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**PAPAL CHAPLAIN AND SUBDEACON EGIDIUS.
JUDGE DELEGATE AND LEGATE IN HUNGARY
AT THE SAME TIME?***

Abstract: The present paper gives a short summary about the course of life of Egidius, a papal chaplain and subdeacon, who spent ca. three years in the Medieval Kingdom of Hungary in the late 1220's as a judge delegate. The investigation focuses not on the litigations handled by the papal chaplain, but on one particular task of his, the establishment of the bishopric of Syrmia (Srem) and in connection with that on one main question: what kind of authority Egidius received from Pope Gregory IX for the planned measure. While analysing certain historical situations it is of great importance to establish whether a papal envoy was entrusted as a legate with full power or if he had to fulfil his obligation as a nuncio, with limited authorization. In the Hungarian historiography Egidius is handled traditionally as a legate, but his entire mission in Hungary seems to be of a more complex nature, therefore the question itself requires a new analysis.

Keywords: Medieval church history, Hungarian-papal relations, papal chaplain and subdeacon, papal delegate, papal representatives, legate, judge delegate, nuncio.

Egidius, a papal chaplain and subdeacon (*subdiaconus*)¹ appeared in 1228 in the sources concerning the Hungarian Kingdom² and he stayed in Hungary until 1231. The majority of the known charters give information about his activity as a judge delegate, but in 1229 he was appointed by Pope Gregory IX (1227–1241) for another task: he had to examine the possibilities concerning the new bishopric in Syrmia (Srem), which

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¹ For papal chaplains and subdeacons see Elze 1950: 152–157; Johrendt 2012: 267. For the papal chapel see *Ibid.* 264–271; Matthew 2013. For the comparison of cardinal-legates and papal chaplains, see Johrendt 2012: 262–263, 269, 275.

² RPR no. 8183, 8234, DF 200 629. Papal chaplains (mostly external ones) appeared outside of the papal court from the pontificate of Honorius III (1216–1227) Elze 1950: 183–184.

had earlier been proposed by Archbishop Ugrin of Kalocsa.³

The papal chaplain as a judge delegate⁴ probably travelled through the whole Medieval realm, from Pannonhalma to Transylvania.⁵ Despite his diversified activity in the Hungarian Kingdom not much is known about Egidius. His date and place of birth are obscure; it is unknown when he entered the papal chapel, why he was sent to Hungary, and where exactly he went after it.⁶ Furthermore, the investigation is hindered by the fact that the prosopographical research of the Apostolic chapel is not finished yet.⁷ Besides the known Hungarian cases, there are not many traces of Egidius' activity in the papal charters. The interpretation of the data⁸ is determined by the fact that in connection with Egidius' name, only his title as a papal chaplain and subdeacon can be found. Based on the sources we can assume that he did not become a bishop after his career at the Curia, contrary to his predecessor John of Casamari at the outset of the century,⁹ nor was he elevated to the college of cardinals.¹⁰ His final departure from the kingdom in 1231 meant that he did not receive any Hungarian benefices either.¹¹

In this study we intend to present the course of life of Egidius, concerning his actions both at the papal court and in Hungary. The geographical and chronological framework of his Hungarian mission will also be illustrated with the help of the known cases. The first information about Egidius is found in a charter of Honorius III from February 1224, which informs us about the chaplain's role in the sealing of a certain sum of money given by the bishop of Modena to the Cistercian abbey of Lucedo.¹² Another papal charter from June 1226 states that Egidius was earlier entrusted as a judge delegate and reached a decision in the litigation between the Cistercian abbot and convent of Casanova and the *praeceptorium*

³ Symria (Srem) on the Southern border of Medieval Hungary was a direct neighbour to the territories of Eastern Christianity. For the early history of the bishopric, see Ternovác 2013: 460–461; Ternovác 2011: 34–35. Princess Margaret, Emperor Isaac II Angelos's widow, Andrew II's sister, as the leader of Symria also had influence on the establishment of the new bishopric. See Wertner 1903: 593–596; Ternovác 2013: 458f; Bácsatyai 2017: 243.

⁴ For the practice of papal delegated jurisdiction see recently: Müller 2016: 211–219

⁵ Cf. Appendix 2.

⁶ The research is hindered by the fact that not every member of the papal chapel appears in the sources with the title *capellanus pape*. See Johrendt 2012: 267–268.

⁷ *Ibid.* 266. According to the research of Jochen Johrendt a certain Egidius Octaviani was a member of the St Peter chapter in Rome, but apart from his name nothing else is known about him. Johrendt places him between the mid-12th and the late-13th centuries. Johrendt 2011: 477. For the curial career-chances of the members of the chapter see *Ibid.* 217–227. From the papal court Egidius Hispanus, a cardinal-deacon of SS Cosmae et Damiani, Egidius (Egidio) da Forlimpopoli and Egidius (Egidio) da Verraccolo are known from the 1220s and 1230s, but they cannot be identified with our Egidius. Cf. HC 5; Paravicini Bagliani 1972: 523–524; Maleczek 2013: 78. The identification with Egidius, bishop of Piacenza is similarly unlikely, since he was a Cistercian monk. HC 401.

⁸ From the pontificate of Innocent IV (1243–1254) there is more information known about the members of the papal chapel. Elze 1950: 191–193.

⁹ HC 396. Cf. Elze 1950: 181–183.

¹⁰ Cf. HC. For the career-possibilities of the papal chaplains see Elze 1950: 164–168; Johrendt 2012: 270–271. Jochen Johrendt emphasizes the lack of a fundamental study on this topic.

