of a religious movement of the community or the patriciate of the city of Buda in which economic interests (under the effect of the lawsuits concerning the wine trade and which did not bring the anticipated success for the merchants of Buda) and the refusal of the hierarchy.⁶¹ The story of the excommunication of the pope presented by the chronicler therefore refers to real events. It is unlikely, however, that the commune had the audacity to excommunicate the Roman pontiff. However, the chronicler had all the elements that were applicable to create such an account. The election of the pope following his legation to Hungary was to serve as a subject for the chronicler to express the two pieces of information that concerned him: the rejection of Boccasini's interdiction and the excommunication. Although no source attests that the excommunication took place, the story was intended to be much more symbolic. The aim was to express the rejection of papal authority marked by the presence of a *legatus a* latere in the city.

The cases we have just analysed underline that the quasi-personal presence of the pope in the Kingdom of Hungary could fuel indignation. The Gregorian reform redefined the juridical content of papal representation, and the legates sent from the pope's side with full powers acted in person on behalf of the Roman pontiff; they became his *alter ego*. Their presence in the various regions of the Latin Christendom sometimes gave rise to conflicts, with the *legati a latere* taking precedence over the local prelates, even though their rank was inferior to that of their hosts. Indignation and resistance could also arise from the charges of procuration, the financial maintenance of the papal envoys during their passage and especially during their stay in the political-administrative district of their authorisation.

These last two types of conflicts had obviously very little impact in Hungary. Refusal of procuration payments does not appear until the 1310s, and

⁵⁷ Kristó 2002. p. 82-83.

⁵⁸ Kubinyi 1961. p. 7-8.

⁵⁹ AOKlt. I. 1301–1305. nr. 136–137.

⁶⁰ AOklt. I. nr. 220.

⁶¹ GALAMBOSI 2018.

complaints by Hungarian prelates about the presence of a *legatus a latere* of lower rank are also absent for the eleventh–thirteenth centuries.

If we consider the papal delegates – legates and nuncios – sent to Hungary during the period, an interesting trend can be observed. It seems that the popes increasingly preferred nuncios instead of *legati a latere*, no doubt to avoid the expected conflicts.

Yet the abuse to which the legates James of Pecoraria, Philip of Fermo and Niccolò Boccasini were exposed is clear. In these confrontations, the basic elements present since the Gregorian redefinition are echoed: the authority and supremacy of the popes. While the prelates saw the presence of a *legatus a latere* as a guarantee of their prerogatives, kings saw it as a constraint. Similarly, certain city communities or heretical movements refuted the pontifical authority and the presence of its representative.

In order to get out of this situation, the kings Andrew II and Ladislas IV chose to follow an "escape route" to avoid the papal authority, which already controlled the "zone of authority" of the kingdom, the medium regni. The motive of Andrew II was precisely to get rid of the weight of the complaints of the prelates who demanded the respect of their prerogatives, which led to the elaboration of the Treaty of Bereg. Philip of Fermo arrived to restore order and royal authority in Hungary. The king's policy was to avoid papal supremacy, and Ladislas IV reported on the threats that could lead to the dissolution of his more or less consolidated power shortly before Philip of Fermo's arrival. The Cumans, constituting the king's military and political support, regarded the papal legate, whom they arrested and threatened with death, as their enemy. The same motive, the compulsion to keep the support of the Cumans, dictated to the king the expulsion of Philip of Fermo. Finally, the patriciate of Buda was usually the losing party in legal proceedings with the surrounding ecclesiastical authorities, which led them to resist all ecclesiastical authority. This is an idea that some heretical movements may have shared. The appearance of a legate *a latere*, Boccasini, could lead to a refusal of authority, which underwent an extreme transformation under the pen of a Franciscan chronicler who attributed to them the excommunication of Pope Benedict XI, the former papal legate who fulminated the interdict on the city of Buda.

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