

# A Friar-Bishop in the Episcopal Seat of Transylvania

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**Abstract:** Focused on the election of the bishop of Transylvania at the beginning of the fourteenth century, this study aims to present the circumstances in which friar Benedict, member of the Dominican Order, reached the episcopal seat of the Transylvanian diocese. However, in order to acquire this position, the first mendicant bishop of Transylvania had to file a litigation that claimed time, money, and numerous trips. Taking into account the ecclesiastical electoral practice from the turn of the thirteenth-fourteenth centuries, as well as the regulations of canon law, the present study will also try to identify the political factors that influenced the election and ordination of friar Benedict. Since the occupation of the episcopal seat of Transylvania also had repercussions on the strengthening of the central power, held to a greater or lesser extent by King Carol I of Anjou, a process in which the Holy See was also actively involved by sending the papal legate Gentilis, the study will try to explore the factors that ultimately led to Benedict's acquisition of the most important ecclesiastical office in medieval Transylvania. Finally, the study proposes a brief presentation of the career of Benedict, the Dominican who became a bishop, the role he played in the recovery of the Holy Crown from Voivode Ladislau Kán, and the activity carried out for over a decade as bishop of Transylvania.

**Keywords:** designation of bishop, medieval Transylvania, friar-bishop, Bishop Benedict, Ladislau Kán, Gentilis, Holy Crown

**Rezumat:** Concentrat asupra alegerii episcopului Transilvaniei la începutul secolului al XIV-lea, acest studiu își propune să prezinte împrejurimile prin care fratele Benedict, membru al Ordinului Dominican a ajuns în scaunul episcopal al diecezei transilvane.

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Pentru a dobândi însă acest lucru, primul episcop mendicant al Transilvaniei a fost nevoit să poarte un proces care a reclamat timp, bani și numeroase călătorii. Luând în considerare practica electorală ecleziastică de la turnura secolelor XIII-XIV, precum și reglementările dreptului canonic, studiul va încerca să identifice și factorii politici care au influențat alegerea și hirotonirea călugărului Benedict. Deoarece ocuparea scaunului episcopal al Transilvaniei avea repercusiuni și asupra întăririi puterii centrale, deținute într-o măsură mai mare sau mai mică de regele Carol I de Anjou, proces în care s-a implicat activ și scaunul papal prin trimiterea legatului papal Gentilis, studiul va încerca să exploreze acei factori care au condus într-un final la dobândirea celei mai importante funcții ecleziastice din Transilvania medievală de către Benedict. De asemenea, studiul își propune prezentarea succintă a carierei lui Benedict, dominicanul devenit episcop, rolul jucat de acesta în recuperarea Sfintei Coroane de la voievodul Ladislau Kan, și activitatea de peste un deceniu desfășurată în calitate de episcop al Transilvaniei.

**Cuvinte cheie:** desemnarea episcopului, Transilvania medievală, călugăr-episcop, episcopul Benedict, Ladislau Kán, Gentilis, Sfânta Coroană

On 27-28 November 1307,<sup>1</sup> Peter Monoszló, who had served as head of the Transylvanian bishopric for thirty-seven years, passed away. This was the longest period any medieval prelate had spent on the episcopal see of Transylvania. Upon his death, Transylvania was to go through “tough and troubled times,” to quote a document of the time.

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<sup>1</sup> The uncertainty concerning the exact time of Bishop Peter’s death comes from the contradictory information encountered in the proceedings of a trial regarding the election of Fr. Benedict, prior of the Dominican convent on the isle (Insula Leporum/today Margaret Island) in Buda. The trial, which was presided over by Cardinal Gentilis, the papal legate, will be examined in depth in this article. According to one of the documents, Bishop Peter died “anno Domini millesimo trecentesimo septimo, secunda feria proxima ante festum beati Andree apostoli” (27 November 1307), while another suggests that the date was “in anno Domini millesimo CCCVII. in vigilia vigilie beati Andree” (28 November 1307), see Antal Pór (ed.), *Acta legationis Cardinalis Gentilis. Gentilis bibornok magyarországi követségének okiratai / Monumenta Vaticana historiam regni Hungariae illustrantia. Vatikáni magyar okirattár. I/2/* (Budapest: Franklin, 1885, hereinafter: *Acta Gentilis*), vol. I/2, 155, 161; Zsigmond Jakó – Géza Hegyi – András W. Kovács (eds.), *Codex diplomaticus Transsylvaniae. Diplomata, epistolae et alia instrumenta litteraria res Transylvanias illustrantia. Erdélyi okmánytár. Oklevelek, levelek és más írásos emlékek Erdély történetéhez* (5 vols, Budapest: Akadémiai Kiadó–Magyar Nemzeti Levéltár Országos Levéltára–BTK Történettudományi Intézet, 1997–2021, hereinafter: *CDTrans*), vol. 2, no. 94, cf. no. 141. Considering that the date of 27 November is mentioned several times, it appears to be the most accurate. On the bishop’s biography, see Mihai Kovács, “Semper meliora prospiciuntur et utiliora attenduntur.” Monoszló nb. Péter erdélyi püspök társadalmi és politikai kapcsolatai’ [“Semper meliora prospiciuntur et utiliora attenduntur.” Political and Social Relationships of Peter Monoszló Bishop of Transylvania], *Erdélyi Múzeum*, 77.1 (2015): 1-13.

The question that arises is not what was the cause of that, but who caused it? The culprit was, as expected, the powerful Voivode Ladislau Kán. There had been no episcopal elections in the Transylvanian diocese for the past four decades so the event the members of the chapter were about to attend was of the utmost importance. According to the canons and customs of the thirteenth century, the last century of the Arpadian Age in the Hungarian Kingdom, in the overwhelming majority of cases the chapter was to elect the king's candidate as bishop, who would be later confirmed by the pope.<sup>2</sup> Canons could not *de facto* exercise their right to elect the bishop. However, things were about to change in the first decade of the fourteenth century. As the royal authority weakened, chapters were now not just formally entitled to elect the bishop but could exercise that right. In 1308, when elections for the Bishop of Transylvania took place, although Charles Robert considered himself King of Hungary,<sup>3</sup> he did not have sufficient leverage to influence the canons' opinions about the new prelate. This gave the chapter an opportunity to exert its voting rights.<sup>4</sup> According to the provisions of canon law, the cathedral chapter was bound to elect the new bishop within three months. If the deadline was not met, the chapter would forfeit this prerogative. In such situations, the right to designate the one who would occupy the episcopal see would pass unto the next higher authority, in this case, the Archbishop of Kalocsa, who would, of course, have to take the king's nominee into account. The next compulsory stages were the papal confirmation and the bishop's

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<sup>2</sup> László Solymosi, 'Egyházi-politikai viszonyok a pápai hegemonia idején (13. század)' [Ecclesiastical-political relations during the papal hegemony (thirteenth century)], in István Zombori (ed.), *Magyarország és a Szentszék kapcsolatának ezer éve* [A thousand years of the relationship between Hungary and the Holy See] (Budapest: Magyar Egyháztörténeti Enciklopédia Munkaközösség, 1996), 47-48.

<sup>3</sup> The uncertainty arises from the fact that Charles of Anjou was crowned king of Hungary three times: first in 1301, second in 1309 and third in 1310. The repeated ceremonies were necessary since by this time the triple rule had already been established, according to which the kings of Hungary had to be crowned by the Archbishop of Esztergom, in Székesfehérvár, with the Holy Crown, and for the coronation to be valid, all three conditions had to be met together. Yet, the most important element of the rule of three was the crown itself. Charles of Anjou's first two coronations, however, took place with an occasional crown, and in addition, other elements were not fulfilled. Thus, the third coronation of Charles with the Holy Crown complied with the triple rule, despite the fact that Charles himself counted the beginning of his reign from his first coronation, namely from 1301. Enikő Csukovits, *Az Anjouk Magyarországon I. I. Károly és uralkodása (1301-1342)* [The Anjous in Hungary I. Charles I and his reign (1301-1342)] (Budapest: MTA Bölcsészettudományi Kutatóközpont Történettudományi Intézet, 2012), 55-56, 59-61.

<sup>4</sup> It should be noted that the number of cathedral chapters had grown since the mid-thirteenth century, as the middle class of the ecclesiastical society, comprising canons, consolidated itself in several dioceses (in Pécs, for instance). One of the signs that chapters were now enjoying greater independence was the role they played in episcopal elections; of course, they also had a patrimony of their own and separate legal status.

ordination.<sup>5</sup> Towards the end of the first decade of the fourteenth century, the chapter of Transylvania had to go through this entire procedure.<sup>6</sup> However, while this routine had unfolded without major complications in similar situations in the past, things appeared to be far from simple now. With the demise of Peter Monoszló, the relative balance of powers had been destabilised. Up until then Ladislau Kán had been on good terms with the church of the Holy Archangel Michael in Transylvania, out of respect for the bishop's power, who was his elderly relative and who had supported him by challenging the excommunication sentence passed against him.<sup>7</sup> After Monoszló's death, however, the voivode deemed it was time to consolidate not just his temporal powers, but also his influence upon the ecclesiastical authorities. In his view, the easiest way to achieve that goal was to secure the Transylvanian episcopacy for his underage son. He straight away occupied the diocesan estates and the bishop's residence to give weight to his claim and enhance his odds of success. As he also wished to keep the appearance of legality, the voivode motivated his action by stating that his son was the late bishop's rightful successor (*postulatus*).<sup>8</sup> After more than a year and a half, in July 1309, a new prelate was appointed to the helm of the diocese. He was not the son of Ladislau Kán, however, but Benedict, the first mendicant Bishop of Transylvania.<sup>9</sup> Another year would pass before Cardinal Gentilis in the name of the Pope publicly confirmed the election of Benedict, on 2 July 1310, ordaining him as bishop in the presence of numerous high prelates. All the steps taken towards securing the episcopacy had thus been completed: election, confirmation, and ordination. And yet again, to achieve this, Fr. Benedict, the Bishop elect, had to go through a trial that entailed financial expenses, time, and countless journeys. In the present study, I shall outline the circumstances in which friar Benedict was elected from the

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<sup>5</sup> The canonical foundations of episcopal elections were laid down in the *Decretum Gratiani*, later supplemented by numerous synodal decrees. For details on the election of medieval bishops and the selection criteria, see Péter Erdő, *Egyházzog a középkori Magyarországon* [Ecclesiastical law in medieval Hungary] (Budapest: Osiris Kiadó, 2001), 182-199.