¹¹ HC 98, 396. For John of Casamari see: Majnarić 2008: 1–13; Barabás 2014: 21, 43–44, 54, 235–238.

¹² RPO no. 4815.

of the Templars of Bormio.¹³ The carrying into effect of the judgement was probably problematic, since the pope ordered another chaplain of his, Robert, to take care of the implementation. Based on these data, it can be assumed that Egidius entered the papal chapel under Honorius III.

The beginning of his stay in Hungary is hard to determine, the *terminus ante quem* of his arrival is given in a charter of Pope Gregory IX issued on 29 April 1228.¹⁴ Egidius was ordered as a judge delegate in the lawsuit between the Benedictine abbey of Pannonhalma and the cathedral-chapter of Veszprém in a case which he handled actively before his departure from Hungary. Three of his five known charters issued in the Hungarian kingdom are related to this litigation.¹⁵ According to the papal mandate, the chaplain was already present in Hungary in April. Due to the lack of further information it can only be presumed, based on other legations,¹⁶ that he arrived after a boat-ride through Dalmatia in the heart of the Hungarian Kingdom (the so-called *medium regni*, the northern part of Transdanubia, the core territory of the realm around the settlements of Esztergom, Székesfehérvár and Veszprém¹⁷), where he began his duty as a judge delegate in several cases of the Benedictine abbey of Pannonhalma. In July 1228 he received the duty of the protection of the Benedictine monastery of Güssing,¹⁸ a task he gave to subdelegates (the abbots of Tata and Zobor and Canon John of Győr) in April 1230.¹⁹

According to Egidius' first charter issued in Hungary on July 6 1229²⁰ he was the fellow judge of magister Manasses²¹ in the litigation between the abbey of Pannonhalma and the provostry of Székesfehérvár and helped the parties to come to an agreement.²² Based on the date of the document one can assume that it was the third case handled by Egidius in Hungary, more specifically in Northern Transdanubia. A change probably came after receiving Pope Gregory IX's letter of March 1229.²³ He was entrusted with the task regarding the new bishopric in Syrmia (Srem) – perhaps that is why he was urged to end the litigation between the abbey and the collegial-chapter in June with a settlement. The new duty likely called the papal chaplain to another part of the kingdom, so he was probably obliged to leave the *medium regni*, although his journey to Syrmia is only hypothetical, based on the papal mandate, but it cannot be supported with any further solid evidence.

The possible geographical spread of Egidius' pursuit is reflected in his role in the procedure against the bishop of Oradea (Várad). Although it is not known when exactly the chaplain received this task, a papal charter²⁴ sent to the next judges (an abbot and a prior of

¹³ RPO no. 5995.

¹⁴ RPR no. 8183.

¹⁵ Egidius issued charters on July 8 and 24 1230, and April 8 1231 concerning this lawsuit. Cf. Appendix 3.

¹⁶ Cf. Barabás 2014: 39–62.

¹⁷ Cf. Altmann – Biczó – Buzás – Horváth – Kovács – Siklósi – Végh 1995.

¹⁸ RPR no. 8233 and 8234.

¹⁹ CDS I. 264–265. Cf. Barabás 2013: 34–35.

²⁰ DF 206 901, ÁÚO I. 266.

²¹ Cf. Appendix 1.

²² See the charter of King Andrew II (1205–1235): DF 206 903, RA no. 451. Cf. Hegedüs 2014: 55–56.

²³ RPR no. 8348. RGIX no. 278.

²⁴ RPR no. 8487, RGIX no. 396.

the Cistercian monastery of Igrış (Egres) in January 1230 reports only his former role.²⁵ Egidius' charter, as mentioned, was issued in July 1229, so we can assume his papal mandate was given to him parallel with the authorization concerning the bishopric of Syrmia. His role in the litigation between the bishop of Transylvania and the abbot of Cluj (Kolozsmonostor) can probably also be linked to this period.²⁶ It is hard to determine if the reputation of the chaplain foreran him in the eastern part of the kingdom or if his first papal mandate caused a series of further tasks demanded by the local parties. One should probably assume a combination of both possibilities, even if it is uncertain whether Egidius indeed travelled to the Eastern part of the realm or if the procurators of the litigants reached out to him in Western Hungary.

Egidius found himself in Transdanubia again for sure in 1230, as his mentioned subdelegation²⁷ and his charters issued in July²⁸ indicate. Based on the surviving sources, he was probably absent in the second half of 1229 and the spring of 1230. After that, Pope Gregory IX entrusted him with further cases: with the litigation of Pannonhalma and the Thomas Becket-chapter of Esztergom²⁹ and with the problem of papal subdeacon Primogenitus³⁰ around his benefice in the cathedral-chapter of Győr.³¹ It is known only thanks to later data that Egidius also received a papal mandate concerning the lawsuit between the abbeys of Pannonhalma and Pilisszentkereszt.³²

It cannot be stated with certainty how long the papal chaplain stayed in the Hungarian Kingdom, but in April 1231 he was still there for sure. Egidius issued his last charter by this time, again concerning the litigation of Pannonhalma and Veszprém.³³ We can assume that he left Hungary right after this occasion, or at least the mentioned charter of Gregory IX (11 November, 1231)³⁴ about the law-case of Pannonhalma and Pilisszentkereszt states that he was no longer present in the realm.³⁵ A further papal letter sent to cardinal-legate Jacob of Pecorara in October 1232 confirms this statement.³⁶

From a further charter of Gregory IX issued in 1234³⁷ and addressed to the abbot and

²⁵ “[...] quas dictus episcopus in elusionem mandati apostolici super his contra eundem presbiterum ad dilectum filium magistrum Egidium subdiaconum et capellanum nostrum dicitur impetrasse [...]” – VMHH I. no. 163.

²⁶ See RPR no. 9023, RGIX no. 935.

²⁷ CDS I. 264–265.

²⁸ DF 200 629 and 206 906. Egidius made demands for the help of *arbitri* too: Ubaldus, provost of the St Thomas chapter of Esztergom, Elijah, provost of Hajszentlőrinc and Manasses archdeacon of Sasvár. Cf. Appendix 1.

²⁹ DF 206 905. RPR no. 8497.

³⁰ RPR no. 8554, RGIX no. 458. Cf. RPR no. 7050, RPO no. 4424.

³¹ Cf. Barabás 2014: 272ff. For the role of papal chaplains in favour of other members of the Pontifical chapel see: Matthew 2013: 39ff; Johrendt 2014: 57.

³² DF 206 914, RPR no. 8831. Cf. Barabás 2014: 346ff.

³³ MREV I. 87.

³⁴ RPR no. 8831, DF 206 914.

³⁵ “[...] demum in dilectum filium Egidium subdiaconum et capellanum nostrum tunc in Ungaria existentem fuit hinc inde tanquam in arbitrum compromissum, qui equum inter partes arbitrium promulgavit [...]” – ÁÚO I. 289.

³⁶ RPR no. 9023, RGIX no. 935. “Fratre nostro Ultrasylvanorum episcopo, nos noveris accepisse, quod, cum nos dudum dil. filio Egidio, subdiacono et capellano nostro tunc in Ungaria existenti, commissemus causam” – VMHH I. no. 186.

³⁷ February 15, 1234. RPR no. 9405, RGIX no. 1806.

convent of Monte Cassino, one can learn about the confirmation of the donations given to the abbey earlier by a certain papal chaplain, Egidius and his brother, Bishop Pandulf of Norwich.³⁸ Yet this data probably refers to another member of the papal chapel, Egidius (Egidio) da Verraclo.³⁹ Therefore, the record cannot be taken into consideration regarding the chaplain's life after his mission in Hungary. In a charter of 1236⁴⁰ a certain papal scribe occurs with the name Egidius, who cannot be identified as our chaplain without a doubt although the employees of the papal chancellery were frequently members of the chapel as well.⁴¹ The papal registers or the cardinal's last wills of the era do not offer further – even disputable – details regarding Egidius' life.⁴² The possibility of hidden sources cannot be ruled out, but undoubtedly his Hungarian mission was the most documented period of his whole life. It is hard to imagine that it was pure coincidence,⁴³ although most of the known sources came to us thanks to the archive of Pannonhalma.

Despite the relatively well-known and also obscure episodes of Egidius' life, his Hungarian activity can have different interpretations. It is hard to decide if he is to be handled as a legate, a nuncio or a judge delegate.⁴⁴ First, an answer has to be found for the question what his main reason to come to the Hungarian Kingdom was. The lack of adequate sources complicates the conclusion, especially because neither the papal mandates nor the charters of the chaplain give information about the primary goal of his journey to Hungary. It might well be, however, that Gregory IX intended to fulfil the significantly increasing need for the papal delegated jurisdiction⁴⁵ at the outset of the 13th century. The members of the papal chapel were often found in the role of judges and similarly they were authorized as legates and nuncios, while they functioned as connecting instruments between the centre of the church and its regions.⁴⁶ At a first sight, the version of the papal initiative is supported by the fact that in the papal mandates there is no sign of any local petition concerning the activity of Egidius. In the selection process of the judges delegate the quarrelling parties could express, however, their wishes concerning the required persons,⁴⁷ but this was not evident in the texts of the papal mandates. Therefore, in the end it cannot be stated without a doubt why the papal chaplain was sent to the Hungarian Kingdom in the first place.

Egidius, as previously presented, first appeared in the sources clearly as a judge delegate.⁴⁸ The apparent uncertainty is caused by the papal mandate of March 1229 given to him.⁴⁹ The chaplain – unlike earlier – in 1229 did not get an authorization as a judge, but he was ordered to handle an affair of ecclesiastical government, the case of the new bishopric in Syrmia. Archbishop Ugrin of Kalocsa turned to the papacy and applied for

³⁸ HC 371. Cf. Zimmermann 1913: 64; Kyer 1979: 89.

³⁹ Paravicini Bagliani 1972: 523–524.

⁴⁰ RGIX no. 2930.

⁴¹ Elze 1950: 176–177; Johrendt 2012: 267, 275.

⁴² See RGIX; RIIV and Paravicini Bagliani 1980.

⁴³ Cf. Esch 1985.

⁴⁴ For the activity of papal chaplains as nuncios cf. Johrendt 2012: 275.

⁴⁵ Cf. Barabás 2014: 72–84; Barabás 2015: 70–71.

⁴⁶ Johrendt 2012: 261, 269, 274, 275.

⁴⁷ With further literature see Barabás 2014: 75–84.

⁴⁸ For the distinction between legates and judges delegate see: Zey 2007: 102–112.