<sup>6</sup> Adinel Dincă, 'Aprecieri preliminare privind alegerea episcopului Transilvaniei în secolele XIII-XIV' [Preliminary assessments regarding the election of the bishop of Transylvania in the thirteenth-fourteenth centuries], in Susana Andea (ed.), *Transilvania (sec. XIII-XVII). Studii istorice* [Transylvania (thirteenth-seventeenth centuries). Historical studies] (Cluj-Napoca: Editura Academiei Române, 2005), 162-186.

<sup>7</sup> Gyula Kristó (ed.), *Documenta res Hungaricas tempore regum Andegavensium illustrantia. Anjou-kori oklevéltár* (Budapest-Szeged: Szegedi Középkorász Műhely, 1992-1998, hereinafter: *DocHungAndeg*), vol. 2, no. 91-93, 114; Tibor Róbert Varga, 'Az állam és az egyház kapcsolata a 14. századi Erdélyben' [The connection between the state and the Church in the fourteenth century Transylvania], *Magyar Egyháztörténeti Vázlatok*, 23.3-4 (2011): 8-9.

<sup>8</sup> *CDTrans*, vol. 2, no. 74; *DocHungAndeg*, vol. 2, no. 301; *Acta Gentilis*, vol. II/1, 155.

<sup>9</sup> For the most comprehensive overview of Benedict's episcopacy, see János Temesváry, *Erdély középkori püspökei* [Medieval bishops of Transylvania] (Cluj-Kolozsvár: Minerva, 1922), 112-140.

ranks of the Dominican Order to the episcopal see of Transylvania,<sup>10</sup> as well as the main events that marked the ten years of his episcopacy.

### **The election of the Bishop of Transylvania**

In January 1308, when they were summoned to elect their new bishop, the members of the chapter of Transylvania were already aware of the voivode's intentions. This is attested by the fact that the canons who were opposed to the election of Ladislau Kán's son sought refuge in the convents of Alba Iulia – the youngest in the Dominican friary and the others most likely in the monastery of the Augustinian Hermits. They were mistaken to think, however, that they could thus avoid participating in the bishop's election because Ladislau Kán had them brought by force to the electoral assembly. Other opponents, such as the older canons, were simply incarcerated (only to be released a few days later, on certain terms). Having thus eliminated any opposition and obtained the canons' consent by force, the voivode wished to give even greater weight to his position and, on 7 January 1308, as the historian Antal Pór indicates, he "showed up [in the electoral assembly], seated himself in its midst, and did not appoint any vote-counting commission or even permit the voting to take place, but had the charter stipulating his son's election read out loud, demanding that it should be confirmed right away with the chapter's authentic seal and with the canons' and archdeacons' own seals."<sup>11</sup> Tudor Sălăgean suggests that Kán was following the pattern provided by the election of Nicholas Kőszegi as Bishop of Győr; however, considering that this could only have happened after the death of his predecessor, Bishop Tivadar, on

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<sup>10</sup> This subject has also been approached in another context, see Mária Lupescu Makó, 'Benedek, az erdélyi egyházmegye első szerzetespüspöke' [Benedict, the first monastic bishop of the diocese of Transylvania], in József Csurgai Horváth (ed.), *Az első 300 év Magyarországon és Európában. A Domonkos-rend a középkorban* [The first 300 years in Hungary and Europe. The Dominican Order in the Middle Ages] (Székesfehérvár: Alba Civitas Történeti Alapítvány Press, 2017), 277-294 and Eadem, 'Între canoane și realitatea politică: practică electorală în episcopia Transilvaniei la începutul secolului al XIV-lea' [Between the canons and the political reality: Electoral practice in the Bishopric of Transylvania at the beginning of the fourteenth century], in Ionuț Costea – Radu Mărza – Valentin Orga (eds.), *Pasiune și rigoare. Noi tentații istoriografice. Omagiu profesorului Ovidiu Gitta* [Passion and rigor. New historiographic temptations. Homage to Professor Ovidiu Ghitta] (Cluj-Napoca: Argonaut & Mega, 2022), 157-174. More recently, the situation of the Transylvanian diocese during the time of Ladislau Kán has been approached by Sándor Hunyadi, 'Az erdélyi püspökség és székeskáptalan Kán László vajdasága alatt' [The chapter and the Diocese of Transylvanian under the voivodeship of Ladislau Kán], *Belvedere Meridionale*, 33.1 (2021): 19-46.

<sup>11</sup> Antal Pór, 'Bevezetés,' [Introduction], in *Acta Gentilis*, lxxxviii; *CDTrans*, vol. 2, no. 74; *DocHungAndeg*, vol. 2, no. 301.

1 May 1308, this supposition can easily be eliminated.<sup>12</sup> Pór emphasises that the Transylvanian voivode intervened to support his son's candidacy without any prior inquiries and without asking for anyone's opinion. Thus, by eluding the vote, the voivode ordered a document to be authenticated with the seals of the canons, archdeacons, and the chapter claiming that the members of the chapter wished his son to be the next bishop. Ladislau Kán's desire was not unique in that age. As seen above, in 1308, Ivan Kőszegi, the oligarch ruling the western parts of the Hungarian Kingdom, secured the election of Nicholas, his illegitimate son, to the episcopal see of Győr.<sup>13</sup>

Ladislau Kán appears to have spent the year 1308 trying to consolidate his son's – and indirectly his own – position by seeking to obtain the episcopal see.<sup>14</sup> The escalating tithe-related disputes between the chapter of Transylvania and the priests in the deanery of Mediaș was used by the voivode to his advantage, for he could thus pose as protector of the chapter and reward the canons' "amicable gesture."<sup>15</sup> The Transylvanian Saxons claimed that in 1308, when Cardinal Gentilis, the papal legate, had come to Hungary, they wanted to submit a complaint before him but the voivode had not allowed them to pass through his province.<sup>16</sup> Not only did he not grant them safe passage, but he also summoned them to pay their dues to the chapter and the bishop right away, and to forbear seeking litigation before the legate.<sup>17</sup> These threats were to be the prelude to a lengthy trial.<sup>18</sup> It should be noted that Ladislau Kán was guilty on two

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<sup>12</sup> Tudor Sălăgean, *Transylvania in the Second Half of the Thirteenth Century* (Leiden–Boston: Brill, 2016), 181 cf. Ádám Vajk, "Mibe került ezen hűségű levél?" Kőszegi Miklós győri püspöksége és az országos politika' ["What did this letter of loyalty cost?" Nicholas Kőszegi's bishopric in Győr and statewide politics], in Gábor Nemes – Ádám Vajk (eds.), *In labore fructus. Jubileumi tanulmányok Győregyházmegye történetéből* [*In labore fructus. Jubilee studies from the history of Győr Diocese*] / *A Győri Egyházmegyei Levéltár kiadványai, Források, feldolgozások 13.* (Győr: Győri Egyházmegyei Levéltár, 2011), 416.

<sup>13</sup> Vajk, 'Mibe került ezen hűségű levél?', 411-440; Attila Zsoldos, 'Kings and Oligarchs in Hungary at the Turn of the Thirteenth and Fourteenth Centuries', *Hungarian Historical Review*, 2.2 (2013): 227-228.

<sup>14</sup> Gyula Kristó, 'Kán László és Erdély' [Ladislau Kán and Transylvania], in Idem, *Tanulmányok az Árpád-korról* [Studies on the Árpád age] (Budapest: Magvető, 1983), 285-286, 288-290.

<sup>15</sup> *CDTrans*, vol. 2, no. 75-77.

<sup>16</sup> *CDTrans*, vol. 2, no. 87-88, 90-91, cf. *Ibidem*, no. 101, 102, 105, 110.

<sup>17</sup> *CDTrans*, vol. 2, no. 89, cf. *Ibidem*, no. 114.

<sup>18</sup> On the protocol of the litigation between the chapter of Transylvania and the Saxon deaneries, which took place between 8 January and 3 July 1309, see *Acta Gentilis*, vol. 1/2, 194; *CDTrans*, vol. 2, no. 98, and *Ibidem*, no. 96, 97, 99, 103, 104, 109; *DocHungAndeg*, vol. 2, no. 552. One of the witnesses was the Dominican friar Benedict, from the convent on the isle in Buda (between 9 June and 3 July 1309), see *CDTrans*, vol. 2, no. 121. On the conflict between the Saxon deaneries and the chapter of Transylvania, with particular focus on the events of 1277, see also Cosmin Popa-Gorjanu, 'Conflict și memorie în Transilvania secolelor XIII–XIV: Episcopia Transilvaniei și Gyan, fiul lui Alard' [Conflict and memory in Transylvania in the thirteenth-fourteenth centuries: The

accounts: he got involved in an ecclesiastical matter and he abused his public, lay authority.<sup>19</sup>

Cardinal Gentilis, who came from the ranks of the Franciscan Order, was the legate of Pope Clement V to Hungary from 1308 to 1311. He was there on a twofold mission, fulfilling all his diplomatic duties related to the recognition of Charles Robert's succession to the throne of Hungary<sup>20</sup> and carrying out equally important legislative duties, as his decrees were meant to consolidate the ecclesiastical institutions that had suffered significant damage during the interregnum. The measures he adopted concerned the retrieval of the church's patrimony, organising canonical elections for the vacant sees, and reinforcing ecclesiastical discipline. His aims may be determined based on the general decrees adopted in the synods he convened and the resolutions he issued in various trials.<sup>21</sup> Research on the assignation of ecclesiastical dignities in the Kingdom of Hungary includes analyses of the episcopal elections in Pécs and Transylvania which have become known to us thanks to the documents issued in the context of Gentilis's legation.<sup>22</sup>

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Bishopric of Transylvania and Gyan, the son of Alard], in Adrian Andrei Rusu (ed.), *Secolul al XIII-lea pe meleagurile locuite de către români* [The thirteenth century on the lands inhabited by Romanians] (Cluj-Napoca: Mega, 2007), 143-174.

<sup>19</sup> Ladislau Kán extended his authority over the Transylvanian Saxons in Mediaș, Șeica and Biertan. He separated them from the Saxons in Sibiu, alongside whom they had enjoyed similar freedoms, see Kristó, 'Kán László', 284-285.

<sup>20</sup> Moreover, he exhibited diplomatic astuteness in securing the triumph of the Holy See, while also paying attention to the Hungarian nobility's radically different stance on the matter of the succession to the throne of Hungary, see György Rác, 'Az Anjou-ház és a Szentszék' [The House of Anjou and the Holy See], in Zombori (ed.), *Magyarország és a Szentszék kapcsolatának ezer éve*, 59-60; György Rác: 'Gentilis és Károly. Levélírás Pozsonyban - koronázás Fehérvárott. A papír megjelenése Magyarországon' [Gentilis and Charles. Letter writing in Bratislava - coronation in Fehérvár. The appearance of the paper in Hungary], in Terézia Kery - András Smohay (eds.), *Károly Róbert és Székesfehérvár* [King Charles Robert and Székesfehérvár] (Székesfehérvár: Székesfehérvári Egyházmegyei Múzeum, 2011), 34-35.