⁴⁹ RPR no. 8348, RGIX no. 278. Cf. Zimmermann 1913: 116; Bónis 1997: 631.

authorization to create a new diocese, perhaps to favour the conversion of the heretics of Bosnia. Gregory IX approved the establishment of the new diocese after the investigation of the bishops of Transylvania and Csanád in January 1229.⁵⁰ The pope also mandated his chaplain, who was already present in Hungary, whose task can be specified in the setup of the new bishopric and in the subjection of Greek churches of the area to Rome's obedience.⁵¹ The actual deeds of Egidius – if there were any at all – are unknown, yet, the traditional view concerning the pontifical representative connects his status as a legate to this authorization, perhaps because of the importance of the affair.⁵² Presumably, this consideration led Lucien Auvray, the editor of Gregory IX's register to the conclusion that Egidius was a *legate in Bosnia*.⁵³

If one intends to dig deeper and analyse Egidius' authorization based on the legal-typological background of papal representations, a relatively complex picture reveals itself. At a first sight, the lack of the common attributes of a full or casual office of legation⁵⁴ is obvious. The apostolic authority⁵⁵ given to the chaplain is quite unusual for a legate's authorization,⁵⁶ the charter resembles rather the mandates for judges delegate.⁵⁷ The obvious importance of the case and the art of the expression of the papal authority (*auctoritate nostra suffultus*) in the text, however, render it essential to search for another explanation.

It seems to be contradictive that Egidius never referred to himself as a legate in his remaining charters, but it was not common in legatine documents anyway,⁵⁸ whereas the chaplain issued all of those charters as a judge delegate.⁵⁹ It is worth taking a look at a record of Jacob of Pecorara, Pecorara, a cardinal-legate,⁶⁰ who arrived in Hungary a year after Egidius' leave. The cardinal mentioned him as “*the chaplain and subdeacon of the pope, who was in Hungary because of the affairs of the Church*”, without stating that Egidius

⁵⁰ RPR. no. 8318., RGIX no. 260. Cf. Ternovác 2013: 460.

⁵¹ “[...] donec de ipsa, quae Grecorum ritum tenet, et nondum sedi Apostolice obedivit [...] Quocirca discretioni tue per apostolica scripta mandamus, quatenus, si in ecclesia illa sit episcopus, et sub ecclesie Romane obedientia esse voluerit eum sine preiudicio iuris alieni recipere non postponas quod si non sit episcopus in eadem, vel si existat ibidem et noluerit Sedi Apostolice obedire predicto novo episcopatu, auctoritate nostra suffultus, adicias ecclesiam memoratam” – VMHH I. no. 159. Fraknói 1901: 51–52; Kiss 2009: 49–51; Ternovác 2013: 460–461.

⁵² Cf. Fraknói 1901: 52; Zimmermann 1913: 116; Bónis 1997: 631; Kiss 2011: 46ff; Thoroczkay 2014: 326.

⁵³ “apud Bosnenses legato” – RGIX. no. 278.

⁵⁴ This criterion, however, does not exclude his legatine office, but its lack will not do so either, since papal representatives of lower ranks could receive the *plenitudo potestatis* too. See: Schmutz 1972: 456.

⁵⁵ “[...] predicto novo episcopatu, auctoritate nostra suffultus, adicias ecclesiam memoratam [...]” – VMHH I. no. 159.

⁵⁶ Schmutz 1972: 445, 450, 456; Weiss 1995: 346–347. Cf. Rennie 2013: 15–16, 98. Egidius emphasized the special papal mandate and authority concerning his judge status in his charter from July 1229: “Cum de speciali mandato et auctoritate Sedis Apostolice inter V(riam) abbatem et conuentum Sancti Martini de Pannonia ex una parte et C. prepositum et capitulum Albensis ecclesie ex altera [...]” – ÁÚO I. 266.

⁵⁷ VMHH I. no. 159. Cf. Herde 1970: 11.

⁵⁸ See Zey 2013a: 140.

⁵⁹ For the judicial tasks of the legates see Zey 2007: 102–119.

⁶⁰ See Almási 1993.

was a legate.⁶¹ It is hard to imagine that Jacob was not familiar with the practice of papal representation and did not know the distinction between legates, nuncios and judges delegate. A royal charter of 1229 complicates the picture even further, since the chaplain appears as a papal legate in the text.⁶² Given the circumstance that it was issued regarding the litigation of the abbey of Pannonhalma and the provostry of Székesfehérvár (in which the chaplain himself issued a document in June 1229 too), it can be assumed that the papal command which Egidius probably had previously received concerning the bishopric of Syrmia, made an impact on the phrasing of Andrew II's charter.

The available data could lead to the conclusion that, on the basis of the theoretical classification of the medieval canon law, Egidius can be identified at most as a *simple* legate (*legatus missus*), but not as a cardinal-legate (*legatus a latere*).⁶³ The lack of the expression of legatine authority in the papal mandate makes it even more plausible to think of Egidius as a nuncio,⁶⁴ especially because he handled a task of ecclesiastical government as the instrument of the papal will, not in his own jurisdiction.⁶⁵

Because of the contradicting information and the absence of a concrete denomination,⁶⁶ the further analysis of the known sources would not bring us any closer to the solution. The interpretation of his task and various analogies could help us, though. First, the question should be answered what exactly the status of a nuncio meant in the 13th century and to what extent it differed from the legatine authorization. It is by no means an easy differentiation because the *legati missi* and the nuncios bore several similar features, but the legatine *office* itself is a basic characteristic only of the previous class.⁶⁷

The distinction itself is necessary, however, not only from a formal-legal point of view, since proper terminology can be crucial in the analysis of certain cases, especially if administrative and diplomatic actions of the Apostolic See⁶⁸ are investigated, when the authorization of a *legatus a latere* was of special meaning, given the fact that a papal representative of this type had ordinary jurisdiction over a whole province, while a *legatus missus*, or even a nuncio possessed delegated jurisdiction only for a single affair. These last two classes of the papal representation,⁶⁹ as already stated, are often hard, sometimes even

⁶¹ “[...] prudenti et discreto viro magistro Egidio domini pape subdiacono et capellano, tunc in Ungaria pro negotiis Romane ecclesie existenti” – ÁÚO I. 323, DF 206 932. In the case of papal chaplain John of Caamari (Johannes Casamaris) there is solid evidence for the legatine office. Cf. Elze 1950: 181–182; Kyer 1979: 84–85.