<sup>21</sup> Viktória Kovács has conducted a complex analysis of the ecclesiastical measures adopted by Cardinal Gentilis in Hungary, dividing them into several categories, as follows: 1) the distribution of benefices, ecclesiastical governance, 2) the protection of rights, 3) ecclesiastical jurisdiction, 4) church discipline, 5) the assets of the church, see Viktória Kovács, 'Causae coram nobis ventilatae. Adalékok Gentilis de Monteflorum pápai legátus magyarországi egyházi bíraskodási tevékenységéhez (1308-1311)' [Causae coram nobis ventilatae. Appendices to the ecclesiastical judicial activity of the papal legate Gentilis de Monteflorum in Hungary (1308-1311)], in Tamás Fedeles - Márta Font - Gergely Kiss (eds.), *Kor - szak - határ. A Kárpát-medence és a szomszédos birodalmak (900-1800)* [Age - period - limit. The Carpathian Basin and the neighboring empires (900-1800)] (Pécs: Pécsi Tudományegyetem, 2013), 75-99, especially 76.

<sup>22</sup> See the document concerning the bishop's election in Pécs in *Acta Gentilis*, vol. I/2, 126-152. For a discussion on these sources, see László Koszta, 'Az 1306-os pécsi püspökválasztás. Megjegyzések a pécsi püspökség 14. század eleji archontológiájához' [Bishop election in Pécs in 1306. Notes on the archontology of the Diocese of Pécs at the beginning of the fourteenth century], *Acta Universitatis Szegediensis de Attila József nominatae. Acta Historica*, 98 (1993): 37-52. See the documentary sources on the election of the Bishop of Transylvania in *Acta Gentilis*, vol. I/2,

These sources offer particularly important information about the procedure for the appointment of the two bishops and the abuses committed by the oligarchs. The circumstances in which the election of Transylvania's bishop occurred were examined by master Philip of Sardinia, canon of Oristano, who held a doctorate in canon law, and by master Ioannes/Vannes of Aretio, canon of Osimo, who also served as the legate's general auditor and chaplain. They received two search warrants for the case under trial, from 10 December 1308 to 2 July 1310. The first came on 20 December 1308, when Cardinal Gentilis entrusted them with the mission to inquire into the complaint filed by Peter of Paris – who styled himself as the commissioner of the Transylvanian chapter – concerning the organisation of a new election, and then to communicate to him the findings of their investigation.<sup>23</sup> The second warrant was issued on 25 August 1309, when masters Peter of Paris and Nicholas, both canons of the Transylvanian chapter,<sup>24</sup> had requested the confirmation of the unanimously elected bishop, Fr. Benedict, prior of the Dominican convent from the isle in Buda.<sup>25</sup> The positive answer to the request made in December 1308 came as late as the summer of 1309,<sup>26</sup> when the political competition took a different turn. While in the spring of the same year, the Saxon parish priests had shown that the ecclesiastical institutions in Transylvania were engaged in an unequal “battle” with a particularly powerful voivode, who controlled the assets of the diocese,<sup>27</sup> things had changed by July. This idea is supported by a letter the Saxon deans sent Cardinal Gentilis. They informed him that, while the lay authority (that is, Voivode Kán) had forcefully prevented the members of the cathedral chapter to elect a new bishop by 1 July,<sup>28</sup> at that time [on 19 July], the Voivode of Transylvania had assured the canons in writing, through Dean Elijah, that he would not hinder the election of the new bishop in any way, either for his son's status as *postulatus* or for any

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154-177. For a detailed analysis of the subject, see: Pór, 'Bevezetés', lxxxviii-xc. Other tangential approaches: Dincă, 'Aprecieri preliminare', 181-182; Géza Hegyi, 'Az erdélyi dékánkanonoki tisztség betöltése az Árpád- és az Anjou-korban' [Holding the function of Transylvanian dean-canon during the Árpád and Anjou ages], in Péter G. Tóth – Pál Szabó (eds.), *Középkortörténeti tanulmányok 6. A VI. Medievizsztikai PhD-konferencia (Szeged, 2009. június 4-5.) előadásai* [Medieval history studies 6. The lectures of the VI<sup>th</sup> Medieval PhD-Conference (Szeged, June 4-5, 2009)] (Szeged: Szegedi Középkorász Műhely, 2010), 65-66.

<sup>23</sup> *Acta Gentilis*, vol. I/2, 155-156; *CDTrans*, vol. 2, no. 94.

<sup>24</sup> On the ecclesiastical careers of the two, see Géza Hegyi, 'Az erdélyi káptalan Árpád- és Anjou-kori archontológiája (1199-1387)' [Archontology of the Transylvanian Chapter during the Árpád and Anjou ages (1199-1387)], *Turul*, 92.2 (2019): 88-89.

<sup>25</sup> *Acta Gentilis*, vol. I/2, 156; *CDTrans*, vol. 2, no. 138.

<sup>26</sup> On 2 June 1309, the episcopal see of Transylvania was still vacant, see *CDTrans*, vol. 2, no. 123.

<sup>27</sup> *Acta Gentilis*, vol. I/2, 201-203; *CDTrans*, vol. 2, no. 114.

<sup>28</sup> *CDTrans*, vol. 2, no. 149.

other reasons. However, the voivode was only willing to return the diocesan estates<sup>29</sup> if the election favoured Fr. Peter from the Order of St. Augustine, the Dominican friar Benedict, or one of his own men.<sup>30</sup> This subtle blackmail attempt sheds new light on the allegedly “free” episcopal election. In any case, the members of the cathedral chapter took advantage of the opportunity of a vote with limited options, which, after having been postponed for over half a year, was finally held on 24 July 1309.<sup>31</sup> This time, the election was, at least in technical terms, “compliant with the statutes, as [the canons] met in session in the cathedral.” “To put an immediate end to the perilous trials to which the Transylvanian church had been subjected,” the chapter accepted the suggestion of master Benedict, Archdeacon of Ozd,<sup>32</sup> and unanimously elected Fr. Benedict, prior of the Dominican convent from the isle in Buda – who was one of the voivode’s two candidates – as Bishop of Transylvania. The canons solemnly announced their decision both to the clergy and to the people in the diocese.<sup>33</sup> Later, during the trial, master Benedict, Archdeacon of Ozd, and the chapter’s commissioner would explain their decision as follows: on the one hand, out of all the candidates, Fr. Benedict was the one the voivode trusted the most, and, on the other hand, he was well known to the canons, considering that he had been prior of the convent in Alba Iulia, as well as a friend and advisor of the late Bishop Peter Monoszló.<sup>34</sup> This information is confirmed by a letter that Paul, the Dominican provincial in Hungary, wrote to Gentilis a year later. When the master provincial asked the legate to confirm the episcopacy of Benedict, he invoked the following argument: the chapter had elected as bishop a cleric “who was only too familiar with the situation there.”<sup>35</sup>

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<sup>29</sup> Master Benedict, accredited to represent the chapter of Transylvania, mentioned the assets and the fortresses of the church as early as December 1309, see *CDTrans*, vol. 2, no. 159. Cf. Sălăgean, *Transylvania in the Second Half of the Thirteenth Century*, 171; Hunyadi, ‘Az erdélyi püspökség’, 29.

<sup>30</sup> *Acta Gentilis*, vol. I/2, 170-171, 174-175; *CDTrans*, vol. 2, no. 131, 149; Hegyi, ‘Az erdélyi káptalan’, 82. Cf. Idem, ‘Az erdélyi dékánkanonoki tisztség betöltése’, 71.

<sup>31</sup> Sălăgean considers that this election took place two months later and that the documents referring to it, presented before the papal legate’s inquiry commission, were forged, given the complicity between the Transylvanian voivode and the canons. This assumption is, however, based on the erroneous interpretation of a document. Tudor Sălăgean, *Un voievod al Transilvaniei: Ladislau Kán (1294-1315)* [A voivode of Transylvania: Ladislau Kán (1294-1315)] (Cluj-Napoca: Argonaut, 2007), 147-157, cf. Géza Hegyi, ‘Új utak a román történetírásban?’ [New tendencies in Romanian historiography], *Erdélyi Múzeum*, 72.1-2 (2010): 159-160.

<sup>32</sup> Hegyi, ‘Az erdélyi káptalan’, 80, 85.

<sup>33</sup> *Acta Gentilis*, vol. I/2, 157-159; *CDTrans*, vol. 2, no. 133. The election of Fr. Benedict by unanimous vote is consistently emphasised also in the trial’s subsequent stages. It is an important aspect considering that only a unanimous vote would have been deemed valid in this case, see *Acta Gentilis*, vol. I/2, 174-176; *CDTrans*, vol. 2, no. 159.

<sup>34</sup> *Acta Gentilis*, vol. I/2, 174-176; *CDTrans*, vol. 2, no. 159.

<sup>35</sup> *Acta Gentilis*, vol. I/2, 159-160; *CDTrans*, vol. 2, no. 137.

Before briefly presenting the career of Benedict, the Dominican friar turned bishop, we shall focus on the events of the two months leading to his election, a period when something must have occurred to determine Ladislau Kán to relinquish the idea of elevating his son to the episcopal see. As seen above, in May 1309 the voivode had mentioned his son as the future bishop. However, five days before the elections, on 19 July, he informed the members of the chapter, who probably had already convened for the vote, that he would not obstruct the election in any way but would only return the episcopal assets if one of his followers were elected. The outcome shows that while the voivode had given up supporting the candidacy of his son, he nonetheless managed to impose one of his favourites to the episcopal see. Thus, the “freedom” Ladislau Kán offered was, in fact, void of content. It was rather a rational decision on the part of the voivode, who realised that the pope would never confirm his son as bishop – a son about whom the historical documents offer no other information<sup>36</sup> – because of the irregularities committed during the voting process. Hence, he chose the lesser evil and imposed the election of another candidate nominated by him.

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<sup>36</sup> *Acta Gentilis*, vol. I/2, 155, 161. We do not know which of Ladislau Kán's sons this was. We know the names of two of his sons, masters Ladislau the Elder and Ladislau the Younger (*CDTrans*, vol. 2, no. 208, 210, 248). One of these was appointed Voivode of Transylvania in a document dated August 1315 (*CDTrans*, vol. 2, no. 246). This may indicate Ladislau Kán's intention to grant hereditary status to the title of voivode. The rank of bishop may have been reserved for one of his sons called Ladislau, while the other was to become voivode. This strategy was most likely part of the oligarchs' attempts to accrue as much secular and ecclesiastical power as possible, sparing no effort to achieve this goal, from invasions to arranged marriages (Zsoldos, 'Kings and Oligarchs', 227-228). The voivode may have had other sons besides the two Ladislau because, after his death, they became the leaders of the Transylvanian uprising against Charles Robert and the kind mentioned the “disloyal sons” of the late Voivode Ladislau in the letters patent by which he rewarded his faithful servants. One such document, issued in August 1322, mentions the “rebellion of Ladislau, son of the late Voivode of Transylvania, and his brothers” (emphasis mine, *CDTrans*, vol. 2, no. 438). Phrases like the “disloyal sons” and “rebellious sons” of the late Voivode Ladislau speak volumes about the situation in Transylvania during the uprising of Ladislau Kán's descendants (*CDTrans*, vol. 2, no. 423, 482, cf. Csukovits, *Az Anjouk Magyarországon I*, 74; Attila Zsoldos, 'Hűséges oligarchák' [Loyal oligarchs], in Magdolna Baráth – Antal Molnár (eds.), *A történettudomány szolgálatában. Tanulmányok a 70 éves Gecsényi Lajos tiszteletére* [In the service of the historical science. Studies in honor of Lajos Gecsényi on his 70<sup>th</sup> birthday] (Budapest-Győr: Magyar Országos Levéltár Győr-Moson-Sopron Megye Győri Levéltára, 2012), 353-354. In 1329, the sons of Voivode Ladislau were referred to as “being even at this time in contact with the rebels”, attacking and setting fire to royal demesnes, as well as depopulating them through repeated murders (*CDTrans*, vol. 2, no. 644.), cf. Pál Engel, 'Az ország újraegyesítése. I. Károly küzdelmei az oligarchák ellen (1310-1323)' [The reunification of the country. Charles I struggles against the oligarchs (1310-1323)], *Századok*, 122.1-2 (1988): 352, 405-406. For an older article about the Kán lineage (with a genealogical tree), see Mór Wertner, 'Újabb nemzetségi kutatások VIII. A Kán-nemzetség erdélyi vagy vajdai ága' [New genealogy researches VIII. The Transylvanian or the vojvode branch of the Kán kindred], *Turul*, 26 (1908) 122-129, for details, see Kristó, 'Kán László', 275-279.

The events of the following months, when the canons filed numerous complaints, claiming that even the second election had been non-statutory, show that Benedict himself probably did not have the canons' full, *unanimous* support, and the chapter was reluctant to accept the voivode's interference in the episcopal election. Analysing the circumstances in which the vote took place, we can notice that only fifteen of the twenty-four members of the chapter<sup>37</sup> participated in this event, but they all agreed to elect Benedict. The election document, authenticated with the canons' signatures and hanging seals, attests their endorsement of the new bishop.<sup>38</sup> Thus, based on the votes expressed by the canons who were present in the Alba Iulia cathedral, the ballot may indeed have been unanimous. However, if we consider that nine canonical members were absent, the chapter's unanimous choice may be questioned. Shortly after the election, "the chapter" informed Gentilis that Benedict's election had been rushed by several canons excluded from the chapter, in particular by cantor Thomas, who had been repeatedly convicted for his deeds.<sup>39</sup> It was clear that "the chapter" had not been represented by the fifteen canons who had supported Benedict's election and the opponents had to be found among the nine other canons who had not been present. We do not have too much information about four of these,<sup>40</sup> but five others had had "leave of absence". Some of the reasons that had prevented them from voting were explained during the trial. Of the five canons who had acceptable grounds for not attending the election, master Gaşpar was in Buda, Nicholas, the son of Gabriel, was in Oradea, where he had another prebend, or on his father's estates in the area of Sătmar, Peter of Paris, the son of Loránd, was in Eger, where he was provost of the local chapter, and Philip's young son was in Trnava, with his father. The absentees included John, the Provost of Alba Iulia, who was in Buda at the time of the election, and on 30 August 1309 he submitted a claim concerning both the voting process and the bishop.<sup>41</sup> We cannot assume that his absence was premeditated, considering that, beginning in the fourteenth century, provosts were rarely ever present in the capitular residences. However, Provost John's absence may have been somewhat deliberate. He had probably learned about the chapter's intentions regarding

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<sup>37</sup> There were twenty-four canons in the chapter of Transylvania in 1331, see Elemér Mályusz, *Egyházi társadalom a középkori Magyarországon* [Ecclesiastical society in medieval Hungary] (Budapest: Akadémiai Kiadó, 1971), 117.

<sup>38</sup> *CDTrans*, vol. 2, no. 133.

<sup>39</sup> *CDTrans*, vol. 2, no. 142.

<sup>40</sup> One of those absent "without leave" was probably Gregory, former Provost of Transylvania. So were masters Peter of Paris and Nicholas, who were in Buda shortly after (or even during) the election, see *CDTrans*, vol. 2, no. 138; Temesváry, *Erdély középkori püspökei*, 126.

<sup>41</sup> *CDTrans*, vol. 2, no. 159. On their ecclesiastical careers, see Hegyi, 'Az erdélyi káptalan', 79, 80, 89. There is no John in the list of provosts, see *Ibidem*, 74.

Benedict's election and that is why he left for Buda, to try to obstruct the electoral process in the proximity of Gentilis. We could also suspect that he was behind "the chapter" that had informed the legate Gentilis about the misdeeds of cantor Thomas and the other canons, as part of his plan to thwart Benedict's election. Provost John was to achieve his goal only later, at the end of August 1309, when, as shown above, he submitted a claim. Thus, following the election of 24 July, there were two plans of action: on the one hand, there was a trial started by those who contested the election, and on the other hand, there was the reaction of the Bishop elect Benedict, coupled with the measures he and his supporters took to ensure his confirmation in the episcopal see. Before discussing the details of this extraordinary trial, let us see the reaction of the Dominican friar elected as bishop.

Fr. Benedict learned about his election from masters Nicholas and Peter of Paris, canons, while he was still in Buda. By 17 August he had already received the consent of Fr. Paul, the Dominican provincial of Hungary, to accept the episcopacy.<sup>42</sup> Benedict needed this consent because of a provision adopted in the Dominican Order in the early 1220s, which stipulated that the friars who wished to assume higher offices in the secular ecclesiastical hierarchy would need their superior's approval. This provision was seconded by another, which stated that in case a Dominican was elected as an ecclesiastical official – for instance, bishop – the candidate was bound to suspend his membership in the Order of Preachers.<sup>43</sup> That was the case of Benedict, who had to suspend his status as Dominican friar throughout the period in which he occupied the episcopal see, that is, until his death. On 17 August, in another letter sent by the same provincial Paul, he requested Cardinal Gentilis to confirm the unanimous election of Fr. Benedict, prior of the Dominican convent from the isle in Buda, as Bishop of Transylvania.<sup>44</sup> One week later, the election decree issued in July and attested with the 16 hanging seals of the chapter and the attending canons – together with the two above-mentioned letters requesting confirmation that had been sent by the provincial Paul, and the acceptance letter for the Dominican prior from Buda – was handed over to the legate in his chapel

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<sup>42</sup> *Acta Gentilis*, vol. I/2, 159; *CDTrans*, vol. 2, no. 136.

<sup>43</sup> Benedictus Maria Reichert (ed.), *Acta capitulorum generalium Ordinis Praedicatorum* (9 vols, Romae: Typographia Polyglotta S. C. De Propaganda Fide, 1898-1904), vol. I, 235; William A. Hinnebusch, *Brève histoire de l'Ordre dominicain*. Adaptée par Guy Bedouelle (Paris: Cerf, 1990), 65-67. On the Dominicans elected as bishops at the beginnings of this order, see Rudolf Schieffer, 'Die frühesten Bischöfe aus dem Dominikanerorden', in Franz J. Felten – Nikolas Jaspert (hrsgg.), *Vita Religiosa im Mittelalter. Festschrift für Kaspar Elm zum 70. Geburtstag* (Berlin: Duncker & Humblot, 1999), 405-419.

<sup>44</sup> *Acta Gentilis*, vol. I/2, 159-160; *CDTrans*, vol. 2, no. 137.

in Buda, along with the entreaty that he should confirm the election of the new bishop.<sup>45</sup> However, Paul, the Dominican provincial in Hungary, was not the only one who solicited the confirmation (*confirmatio*) of Benedict. The candidate himself filed a written request, showing that because of repeated disturbances, the Transylvanian diocese had long been without a shepherd. Now, however, as peace had been restored, the election of a bishop had become possible.<sup>46</sup> Fr. Benedict, the Bishop elect, had to submit this request because a bishop elected by the chapter (*electus*) had, at least in theory, the obligation to obtain papal confirmation (which, in this case, could also be granted by the legate Gentilis), enabling him to become a full-fledged bishop. Adding to the above-mentioned provisions, the legate adopted another decree in December 1308 that barred the Dominicans and Franciscans from becoming abbots or holding other ecclesiastical offices: without a special dispensation from the pope, their appointment would have been invalid.<sup>47</sup> On 25-28 August 1309 he entrusted his *auditors* Philip of Sardinia and Vannes of Aretio to investigate under what conditions the capitular election had been held and to determine the merit of the bishop elect.<sup>48</sup> Given that John, the Provost of Alba Iulia, filed a claim, the trial, which was to last for one year and a half, began on 1 September. During this dispute, several violations of canon law were investigated: the election had not taken place within three months of the predecessor's death, and the chapter of Transylvania had not complied with the deadline allowing it to exercise its voting right, which meant that the decision now rested with the Holy See;<sup>49</sup> the election process had been speeded up by

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<sup>45</sup> *Acta Gentilis*, vol. I/2, 156-157; *CDTrans*, vol. 2, no. 138; *DocHungAndeg*, vol. 2, no. 723.

<sup>46</sup> *Acta Gentilis*, vol. I/2, 161-162; *CDTrans*, vol. 2, no. 143; *DocHungAndeg*, vol. 2, no. 732.

<sup>47</sup> *Acta Gentilis*, vol. I/2, 125-126; *DocHungAndeg*, vol. 2, no. 503.

<sup>48</sup> *Acta Gentilis*, vol. I/2, 156-157; *CDTrans*, vol. 2, no. 138.