⁶² “[...] et maxime mediante viro venerabili magistro Egidio, subdiacono et capellano domini pape et Apostolice Sedis legato [...]” – CD III/2. 182, RA no. 451. It is well imaginable that the inconsistent usage of titles can be explained by the contemporary uncertainty concerning the classes of the legates. Figueira 1980: 43–50, 83, 114–116; Salminen 1998: 344.

⁶³ For the classes of the papal legates see Figueira 1980: 254–295.

⁶⁴ Cf. Schmutz 1972: 457–460.

⁶⁵ It has to be noted, however, that not only the legate title, but also the nuncio is missing from the sources. The term *nuncius apostolice sedis* became common in the papal charters only under the pontificate of Boniface VIII (1295–1303). See Kyer 1979: 2–5, 41–42.

⁶⁶ Similar to the legates by the nuncios the letter of procuration was an important sign of their authorization too. Kyer 1979: 15.

⁶⁷ Cf. Ollendiek 1976: 27; Kyer 1979: 56–60, 75.

⁶⁸ Cf. Ollendiek 1976: 28–36; Kyer 1979: 56–58. For the participation of papal chaplains in the diplomacy of the Apostolic See: Elze 1950: 180–184. Johrendt 2012: 269, 274–275.

⁶⁹ Kyer 1979: 75.

impossible to distinguish from each other because of the mixed use of titles⁷⁰ and the lack of sources. Yet the former practice of the Hungarian historiography which handled almost every single person mandated by the popes as a legate has to be reconsidered, because it can be misleading in some cases.

One main element of the distinction between legates and nuncios is the circumstance that a nuncio was authorized to act only in the case trusted upon him,⁷¹ while the legatine status meant an office with certain licences for one or more provinces. Furthermore, a nuncio was ordered for certain cases with special authorization⁷² and the framework of their missions was not geographical, but legal.⁷³ The legates acted as part of the ecclesiastical government, they could convoke councils, conducted visitations *ex officio*, whereas the nuncios could perform such actions only in case of concrete mandates.⁷⁴

Traditionally, the nuncios are considered to be simple message bearers, who transferred the information trusted upon them, they were not in the position to make decisions in upcoming questions.⁷⁵ This statement is by far not false, however, the practice was more complex: there were several classes of the nuncios present, similarly to the legates.⁷⁶ The Canadian historian Clifford Ian Kyer differentiated in his dissertation the following classes of the nuncios from the second half of the 13th century: message bearers, collectors and solemn nuncios.⁷⁷ The basic distinction lies in the form of authorization. The simple nuncios received mandates, while the solemn ones received letters of procuration.⁷⁸ Consequently, a relevant part of the nuncios could receive important assignments beyond the sole purpose of communication and they could represent the papal will during negotiations.⁷⁹ The formation of this state basically happened in the second half of the 13th century, but the case of Egidius could easily fit into the trend which was under way during the pontificate of Innocent IV (1243–1254), even if we take into consideration that his mission happened prior to that. The task concerning the bishopric of Syrmia was by no mean a simple message bearing, Egidius rather had to carry out a well-formulated mission.⁸⁰

From the late 13th century, beside cardinals, bishops and abbots, the familiars of the popes can also be found among the solemn nuncios.⁸¹ Egidius, as a member of the papal chapel, fits into this last category, so this circumstance, although indirect, could vouch for

⁷⁰ Cf. Kyer 1979: 7–17.

⁷¹ *Ibid.* 41–55.

⁷² Cf. *Ibid.* 39–66; Zey 2013a: 140.

⁷³ Kyer 1979: 44.

⁷⁴ *Ibid.* 52–61, 96. 157–158; Zey 2013b: 202–203. A papal chaplain was, unlike cardinal-legates, not able to represent the pope with full power. See Johrendt 2012: 261.

⁷⁵ Schmutz 1972: 457–460; Queller 1960: 199–200; Salminen 1998: 344–345. The distinction is more complicated than that Cf. Kyer 1979: 18–19, 37; Zey 2008: 106. Johrendt 2012: 282; Rennie 2013: 70–72.

⁷⁶ Cf. Figueira 1980: 254–295.

⁷⁷ Kyer 1979: 61–63.

⁷⁸ *Ibid.* 64. Cf. Queller 1960: 201–202; Schmutz 1972: 458; Rennie 2013: 103–117. The legates and nuncios often took letters of recommendation with themselves to secure the support of the local ecclesiastical and lay elites. Cf. Müller 2016: 206–207.

⁷⁹ Kyer 1979: 139–141.

⁸⁰ *Ibid.* 59–61. Cf. Johrendt 2012: 282.

⁸¹ Authority was given to the nuncios by their own office and by their papal mandate. Kyer 1979: 64–65, 74–75.

his nuncio-status. There is another known trend, however, namely that the nuncios were often sent out from the Curia in pairs, but this was the case mostly with the cardinals.⁸² It should also be remembered that Egidius was already present in Hungary as a judge delegate by the time of his papal authorization concerning the new bishopric.