<sup>49</sup> The twenty-third canon of the Fourth Council of the Lateran (1215) decreed that if a chapter failed to elect a bishop within three months, this would entail its losing voting rights and the next higher authority would become entitled by devolution to oversee the appointment of a prelate in the vacant diocese. Erdő, *Egyházjog*, 189. Inquiries conducted from 1307 to 1310 into the election of Peter I as Bishop of Pécs (1307-1314) revealed a set of irregularities similar to those found in Transylvania. After the death of the previous bishop, the chapter was convened to elect his successor. The canons could not reach an agreement so no bishop was elected. Since the deadline stipulated in canon law had expired, the chapter's delegates requested Thomas, Archbishop of Esztergom, to appoint the new bishop. The archbishop used his canon law prerogatives and appointed Peter, archdeacon of Tolna, ordaining him as bishop. However, Bishop Peter was unable to occupy the episcopal palace in Pécs or celebrate mass in the cathedral for a long time. Nicholas, the chapter's cantor, did not accept the new prelate as he wanted the episcopal see for himself and had found a few supporters. In the first decade of the fourteenth century, political battles in the kingdom were also felt in the chapter of Pécs. Aside from the canons who supported Charles Robert and accepted, therefore, Peter's episcopacy were those who represented the interests of the oligarch in the Transdanubian region, Henry Kőszegi. After occupying the fortress of Pécs and seizing most of the episcopal revenues, Kőszegi handed them over to the cantor,

several canons who had been excluded from the chapter; and, not least, as revealed in a report drafted by the Archbishop of Kalocsa, the chapter had been excommunicated on the grounds of its failure to contribute financially to the legate's maintenance. As a result, the Holy See was now entitled to elect the bishop. The decisive moment concerning the episcopal election and Fr. Benedict came in December 1309, when the chapter's commissioner testified under oath before the two auditors appointed by the legate. We can learn from the questions and answers recorded in the minutes of this hearing that the two auditors wanted to find out the circumstances in which the election had taken place, the factors that could have influenced the canons' options, the different elements that might have cast doubt on the legitimacy and validity of the electoral procedure, as well as the voting process and every individual canon who had not attended the chapter assembly.<sup>50</sup>

To sum up, Fr. Benedict was already bishop elect in July 1309, but he could not occupy the episcopal see because of the trial that was underway. He was even prohibited from travelling to the episcopal residence or to the diocese, under the threat of excommunication.<sup>51</sup> Regarding the trial that began at the legate's court in Buda and was thereafter transferred to Trnava and, eventually, to Bratislava, it should be noted that it continued even though two months after submitting the claim, Provost John informed the court through his representative that he no longer had any objection concerning the election and the bishop elect, and that he was willing to provide a written statement to that effect.<sup>52</sup> The investigation nonetheless continued. In the initial stage, the canons of the Transylvanian chapter appointed three of their fellows to take the necessary steps and persuade the legate to confirm and ordain Benedict, the bishop elect. The three were: master Benedict, Archdeacon of Ozd, master John, Archdeacon of Cluj, and Nicholas, Archdeacon of Tileagd.<sup>53</sup> All three belonged to the

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excluding thus Bishop Peter and the canons who were loyal to him as well as to King Charles. This is how the lawsuit came to be heard by Gentilis. In the end, Nicholas was excommunicated and a part of the diocesan territory was subject to interdict, see László Koszta, '[A püspökök és városuk.] A 14. század közepéig' [(The bishops and their town.) Till the mid-fourteenth century], in Tamás Fedeles – Gábor Sarbak – József Sümegei (eds.), *A pécsi egyházmegye története I. A középkor évszázadai (1009-1543)* [The History of the Diocese of Pécs I. The centuries of the Middle Ages (1009-1543)] (Pécs: Fény Kft., 2009), 90-91.

<sup>50</sup> *CDTrans*, vol. 2, no. 159.

<sup>51</sup> *CDTrans*, vol. 2, no. 151.

<sup>52</sup> The trial, which began in the chapel of Gentilis's house in Buda on 10 December 1308, continued, on 7 October, in the convent of the Friars Minor in Trnava. On 30 October, it was transferred to Bratislava, where a verdict was reached by 2 July 1310 (*CDTrans*, vol. 2, no. 93, 158).

<sup>53</sup> *CDTrans*, vol. 2, no. 153. On their ecclesiastical careers, see Hegyi, 'Az erdélyi káptalan', 77, 78, 79, 80, 85.

group of the fifteen canons who had placed their seals on the document attesting Benedict's election. Shortly afterwards, the names of the latter two disappeared from the list of attorneys (*procuratori*), so master Benedict, Archdeacon of Ozd remained the chapter's only commissioner with full rights.<sup>54</sup> In mid-September 1309, Bishop elect Benedict took into account the possibility of appealing to Rome in this trial and circumventing the court of the legate Gentilis,<sup>55</sup> but he seems to have given up this idea eventually.

In the autumn of 1309 Fr. Benedict's situation was still unclear. His election was rumoured to have been orchestrated by Thomas, the chapter's cantor, a cleric who had very quickly progressed from various instances of disciplinary misconduct to being excommunicated, together with other individuals who were just as guilty as he was and who therefore had to be excommunicated, too. Gentilis's two auditors offered Benedict the chance to bring, within forty days, two witnesses from among the chapter members who had been present at the election and were very well aware of the circumstances in which the vote had been cast.<sup>56</sup> Moreover, the bishop elect and the canons who supported him, represented by masters Peter of Paris and Nicholas, had forty days to refute the accusations brought against them during the trial and to prove that the election could not have been held any sooner because of the threats the chapter had received, and that the failure to pay the legate's maintenance expenses had not led to the canons' excommunication.<sup>57</sup> It appears that the legate Gentilis was not fully convinced that masters Peter of Paris and Nicholas could bring evidence to counter the accusations levelled against the chapter because on that same day he issued a general decree (*edictum generale*), appointing the two (Dominican and Augustinian) priors from Alba Iulia to publish it. In this decree, he openly stated that the deadline for the election had not been met and that, according to Archbishop Vincent of Kalocsa, the person appointed to oversee the maintenance of the legate, the members

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<sup>54</sup> *CDTrans*, vol. 2, no. 155. In addition to Benedict, those who repeatedly represented the chapter in the trial concerning the bishop's confirmation were Benedict, Archdeacon of Ozd, the prosecutor of the Transylvanian chapter, masters Peter of Paris and Nicholas, Archdeacon of Chizd, and both canons of the chapter of Transylvania (*CDTrans*, vol. 2, no. 138, 140-141, 145, 147-148, 152). However, in December 1309, Benedict, Archdeacon of Ozd, questioned Peter of Paris's legitimacy as a prosecutor, see *Acta Gentilis*, vol. I/2, 173; Kovács, 'Causae coram nobis ventilatae', 89.

<sup>55</sup> *CDTrans*, vol. 2, no. 147-148.

<sup>56</sup> *CDTrans*, vol. 2, no. 144.

<sup>57</sup> *CDTrans*, vol. 2, no. 145.

of the Transylvanian chapter were excommunicated on account of their failure to pay their overdue taxes.<sup>58</sup>

Therefore, what was the truth regarding all aforementioned accusations?

One of the most frequently proffered accusations concerned their non-compliance with the deadline. For instance, at the beginning of September 1309, Gentilis reproached the canons for not having met the deadline provided by canon law, even after the disappearance of past hindrances (after Bishop Peter's death, the members of the Transylvanian chapter were for a long time afraid to organise the election).<sup>59</sup> To answer this accusation, master Benedict, mandated by the chapter, submitted two documents explaining the belated election to the auditors one month later.<sup>60</sup> One of these documents, issued in mid-September 1309 by one of the seven Saxon deans, showed that following Bishop Peter's death (November 1307), the lay authorities had forcefully prevented the election of a new bishop until 1 July (1309), and that things took a different turn only on 19 July, when the voivode sent word through canon Elijah that he was no longer going to obstruct the process.<sup>61</sup> The document issued on 16 September 1309 by Fr. Stephen, prior of the Hermits of St. Augustine in Alba Iulia, includes a similar testimonial.<sup>62</sup> It may appear surprising, at first sight, that the seven Saxon deaneries in Transylvania supported him but this makes sense if we consider that, in June that same year, they had summoned Benedict, prior of the Dominican convent from the isle in Buda, as a witness before the auditor appointed by Gentilis in the lawsuit they waged against the chapter of Transylvania.<sup>63</sup>

According to the second indictment, the election of Fr. Benedict as Bishop of Transylvania had been rushed by excommunicated individuals. The commissioner of the Transylvanian chapter, master Benedict, tried to refute this serious charge by relentlessly claiming that neither he, nor the other canons were aware that Thomas, the cantor canon, was under some major excommunication.<sup>64</sup> Prior to that, from 1303 to 1307, cantor Thomas was often featured in the list of dignitaries at the end of documents issued by the chapter.<sup>65</sup> In November 1308, he was mentioned, alongside other

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<sup>58</sup> *Acta Gentilis*, vol. I/2, 163-165; *CDTrans*, vol. 2, no. 146.

<sup>59</sup> *CDTrans*, vol. 2, no. 146; Temesváry, *Erdély középkori püspökei*, 122-123.

<sup>60</sup> *CDTrans*, vol. 2, no. 156.

<sup>61</sup> *Acta Gentilis*, vol. I/2, 170; *CDTrans*, vol. 2, no. 149.

<sup>62</sup> *CDTrans*, vol. 2, no. 150; Temesváry, *Erdély középkori püspökei*, 125.

<sup>63</sup> *Acta Gentilis*, vol. I/2, 212-246; *CDTrans*, vol. 2, no. 121.

<sup>64</sup> *CDTrans*, vol. 2, no. 159.

<sup>65</sup> *CDTrans*, vol. 2, no. 33, 37, 40, 44, 46, 48, 63, 67, 71.

canons, as having paid the tax imposed by the chapter.<sup>66</sup> Before July 1309, a disciplinary inquiry was undertaken against him and some of his fellows.<sup>67</sup> The reason was revealed at the end of the same year. It appears that he had misappropriated livestock and assets from the people in the chapter.<sup>68</sup> The plural used in the sources referring to this suggests that Thomas did not act by himself, but together with a few other canons against whom the excommunication weapon was used. Thomas, “who had been repeatedly convicted,” was seemingly not very affected, but continued his ecclesiastical activity.<sup>69</sup> At the beginning of the fourteenth century, excommunication did not necessarily entail a prohibition to exert ecclesiastical authority. In fact, in September 1309, Gentilis summoned cantor Thomas before him but he probably failed to show up. Gentilis warned the members of the chapter – thwarting, perhaps, the canons’ intention to obtain a deferral by not showing up for trial – that the lawsuit would go on even in their absence.<sup>70</sup> Although we do not know all the details, the chapter’s argument that it was unaware of cantor Thomas’s excommunication may have been accepted in the legate’s court.

The third and final indictment, related to the irregularities surrounding the election, targeted the entire chapter of Transylvania. Thus, not only Thomas and his companions, whose names and number remain unknown, were excommunicated: the entire chapter had received this ecclesiastical punishment because of having failed to pay in time the sums they owed for the legate’s maintenance. Gentilis had learned about this from Vincent, Archbishop of Kalocsa, his commissioner, who had the duty to impose and collect the tax for the legate’s maintenance from the chapters in his ecclesiastical province.<sup>71</sup> Refuting this accusation was probably the easiest. In October 1309,<sup>72</sup> master Benedict, commissioner of the Transylvanian chapter, presented to the two auditors, with Bishop elect Benedict as witness, the document issued by Saul, Archdeacon of Turda and vicar of Transylvania’s vacant episcopacy, which confirmed the amount paid by the chapter in November 1308.<sup>73</sup> The acceptance of this evidence and the acquittal for this accusation are indirectly proved by a letter Gentilis wrote in May 1310, demanding that maintenance expenses should be paid. In this document,

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<sup>66</sup> *CDTrans*, vol. 2, no. 86.

<sup>67</sup> *Acta Gentilis*, vol. 1/2, 176; *CDTrans*, vol. 2, no. 132.

<sup>68</sup> *CDTrans*, vol. 2, no. 159.

<sup>69</sup> He was cantor of the chapter in 1303-1316, see Károly Vekov, *Locul de adeverire din Alba-Iulia (secolele XIII-XVI)* (Cluj-Napoca: Fundația Culturală Română-Gloria, 2003), Anexa 7.

<sup>70</sup> *Acta Gentilis*, vol. 1/2, 163-165; *CDTrans*, vol. 2, no. 146.

<sup>71</sup> *DocHungAndeg*, vol. 2, no. 733, 735; *CDTrans*, vol. 2, no. 146.

<sup>72</sup> *CDTrans*, vol. 2, no. 156.

<sup>73</sup> *Acta Gentilis*, vol. 1/2, 169; *CDTrans*, vol. 2, no. 86; Hegyi, ‘Az erdélyi káptalan’, 80, 90.

the legate urged Bishop elect Benedict to transfer to his chamber the tax that had been already collected for the first two years of his legation.<sup>74</sup> The legate also wrote to the chapter: if it did not pay the entire amount owed for the maintenance of the legation, he would demand a tripled sum.<sup>75</sup>

Having analysed each of the three indictments, our imaginary scales of judgement inclines towards rejecting the accusations, because master Benedict, commissioner of the church of Transylvania, successfully dismantled two of these (the canons could not have organised the episcopal election in time for reasons independent of their will, and they also proved they had paid the amount of the tax owed to the legate). Moreover, the chapter commissioner's testimony under oath sufficed for the third (the status of Thomas, the cantor canon) even in the absence of documents.

### **The crowning in Székesfehérvár**

It appears that Transylvania's first mendicant Bishop also had a role in shaping the political landscape of the early fourteenth century. András Harsányi, the author of a monograph on the medieval history of the Dominican Order in Hungary, states that Fr. Benedict, Bishop elect of Transylvania as of 1309, played a significant part in the history of the Holy Crown.<sup>76</sup> What is he referring to?

It is well known that Gentilis, as papal legate, made serious efforts to consolidate the authority of King Charles I (also known as Charles Robert in historiography) in Hungary. Crowning the monarch according to the local customs would have played an important part in this process. Even though King Charles was crowned for the second time in 1309, in the presence of Gentilis, the Holy Crown could not be used during this ceremony, for it was with the Voivode of Transylvania, Ladislau Kán, at that time. Since Kán had no intention of returning the crown and, despite repeated warnings, had refused to return the king and queen's estates that he had occupied in the past, in December 1309, the papal legate used the weapon of excommunication against him, demanding that the Dominicans, Franciscans and Hermits of St. Augustine should apply it most rigorously.<sup>77</sup> His choice was probably not haphazard considering

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<sup>74</sup> *CDTrans*, vol. 2, no. 165.

<sup>75</sup> *CDTrans*, vol. 2, no. 166; *DocHungAndeg*, vol. 2, no. 877.

<sup>76</sup> András Harsányi, *A Domonkos rend Magyarországon a reformáció előtt* [The Dominican Order in Hungary before the Reformation] (Debrecen: Nagy Károly Grafikai Műintézete, 1938), 322.

<sup>77</sup> By the turn of the fourteenth century, the weapon of excommunication had already lost much of the efficiency it had in the previous century. While kings could be deposed by excommunication at the height of the papal authority period, in the fourteenth century this

that the Dominicans and the Hermits of St. Augustine were surely among the supporters of Fr. Benedict, the bishop who had once been prior of the Dominican convent in Buda, and who was also protected by the voivode. Gentilis, himself a Franciscan, could count on his brethren's support. The legate urged Ladislau to hand over the Holy Crown of Hungary to the Alba Iulia Church, namely the Transylvanian Bishopric, or to the king himself by 2 February 1310. However, both out of a desire to solve the kingdom's problems and because of other reasons, Gentilis excommunicated the voivode for having violated the provisions of the Synod held in Buda from 8 May to 14 July 1308. This decision took into account other sins of Ladislau Kán's, such as his stubborn intention to marry his daughter to the son of the Serbian king, deemed to be schismatic.<sup>78</sup> We know that Voivode Ladislau did not comply with the legate's demand for over half a year. Things changed when, in April 1310, the voivode kneeled before Charles Robert, becoming thus a "loyal oligarch." This gesture was obviously accompanied by the return of the crown (of course, in exchange for a hefty reward). In fact, the voivode himself assumed this obligation, setting a new deadline for 1 July.<sup>79</sup> In our opinion, Bishop Benedict became involved in the process of the crown's return in the spring of 1310.<sup>80</sup> It was roughly at that time that Voivode Ladislau informed the legate Gentilis of the

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proved to be a double-edged sword. For instance, around 1304 the inhabitants of Buda excommunicated the pope. Gyula Kristó – Ferenc Makk (eds.), *Károly Róbert emlékezete* [The memory of King Charles Robert] (Budapest: Európa Könyvkiadó, 1988), 58-59. The significance of this punishment was much lower than before and could simply be ignored, as it happened in Transylvania. In the spring of 1310, Fr. Benedict, the elected bishop, informed the legate Gentilis that the diocesan clergy in Transylvania did not respect the interdict he had issued, even though the bishop himself listened to mass only in his private chapel (*CDTrans*, vol. 2, no. 163).

<sup>78</sup> *Acta Gentilis*, vol. I/2, 369-374; *CDTrans*, vol. 2, no. 160.

<sup>79</sup> The voivode promised he would return other goods besides the crown (salt mines, salt warehouses, counties, villages), see *Acta Gentilis*, vol. I/2, 374-375; *CDTrans*, vol. 2, no. 162; Zsoldos, 'Hűség oligarchák', 352.

<sup>80</sup> In Temesváry's view, Fr. Benedict had already arrived in Transylvania by the autumn of 1309 to negotiate the return of the crown with Ladislau Kán. His first voyage as bishop to Transylvania appears not to have been very successful because the voivode would only return the crown in exchange for a hefty sum and the bishop was captured, upon his return, by Ban Henry's men. Temesváry, *Erdély középkori püspökei*, 129. We do not think this voyage was undertaken in the autumn, after the bishop's election, because this was held on 24 July 1309 and a document issued on 1 August talks about the mission of Fr. Benedict, *prior of the Order of St. Dominic from the isle [in Buda]*, to the voivode's court, mentioning the fact that the prelate was detained, upon his return, by master Henry's men for a few days (*DocHungAndeg*, vol. 2, no. 708). The brief time span and the title of Fr. Benedict show that this mission probably took place before he was elected bishop. It may be the case that the goal of his mission was, indeed, the retrieval of the crown, considering that Benedict was on good terms with the voivode and his odds of success were therefore higher.

voivode's promise to send the crown through him.<sup>81</sup> In his answer of 2 May 1310, Gentilis told Benedict, Bishop elect of Transylvania, that the ecclesiastical punishment (which, as seen above, was not enforced) had to be maintained until Ladislau Kán returned the royal crown, accepted the authority of the church, and respected the promises he had made to the king. As stated in the document, "we firmly desire that the same Voivode Ladislau should send us the crown through you [Fr. Benedict, Bishop elect al Transylvania], for, as stated in your letter, he promised us to do that, and thus, his case will be swiftly and kindly reconsidered by the king and by ourselves."<sup>82</sup> The document also mentions the expenses for the legate's maintenance and the fact that the chapter would be forced to pay a triple amount if it failed to acquit itself of its debt.<sup>83</sup> It is possible that Benedict himself handed the crown to Gentilis, on 1 July, the very term promised by the voivode, according to some sources.<sup>84</sup> Because of that, the legate wished to reward Benedict by confirming his episcopacy in Bratislava, in a public place (*in sala publica*), in the presence of a large number of ecclesiastical and lay officials, as well as by ordaining him the next day, on 2 July 1310.<sup>85</sup> It is clear that the crown was returned to the king and that, on 27 August 1310, a Thursday, Thomas, Archbishop of Esztergom, crowned Charles for the third time.<sup>86</sup> From among the protagonists of our narrative, Cardinal Gentilis undoubtedly attended the event. The already ordained Bishop Benedict must also have been in attendance, especially if we consider the role he had played in the retrieval of the crown.<sup>87</sup>

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<sup>81</sup> *CDTrans*, vol. 2, no. 164. Temesváry goes so far as to suggest that Benedict's confirmation as bishop depended on the success of the voyage he went on at the beginning of 1310 (Temesváry, *Erdély középkori püspökei*, 130).

<sup>82</sup> Besides its content, this document is also important because it is the first one on filigree paper in medieval Hungary. It therefore holds a prominent place in the history of local writing. The filigree, a dragon, was discovered only in 2009, following very thorough research. This is the only surviving document on paper related to Gentilis's activity in Hungary and it has only been preserved because it mentions the crown. This document marks thus the beginning of the widespread use of paper in Hungary, see Rác, 'Gentilis és Károly', 32-43, especially 35-37, 39-41; *CDTrans*, vol. 2, no. 165; *DocHungAndeg*, vol. 2, no. 877.

<sup>83</sup> Rác, 'Gentilis és Károly', 41; *CDTrans*, vol. 2, no. 165; *DocHungAndeg*, vol. 2, no. 877. On the same day, Gentilis also wrote to the chapter of Transylvania, emphasising the duty of this institution to oversee compliance with the ecclesiastical punishment against Voivode Ladislau. The threat that the maintenance sum would be tripled in case the payment failed to be made should come as no surprise (*CDTrans*, vol. 2, no. 166).