The number of mandates given to nuncios increased in the second half of the 13th century. One of the causes behind this tendency was the differentiation and growth of the duties, which had to be arranged by papal legates and the cardinals' college was in no position to satisfy those needs entirely. In that situation the popes turned to their chapel and started to mandate its members.⁸³ This led to their revaluation in the eyes of the pontiffes, moreover the chaplains were bound to the popes in their persons, who had a direct control over them, which did not exist in the case of the cardinals. The lower rank of the chaplains made them more flexible for various tasks, while they were less bound by ceremonial regulations.⁸⁴

The entourages of papal envoys could also contribute to the differentiation between legates and nuncios, since the higher prestige materialized itself in its composition as well.⁸⁵ In the case of Egidius there is, however, no detailed information in the sources to find about the circle of his colleagues – although it seems rather unlikely that he had travelled alone from Rome to Hungary.⁸⁶ The financial background of Egidius' stay in Hungary – like other segments of it – is also obscure. Based on the knowledge of the papal representation in the 13th century,⁸⁷ it can be assumed that the expenses of his stay as a judge delegate were covered basically by the quarrelling parties.⁸⁸

There is one another important circumstance, which cannot be forgotten while analysing Egidius' mission: the establishment of a new bishopric. It generally required – beside a papal approval – the assistance of a legate with full powers (*plena potestas*).⁸⁹

⁸² Kyer 1979: 72.

⁸³ Johrendt 2012: 262–263.

⁸⁴ Kyer 1979: 137–140. For the ceremony of papal representation see Salminen 1998: 349–354. Cf. Kyer 1979: 4, 162–164; Zey 2012: 163–166; Zey 2013a: 129; Maleczek 2013: 73–74.

⁸⁵ Kyer 1979: 77–81. Cf. Johrendt 2012: 277, 281–282.

⁸⁶ For the entourages of papal envoys see Kyer 1979: 76–79; Rennie 2013: 96; Müller 2016: 207. Among the colleagues of Egidius the papal scribes Bartholomew and Crescius are known, who appeared in many charters of the papal chaplain. E.g. “Et ego Crescius, Apostolice Sedis scriniarius, de mandato supradicti magistri Egidii, domini pape subdiacioni et capellani” – ÁÚO I. 281, DF 200 629. “Et ego Bartholomeus sancte Romane ecclesie scriniarius hoc scriptum de speciali mandato predicti magistri Egidii et utriusque partis assensu” – DF 206 901, ÁÚO I. 266–268, CDS I. 248–249. Bartholomew's name can be found in several documents of Cardinal-legate Jacob of Pecorara too. Cf. Barabás 2014: 85, 389ff. For the legatine chancellery see Weiss 1995: 329–330.

⁸⁷ The financial expenses of the legations were covered in the 12th and 13th centuries by the local bishops and their chapters. Zey 2007: 112; Maleczek 2013: 73; Kalous 2016: 205–207. In certain cases, the payment of the expenses was refused. See Kyer 1979: 116–117.

⁸⁸ Cf. *Ibid.* 76.

⁸⁹ “Look, today I have set you over the nations and kingdoms, to uproot and to knock down, to destroy and to overthrow, to build and to plant” – Jeremiah 1:10.

http://www.catholic.org/bible/book.php?id=30&bible_chapter=1 (access: 06. 20. 2017) The injunction of Jeremiah was a characteristic element of the full office of legation (*plena legatio*), which was also a clear distinction from the nuncios' authority. Schmutz 1972: 451, 459; Kyer 1979: 42, 124; Salminen 1998: 349. Cf. Zey 2008: 103–105. Paravicini Bagliani 2013: 29–37; Rennie 2013: 32–34.

Nevertheless, the role of the Archbishop of Kalocsa could explain the authorization of the papal chaplain. Gregory IX could have thought the authorization of the already present Egidius to be a satisfying solution, whose task did not offend the ecclesiastical hierarchy and the ambitions of Archbishop Ugrin, but did not give too much importance to the business either.⁹⁰ The fact itself that Egidius was a member of the papal chapel did not automatically mean that he was authorized as a nuncio.⁹¹ The case of the papal chaplain Huguizio gives a good example from the 13th century: as a legate, he was entrusted with the absolution of the inhabitants of Ferentino from ecclesiastical censures under the pontificate of Gregory IX and later became the rector and legate of Massa Trabiata.⁹²

Can one in the end come to the conclusion that the affair of the bishopric of Syrmia was not important enough for Pope Gregory IX given the fact that he did not authorize one of his cardinals, but an already present chaplain?⁹³ In our opinion the pontifex came to the most logical and practical conclusion: after all, Egidius was already in the Hungarian Kingdom, so he was the fastest and also the cheapest solution, while on the other hand, he already must have possessed the necessary local know-how, which probably could give him higher chances to fulfil his task successfully.⁹⁴ It is worth taking a look at the events of 1232, when Gregory IX had to send one of his cardinals, Jacob of Pecorara to Hungary to settle the conflict between Archbishop Robert of Esztergom and King Andrew II.⁹⁵ The two situations were not similar, but their differences are reflected in the decisions made by the pope and – probably the college of cardinals⁹⁶ – concerning the authorization of papal envoys of different nature. The time issue could have been one of the important factors by the case of Egidius, and in connection with it, the possible economic benefits of his presence had to be considered too.⁹⁷ It has to be noted furthermore that the popes did not decide to send out a legate in every case, even if they were explicitly asked for it.⁹⁸ On the other hand, it was customary in the first half of the 13th century to send a legate when it was about a negotiation with a ruler, like in the case of Jacob of Pecorara in 1232 concerning the controversial behaviour of King Andrew II.⁹⁹

While analysing papal authorizations, besides the papal “policy” the relevance of the receiving party must be taken into consideration too.¹⁰⁰ In the case of Egidius the importance of Archbishop Ugrin of Kalocsa is to be emphasized, although the remaining sources¹⁰¹ do not reveal if the prelate asked for the authorization of a papal representative (legate or nuncio) at all. Given his ambitions, presumably it seems plausible that he intended to

⁹⁰ Cf. Kyer 1979: 118–119, 132–137, 140. Archbishop Robert of Esztergom received the office of legation in 1227 in a similar case. He was entrusted with the mission among the pagan Cumans. Cf. Barabás 2014: 45–46.