<sup>84</sup> See the documents of Ladislau Kán, Voivode of Transylvania: *Acta Gentilis*, vol. II/1, 375.

<sup>85</sup> What was also taken into account was the provision concerning the ordination of the bishop. According to this, at least three bishops had to attend this event. When Fr. Benedict was ordained, Henry, Bishop of Wrocław, Nicholas, Bishop elect of Győr, and the legate Gentilis himself were present (*CDTrans*, vol. 2, no. 169).

<sup>86</sup> Kristó – Makk (eds.), *Károly Róbert emlékezete*, 85.

<sup>87</sup> Temesváry, *Erdély középkori püspökei*, 132.

## A mendicant bishop in Alba Iulia

Who was Benedict? The surest information we have about him: he was the first mendicant Bishop of Transylvania. The election of a mendicant to an episcopal see was a novelty only in the local landscape. Dominicans could be encountered at the helm of some dioceses even earlier. In the 1220s, after Robert, Archbishop of Esztergom, was appointed legate to Cumania, he founded the diocese of Milcovia or of the Cumans, placing Theodoric, the Dominican prior provincial in Hungary, at its leadership.<sup>88</sup> We also know that in the 1230s *Johannes Teutonicus* and *Pousa* led missionary bishoprics in Bosnia and that they also were members of the Dominican Order.<sup>89</sup> Throughout the thirteenth and the fourteenth centuries, several bishops of the dioceses in Dalmatia and Croatia were Dominicans of Croat or Italian extraction. For instance, Jacob of Corvo was appointed Bishop of Zagreb in 1322 but did not occupy the episcopal see since he was transferred to a diocese in France.<sup>90</sup> Augustin Gazotto headed the Diocese of Zagreb for nearly two decades.<sup>91</sup> Fr. Rudolf (1329-1341), Bishop of Vác, also came from the Dominican order.<sup>92</sup> Fr. Benedict's Transylvanian episcopacy completed this gallery of Dominican prelates.

The fact that he belonged to the regular clergy is also indicated, but the appellative *frater* that Benedict continued to use after he became bishop. He was a member of the Dominican Order, and had advanced to the position of prior in the hierarchy. According to available data, he held the office of prior in two convents, first in Alba Iulia,<sup>93</sup> and later on the isle in Buda – which was his status when he was elected bishop in 1309.<sup>94</sup> Before he became a prior in Buda, he must have spent a longer period in

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<sup>88</sup> Ioan Ferent, *A kunok és püspökségük* [The Cumans and their diocese] (Budapest: Szent István Társulat, 1981), 136; Attila Zsoldos, *Magyarország világi archontológiája 1000-1301* [Lay archontology of Hungary 1000-1301] (Budapest: História-MTA Történettudományi Intézete, 2011), 92; Solymosi, 'Egyházi-politikai viszonyok', 49, cf. *CDTrans*, vol. 1, no. 150, 168.

<sup>89</sup> Bálint Ternovác, 'A boszniai latin püspökség története 1344-ig' [The history of the Latin diocese of Bosnia], in Laura Fábíán et al. (eds.), *Micae Mediaevales V. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról* [Micae Mediaevales V. Essays of young historians on medieval Hungary and Europe] (Budapest: ELTE BTK Történelemtudományok Doktori Iskola, 2016), 219-222.

<sup>90</sup> Pál Engel, *Magyarország világi archontológiája 1301-1457* [Lay archontology of Hungary 1301-1457] (2 vols, Budapest: História-MTA Történettudományi Intézete, 1996), vol. 1, 79.

<sup>91</sup> Péter Rokay, 'Zágrábi püspökség', in Gyula Kristó – Pál Engel – Ferenc Makk (eds.), *Korai magyar történelmi lexikon (9-14. század)* [Early Hungarian historical lexicon (9-14<sup>th</sup> century)] (Budapest: Akadémiai Kiadó, 1994), 739-740.

<sup>92</sup> Engel, *Magyarország világi archontológiája*, vol. 1, 75.

<sup>93</sup> *DocHungAndeg*, vol. 2, no. 514, 698, 707, 729, 732, 735, 743.

<sup>94</sup> *CDTrans*, vol. 2, no. 133.

Transylvania, considering that several sources mention his familiarity with the situation in the region and his close relationship with Bishop Peter Monoszló.<sup>95</sup> We have no information regarding his activity as leader of the convent in Alba Iulia, but in 1295 documents mention a *lector* friar called Benedict.<sup>96</sup> It is possible that this *lector* Benedict was the same man as the later prior, given that after graduating from *studium generale*, friars could obtain the title of *lector*<sup>97</sup> and subsequently become priors. We believe that the statement according to which Benedict was *in lege Dei doctum*, holding *sufficiens scientia* and *litterarum peritia*,<sup>98</sup> is evidence of his education. Obviously, such considerations can be seen as commonplaces, but it should be noted that they were not used about all the bishops. This means that, as a bishop, he fulfilled one of the fundamental criteria: he had a literate education and knew the Holy Scripture and the teachings of the church.<sup>99</sup> There is no information that could confirm the date when Benedict left Alba Iulia for Buda, to serve in the isle-convent there, dedicated to the Holy Virgin,<sup>100</sup> or how long he was a prior.

Moreover, we have only scant data regarding his decade-long episcopacy. We may find out something about Bishop Benedict, especially in relation to the acquittal of the sums owed for the maintenance of Gentilis's legation. After being confirmed and ordained, his main concern was to pay the amount incumbent on the Church of Transylvania for the maintenance expenses of Gentilis's court. This was a considerable sum and it was paid "after three and a half years of *sedis vacantia*, a period in which he offered the laity the opportunity – which they seized – to lay their hands on the Transylvanian diocese's estates and to appropriate its assets," which indirectly led to the impoverishment of the clergy.<sup>101</sup> This statement is supported by

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<sup>95</sup> *Acta Gentilis*, vol. I/2, 159-160; *CDTrans*, vol. 2, no. 137; *Acta Gentilis*, vol. I/2, 174-176; *CDTrans*, vol. 2, no. 159.

<sup>96</sup> Among others, Teodor, the Dominican prior from Alba Iulia, confirmed a donation for the Bishop of Transylvania with the conventual seal (*CDTrans*, vol. 1, no. 534).

<sup>97</sup> As a rule, *lectors* held the title of *baccalaureus*, which they could obtain after studies conducted both locally and as part of the *studium generale*, after the age of 26 (Harsányi, *A Domonkos Rend*, 77, cf. *Ibidem*, 122). If we accept this identification, then Benedict must have been around forty when he was elected bishop in 1309. If that was so, he complied with the canonical provision stipulating the age of thirty or over for bishops. Cf. Erdő, *Egyházjog*, 194.

<sup>98</sup> *Acta Gentilis*, vol. II/1, 157, 159.

<sup>99</sup> Erdő, *Egyházjog*, 194.

<sup>100</sup> In December 1306 Fr. John was already prior of the Dominicans in Alba Iulia, see *CDTrans*, vol. 2, no. 53, 55; Harsányi, *A Domonkos Rend*, 81.

<sup>101</sup> *CDTrans*, vol. 2, no. 186, 187. In 1318 some of the church's domains were still under the control of lay individuals (*CDTrans*, vol. 2, no. 288).

several data referring to invasions of the Transylvanian bishops' lands since the late thirteenth century.<sup>102</sup>

In 1311, when Gentilis left Hungary, there were probably more people who were glad to see him gone than those who missed him. Why was this the case? As seen above, Gentilis's activity had a major significance for the recognition of Charles's succession to the throne. However, his presence was also of use for the clerics in Hungary, who no longer had to file their complaints far way in Avignon, but could do that in Buda, and later in Trnava and Bratislava, thus managing to cut down their expenses significantly. Still, what they saved there they spent here, considering that the legation's maintenance expenses (travel, food) were not covered by the Holy See but by the clergy in the host country. Gentilis's expenses were paid for by the clergy in Hungary. The legate's accounts, only partly preserved,<sup>103</sup> suggest that the local church had to bear a considerable burden. Suffice it to think of the fact that when Gentilis left the kingdom, the outstanding debts of the Transylvanian diocese for the first three years of the legation had reached 938.5 marks. Although the legate had his own personnel in charge of collecting that income, this was very troublesome, and he had to be content with receiving only part of the sums owed to him.

Shortly after he was ordained, in December 1310, Bishop Benedict paid another installment of 15 Buda marks of fine silver for the legate's maintenance.<sup>104</sup> The total sum amounted thus to 520.5 marks of fine silver from the outstanding 938.5 marks that had accrued during the first three years of the legation. The bishop assumed the obligation to pay the remaining 418 marks by next Easter (26 March), under the threat of punishments,<sup>105</sup> but he only managed to pay that sum partially, in several installments, over the course of the next seven years.<sup>106</sup> By 1318, Bishop Benedict had paid another 370 marks and three Vierdungs of fine silver to cover the legation's expenses for the first three years.<sup>107</sup> Meanwhile, Benedict had to take a

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<sup>102</sup> *CDTrans*, vol. 1, no. 437; *DocHungAndeg*, vol. 5, no. 6. Even the trials concerning land ownership rights show how complicated the situation was in the diocese, see *CDTrans*, vol. 1, no. 539, 542, 543, 550.

<sup>103</sup> 1308-1311. Notes regarding Transylvania in Gentilis's accounting fragments (*CDTrans*, vol. 2, no. 95).

<sup>104</sup> *CDTrans*, vol. 2, no. 179. In the account books of Rufinus of Civino, Benedict is still featuring as bishop elect even though he was ordained after 2 July.

<sup>105</sup> *CDTrans*, vol. 2, no. 190; *DocHungAndeg*, vol. 3, no. 139.

<sup>106</sup> On 25 August 1311, mention was made of a payment made by the bishop through his chaplain, but the sum is not detailed. On 12 September of the same year, there was another reference to the sum of 228 Venice marks having been deposited, on behalf of the bishop, by John Nemes, a canon from Transylvania. This sum was a payment on account of the 646 marks the bishop still owed for the first three years of Cardinal Gentilis's legation, see *CDTrans*, vol. 2, no. 63-64, 95.

<sup>107</sup> *Acta Gentilis*, vol. I/2, 467; *CDTrans*, vol. 2, no. 194.

stand to defend the interests of his diocese on several occasions. Although he tried to pay his debts, Benedict did not hesitate to protest when he considered that his church had been treated unjustly. One such case occurred shortly after he was ordained. Benedict was aware of the situation of the Transylvanian diocese and its material difficulties. It is therefore easy to understand why he was determined to refuse, even before the Holy See, paying the legate Gentilis's maintenance tax for the fourth year, since he considered this to be an abuse. In July 1311, Bishop Benedict expressed his discontent with the Transylvanian diocese being forced to pay 450-500 silver Buda marks when the legate had demanded a similar sum from the much richer Archdiocese of Kalocsa, which had five suffragan dioceses.<sup>108</sup> The bishop accused Gentilis of not respecting the principle of equity. We have found that this was an older problem of the Transylvanian chapter and church, as the canons had tried to contest such taxes before but had been forced to concede because of the high litigation fees. This time, however, they addressed directly to the Apostolic See, because, in Benedict's opinion, Gentilis was influenced by his tax collectors and relied on them in making decisions, which is why the Transylvanian bishop did not trust that his sentence would be fair.

The Dominican bishop continued to be, over the following years, a prelate who was eager to defend the rights of his church. The departure of the legate Gentilis and his subsequent death shortly afterwards (in October 1312) did not lead to cancelling outstanding maintenance expenses, considering that the taxes were due not just to the legate himself, but also to his court, which had numerous personnel.<sup>109</sup> After the legate died, the tax collecting task was taken over by Homboth/Hambboth, a citizen of Bratislava. Bishop Benedict had to go to trial against him too, as he believed that the demand to also pay tithes after paying the installments was unfair.<sup>110</sup> In June 1318, Pope John XXII was still demanding the Bishop of Transylvania to pay 953 silver Buda marks as part of the expenses owed for the late legate.<sup>111</sup> In September that same year, Bishop Benedict paid 44.5 pure silver Buda marks (one mark being the equivalent of four gold florins),<sup>112</sup> and, in October, two Buda marks and another four and a half measures of silver. Thus, according to the calculations of Archdeacon of Tolna, Rufinus of Civino, papal nuntio and decimator, Bishop Benedict paid a total of 46 marks and 3 Vierdungs, that is, the equivalent of 187 florins, as outstanding

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<sup>108</sup> *CDTrans*, vol. 2, no. 186, 187, 189, 191; *DocHungAndeg*, vol. 3, no. 115, 116, 130, 140.

<sup>109</sup> Rác, 'Az Anjou-ház', 60.

<sup>110</sup> *CDTrans*, vol. 2, no. 196; *DocHungAndeg*, vol. 2, no. 270, 272.

<sup>111</sup> *Acta Gentilis*, vol. I/2, 465-466; *CDTrans*, vol. 2, no. 298.

<sup>112</sup> *CDTrans*, vol. 2, no. 308.

sums for the maintenance of the legation.<sup>113</sup> Subsequently, he refused to pay any more money, openly opposing the payment of the tax for the final year. Instead of a new sum of money, he sent Rufinus, the papal nuntio and decimator, the receipt of the payments made thus far, through Peter, Archdeacon of Solnoc.<sup>114</sup> On 13 January 1320, Rufinus officially recorded the death of the Bishop of Transylvania. This means that Benedict had to pay the outstanding taxes for the maintenance of Gentilis right until the end of his episcopacy.

Besides the sums he owed for supporting the legation of Gentilis, Bishop Benedict also had to pay another tax. This referred to the income for the first year of the vacant benefices that had to be paid to the papal curia. The pope's administrative apparatus, significantly enlarged by the fourteenth century, was particularly ingenious in obtaining new sources of revenue, which it tried to secure through different legal provisions. Under his bull of 8 December 1316, Pope John XXII introduced a new mode of taxation benefiting the Holy See. He decided that the income for the first year from the vacant benefices or from the benefices that were to be vacated over the following three years was owed to the Apostolic Chamber. Rufinus, who benefited from the revenues of the Archdeanery of Tolna, was appointed to collect this tax in Hungary. He also had, as seen above, a "secondary" duty, namely to collect outstanding debts for the maintenance of Gentilis's legation.<sup>115</sup> Although Rufinus himself estimated the income from the Provostship of Sibiu, subordinated to the Archdiocese of Esztergom, Bishop Benedict did not entrust him with this task on the territory of the Transylvanian diocese. Instead, he appointed Corradus, the parish priest of Orăștie, as *subcollector*. Corradus collected the sums owed to the Apostolic Chamber from October 1317 to March 1320.<sup>116</sup> The canonical revenues that had become vacant in the chapter of Transylvania were estimated to 16 marks of fine silver. The sources we have consulted suggest that towards the end of the three-year period, after the death of Bishop Benedict, Rufinus had difficulty estimating the revenue from vacant benefices. What became evident was the key role played by the bishop in the inventory of benefices, and his absence was exploited by those in charge, who were often not willing to offer their help for any kind of estimation. Rufinus managed to collect a total of 137 fine silver Buda marks from the Transylvanian diocese.

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<sup>113</sup> *Acta Gentilis*, vol. I/2, 466; *CDTrans*, vol. 2, no. 313.

<sup>114</sup> *CDTrans*, vol. 2, no. 345.

<sup>115</sup> During his three-year activity (1317-1320), he managed to collect 1054 florins from the overdue sums owed to Gentilis, as well as 1913 florins from vacant benefices. Over half of this amount was used to cover Rufinus's personal expenses (Rácz, 'Az Anjou-ház', 66.).

<sup>116</sup> For details regarding the payments that were made, see *CDTrans*, vol. 2, no. 280.

If we apply the formula “one mark equals four florins”, the sum represented 548 gold florins. The amount collected from the Transylvanians was just short of one-third of the total collected throughout the Kingdom of Hungary for the vacant benefices.<sup>117</sup>

Aside from the financial measures he imposed, we have only fragments of information regarding the activity of Bishop Benedict. One important aspect was his participation in a “league” against the king that was set up in Kalocsa. In 1318, Bishop Benedict joined the group that opposed the measures imposed by Charles Robert regarding ecclesiastical assets. By the end of 1317, the monarch had managed to consolidate his power throughout most of the kingdom’s territory and the church played an important role in this process. However, the prelates considered that the king did not respect the rights of the church and were revolted by the peace concluded with Matthew Csák, which had left the deeds committed by the oligarch against some ecclesiastical institutions go unpunished (Csák had returned the estates belonging to the Archdiocese of Esztergom but was permitted to keep the assets of the Diocese of Nitra). The prelates were outraged especially by the possibility of setting a precedent, so they decided to act together.<sup>118</sup> The two archbishops and eleven bishops who were discontent with and disappointed by the king they had supported, and who included Benedict, Bishop of Transylvania, held an assembly in Kalocsa in February 1318, where they made a solemn alliance, pledging to unite their forces against anyone who would try to cause damage to the church, to rob it, to impose unfair taxes on it, or to infringe its rights in any way.<sup>119</sup>

To what extent and how did Benedict stay in touch with his former community, the Dominican Order, after he became bishop? This is indeed an interesting question, but it is difficult to give a definitive answer. The information scattered in the documents suggests that Benedict used his connections inside the order and the Dominicans’ literate and juridical expertise to exercise his episcopal function much more efficiently. We are referring here to the administration of the sums of money deposited by the Dominicans in Buda, the trials started by the Dominicans in Alba Iulia on behalf of the bishop, and their activity of transcribing/confirming some documents.<sup>120</sup> He kept the title of *frater* even during the period in which

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<sup>117</sup> *CDTrans*, vol. 2, no. 280, cf. Rácz, ‘Az Anjou-ház’, 66.

<sup>118</sup> Rácz, ‘Az Anjou-ház’, 62-63.

<sup>119</sup> *DocHungAndeg*, vol. 5, no. 46; László Koszta, *A kalocsai érseki tartomány kialakulása* [Formation of the Archbishopric of Kalocsa] (Pécs: Pécsi Történettudományért Kulturális Egyesület, 2013), 49 (especially note no. 213).

<sup>120</sup> *CDTrans*, vol. 2, no. 187, 189, 191, 204.

he was bishop (Fr. Benedict, Bishop of Transylvania), emphasising thus his former membership in the Dominican Order.<sup>121</sup>

To conclude, we may state that the first mendicant Bishop of the Transylvanian diocese, the Dominican friar Benedict was active during one of the most troublesome periods in the history of Transylvania. The documents of that age are rife with references to disturbances, or to the dangers looming along the highways, which obstructed a smooth tax collecting process, depleted the revenues, and imperiled the safety of the documents. Ladislau Kán's voivodeship, remarkable through the capture of a king,<sup>122</sup> and Benedict's episcopacy reflect the context of the political struggles from the cusp of the thirteenth and fourteenth centuries, an age when holding ecclesiastical offices became an efficient way to expand one's influence and prestige. It is not by chance that Ladislau Kán tried to secure the Transylvanian diocese for his own son. A family's power could increase if secular and ecclesiastical offices were cumulated. When Fr. Benedict was elected bishop, one opinion that was voiced in the chapter was that a learned, powerful, and influential noble would be preferable because he could thus retrieve the church's assets. We do not know if Benedict was of noble descent, but he was a scholar who tried to use his knowledge to best represent the interests of the Church and his diocese.<sup>123</sup>

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<sup>121</sup> For instance, in the list of dignitaries from 1314 (*DocHungAndeg*, vol. 3, no. 718) and in a document from 1315 (*DocHungAndeg*, vol. 4, no. 64).

<sup>122</sup> Otto Wittelsbach was crowned king of Hungary in December 1305, but he had no serious followers in the country. When Pope Clement V urged Otto and his followers to recognize Charles I as King of Hungary under the burden of excommunication, Ladislau Kán captured him, took the Holy Crown from him, and then let him run. Csukovits, *Az Arjouk Magyarországon I*, 58-59.

<sup>123</sup> The possible memory of his bishopric that remains to this day is the tombstone attributed to him in the Alba Iulia Cathedral. Vladimír Agrigoroaei, 'La pierre tombale d'un évêque 'suffragant' d'Alba Iulia: SAVLVS (†1309?) ou BENEDICTVS (†1320)', *Annales Universitatis Apulensis. Series Historica*, 17/II (2013): 155-172. Cf. Pál Lövei, *Posuit hoc monumentum pro aeterna memoria. Bevezető fejezetek a középkori Magyarország síremlékeinek katalógusához* [Posuit hoc monumentum pro aeterna memori. Introduction au catalogue des monuments funéraires de la Hongrie médiévale], Academic doctoral thesis (3 vols, Budapest, 2009), vol. 3, 33 (fig. 187). According to Temesváry, already in the middle of the nineteenth century, suspicions arose that the indistinct tombstone at the base of the so-called princely gate of the southern aisle of the Alba Iulia Cathedral belonged to him. Temesváry, *Erdély középkori püspökei*, 138.