⁹¹ Johrendt 2012: 274–275.

⁹² *Ibid.* 274.

⁹³ The higher status of the envoy assured higher prestige for the case. Kyer 1979: 78–82.

⁹⁴ Cf. Zey 2002: 260–261; Zey 2013: 133.

⁹⁵ Cf. Almási 1993: 133–137.

⁹⁶ For the collective nature of those decisions, see Kyer 1979: 70; Fischer 2011: 174–183.

⁹⁷ Cf. Kyer 1979: 80–82, 113–117.

⁹⁸ Kyer 1979: 87–88.

⁹⁹ Cf. Johrendt 2012: 282.

¹⁰⁰ Cf. Kyer 1979: 85–86.

¹⁰¹ RPR no. 8318, RGIX no. 260. and RPR no. 8348, RGIX no. 278. Cf. Teranovác 2013: 460–461.

preserve the leading role for himself, and for this scenario a papal envoy of a lower rank would have been more suitable.¹⁰² In our opinion, it is more likely that the pope himself chose to authorize his already present chaplain concerning the diocese of Syrmia.

While investigating the circumstances of Egidius' mission, it is worth taking a look at those cases when the rulers were not very fond of the idea of receiving papal legates in their realms because of the possible intervention and they tried to prevent it from the beginning. By the authorization of nuncios this kind of resistance appeared less frequently, because they did not possess any jurisdiction outside their concrete tasks,¹⁰³ so they were less dangerous for the rulers. By the authorization of Egidius one also could count with such considerations from the papal side.¹⁰⁴ It is worth mentioning that in 1232 King Andrew II requested himself a *legatus a latere* from Gregory IX, but that was a completely different situation because of the ruler's quarrel with the Archbishop of Esztergom.¹⁰⁵ The king's behaviour changed, however, drastically after the arrival of Jacob of Pecorara and he avoided the meeting with the legate who represented a threat for him.¹⁰⁶

The investigation of the partially well-known Hungarian activity of the papal chaplain and subdeacon Egidius (which previously was not analysed in detail) and the attached sources allows us no definitive statements. It cannot be questioned that he acted many times as judge delegate in various law-cases in the Medieval Kingdom of Hungary, but the nature of his mandate from 1229 concerning the new bishopric in Syrmia is even more questionable because of the lack of new sources. The available data and various analogies from the circle of the papal representation's theory and practice point, in our opinion, to that direction that Egidius was authorized as a nuncio, although it cannot be ruled out completely that he was in fact a papal legate (*legatus missus*). The traditional interpretation, however, is no more tenable that almost every single person sent by the popes to Hungary is considered to be a legate despite the nature of the authorizations or their actual deeds.

¹⁰² Cf. Kyer 1979: 99–102, 129.

¹⁰³ See *Ibid.* 96–98.

¹⁰⁴ Cf. *Ibid.* 92–113.

¹⁰⁵ L. Almási 1993: 133–134. For the role of ecclesiastical and lay elite in the authorization of the legates see Kyer 1979: 85–87.

¹⁰⁶ See Almási 1993: 135–136.

Appendix:

1. Fellow judges and subdelegates of Egidius

Judge	Ecclesiastical office	Procedure	Sources
Manasses ¹⁰⁷	Canon of Esztergom, archdeacon of Sasvár	Lawsuit of the abbey of Pannonhalma and the provostry of Székesfehérvár	ÁÚO I. 266.
		Lawsuit of the abbey of Pannonhalma and the cathedral-chapter of Veszprém	ÁÚO I. 281.
Ubaldus	Provost of the St Thomas chapter of Esztergom	Lawsuit of the abbey of Pannonhalma and the cathedral-chapter of Veszprém	ÁÚO I. 280–1.
Elijah ¹⁰⁸	Provost of Hajszentlőrinc	Lawsuit of the abbey of Pannonhalma and the cathedral-chapter of Veszprém	ÁÚO I. 281.

Subdelegates ¹⁰⁹	Lawsuit	Sources
Benedictine abbot of Tata	The protection of the Benedictine monastery of Güssing	DF 206 915, CDS I. 269–270.
Benedictine abbot of Zobor		
Canon John of Győr		

2. Hypothetical itinerary of Egidius in Hungary:¹¹⁰

April 1228: Pannonhalma, Veszprém. July 1228: Pannonhalma, Güssing. July 1229: Pannonhalma, Székesfehérvár. August 1229 – March 1230: Syrmia, Alba Iulia (Gyulafehérvár), Cluj (Kolozsvár), Oradea (Nagyvárad). April 1230: Pannonhalma, Güssing. Summer of 1230: Esztergom, Győr. July 1230: Pannonhalma, Veszprém. Fall of 1230 – Beginning of 1231: Pannonhalma, Pilis. April 1231: Pannonhalma, Veszprém.

¹⁰⁷ Kollányi 1900: 8.

¹⁰⁸ Thoroczkay 2014: 326.

¹⁰⁹ Cf. Barabás 2013: 34–35.

¹¹⁰ Based on the litigations handled by the papal chaplain.

3. Egidius's known charters

Date	Edition of the text	Status in archives	Regest
July 6 1229.	ÁÚO I. 266.	DF 206 901	Agreement of the abbey of Pannonhalma and the provostry of Székesfehérvár
July 8 1230.	ÁÚO I. 278.	DF 200 629	Transcript of the papal mandate (RPR no. 8183) and a judgement in the lawsuit of the abbey of Pannonhalma and the cathedral-chapter of Veszprém
July 24 1230.		DF 206 906	Transcript of the papal mandate (RPR no. 8183) and a judgement in the lawsuit of the abbey of Pannonhalma and the cathedral-chapter of Veszprém
April 1231.	CDS I. 264–265.	DF 206 915	Subdelegation for the abbots of Tata and Zobor and Canon John of Győr
April 18 1231.	MREV I. 87.		Agreement of the abbey of Pannonhalma and the cathedral-chapter of Veszprém

SOURCES:

- ÁÚO = Árpádkori új okmánytár. Codex diplomaticus Arpadianus continuatus. I–XII. Ed. Gusztáv Wenzel. Pest – Budapest, 1860–1874.
- CD = Codex diplomaticus Hungariae ecclesiasticus ac civilis. I–XI. Ed. Georgius Fejér. Buda, 1829–1844.
- CDS = Codex diplomaticus et epistolaris Slovaciae I–II. Ed. Richard Marsina. Bratislava, 1971–1987.
- DF = Magyar Nemzeti Levéltár Országos Levéltára. Mohács előtti Gyűjtemény, Diplomatikai Fényképtár [Hungarian National Archive. Diplomatic Photo-collection]
- HC = Conrad Eubel: Hierarchia catholica medii aevi sive summorum pontificum, S.R.E. cardinalium, ecclesiarum antistitum series. Ab anno 1198 usque ad annum 1431 perducta.
- MREV = Monumenta Romana Episcopatus Vesprimiensis – A veszprémi püspökség római oklevéltára. Ed. Vilmos Fraknói – József Lukcsics. I–IV. Budapest, 1896–1907.
- RA = Regesta regum stirpis Arpadianae critico-diplomatica. Az Árpád-házi királyok okleveleinek kritikai jegyzéke. I–II/1. Ed. Emericus Szentpétery. Bp., 1923–1943. II/2–4. Manuscriptis Emericus Szentpétery adhibitis et completis critice digessit Iván Borsa. Szentpétery Imre kéziratának felhasználásával szerk. Borsa Iván, Budapest, 1961–1987.
- RGIX = Les registres de Grégoire IX. Ed. Lucien Auvray. I–IV. Paris, 1890–1955.
- RIIV = Les registres d’Innocent IV. I–IV. Ed. Élie Berger. Paris, 1881–1919.
- RPO = I Regesti del Pontefice Onorio III. Dall’ anno 1216 all’ anno 1227. I–II. Ed. Pietro Pressutti. Roma. 1884–1885.
- RPR = August Potthast: Regesta Pontificum Romanorum inde ab anno post Christum Natum MCXCVIII ad annum MCCCIV. I–II, ed. A. Potthast, Berolini. 1874.
- VMHH = Vetera monumenta historica Hungarum sacram illustrantia. I–II. Ed. Augustinus Theiner. Romae, 1859–1860.

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ПАПСКИ КАПЕЛАН И ПОДЂАКОН ЕГИДИУС. СУДИЈА-ДЕЛЕГАТ И ЛЕГАТ У МАЂАРСКОЈ ТОКОМ 1230-ИХ?

Резиме

Егидиус, папски капелан и подђакон (*subdiaconus*) појавио се 1228. године у Мађарском краљевству и остао је у Мађарској до 1231. године. Највећи број познатих повеља даје информације о његовим активностима као судије-делегата, иако га је 1229. године папа Гргури IX (1227–1241) именовано за други задатак, тј. да истражи могућности везане за оснивање нове бискупије у Срему, што је раније предложио надбискуп Угрин од Калоче.

Као судија-делегат овај папски капелан је вероватно путовао кроз цело средњовековно краљевство, од Панонхалме до Трансилваније. Иако је био укључен у различите активности у Мађарском краљевству, о Егидиусу се не зна много. Његови датум и место рођења су непознати; не зна се када је постао члан папске капеле, зашто је послат у Мађарску, ни где је тачно отишао после тога. Ипак, много битније питање јесте коју је врсту папског овлашћења добио да би извршио своје задатке. Његове активности у извесним мађарским судским случајевима није нарочито тешко оценити, али оснивање бискупије у Срему компликује тумачење. Традиционални поглед на папског представника повезује статус Егидиуса као легата са овим случајем, можда због његовог значаја. Претпостављамо да је зато Лисјен Овре, уредник регистра Гргура IX, дошао до закључка да је Егидиус био *легат у Босни*.

Ако детаљније анализирамо Егидиусово овлашћење засновано на правно-типолошкој позадини папских представника, откривамо прилично сложу слику. Разлику је неопходно успоставити не само са формално-правног становишта, пошто је исправна терминологија пресудна у анализи одређених случајева. Ово је нарочито значајно ако истражујемо административне и дипломатске потезе Свете Столице, када је овлашћење *legatus a latere* имало посебно значење с обзиром на то да је папски представник ове врсте имао општу надлежност над целом провинцијом, док је *legatus missus* или чак нунције имао додељену надлежност за само један случај. Последње две врсте папских представника, као што је већ речено, се тешко или никако не разликују један од другог због измешане употребе титула и недостатка извора. Ипак, пређашња пракса у мађарској историографији, која је третирала скоро сваку особу са папским мандатом као легата, мора да се поново размотри јер може да буде погрешна у неким случајевима.

Кључне речи: Историја средњовековне цркве, угарско-папски односи, папски капелан и субђакон, папски делегат, папски представници, легат, судија-делегат, нунцио.