
TRANSILVANICA

The Implications for Transylvania of Cardinal Jacob of Preneste's Legation (1232–1234)

ROBERT-MARIUS
MIHALACHE

The legation of Cardinal Jacob of Preneste fell short of expectations, at least from a hierocratic point of view, as it failed to fully impose the discipline requested by the Holy See.

THE PRESENT article approaches, in a hierocratic perspective, Cardinal Jacob of Preneste's legation to the eastern fringe of *Christianitas*, more precisely to Transylvania, focusing on aspects such as the reasons behind the cardinal's visit to the Kingdom of Hungary, his right to interfere in the internal affairs of said kingdom, and the extent to which he fulfilled the planned objectives.¹

In general terms, by hierocracy we mean the period that spanned the 12th–14th centuries, during which the Holy See was capable and even allowed to intervene in any human activity, religious or of any other kind.² Briefly put, the Western Church reserved the right to exercise control over people's lives in any institution and any position.³ This right was exercised in keep-

Robert-Marius Mihalache

Researcher at the Center for Transylvanian Studies, Romanian Academy, and editor at Babeş-Bolyai University of Cluj-Napoca.

This text is the revised version of the article published in Romanian in *Anuarul Institutului de Istorie "George Bariţiu" din Cluj-Napoca* 52 (2013): 167–178.

ing with canon IX of the *Dictatus Papae* (1075): *Quod solius pape pedes omnes principes deosculentur*.⁴

The failure to abide by the said canon, as well as the unruly conduct displayed by the leaders of the kingdoms of *Christianitas*, Hungary among them, gave the pope the right to dispatch a legation, which was the instrument used by the Roman Curia to control “the extended heritage of St. Peter.”⁵ The pope intervened in the affairs of European kingdoms by way of the legates.⁶ A case in point is the legation of Cardinal Jacob of Preneste (*Praenestina*) to the Kingdom of Hungary (1232–1234), whose purpose was to restore the prestige of the royal institution, undermined by Andrew II (1205–1235), who had displayed deviant behavior in regard to the Holy See.⁷

In this case, deviant behavior means that King Andrew II’s actions⁸ had been in violation not only of canon IX (*Quod solius pape pedes omnes principes deosculentur*) of the *Dictatus Papae*, but also of other council rulings, such as those adopted during the Fourth Lateran Council of 1215, more specifically, canons 67–70,⁹ which stipulated that the Jews, Ishmaelites, or Saracens should be removed from any high office within the royal administration. It would appear that the Hungarian Crown had paid little heed to these council rulings, because, a decade and a half later, Archbishop Robert of Esztergom (*Magister Robertus Leodiensis*), the born legate tasked with the faithful implementation of papal policies,¹⁰ interpreted the royal behavior in hierocratic fashion, excommunicating the monarch and placing the kingdom under interdict.¹¹ Later on, as the monarch realized that such an attitude was rather counterproductive, he petitioned the Holy See to rescind the excommunication. Under these circumstances, the onus was on the Roman Curia, whose legates, more often than not, proved successful in restoring the royal prestige.

The king’s request was handled in the specifically hierocratic manner, meaning that Rome activated the institution of the legation (*Apostolice Sedis Legato*) and dispatched Cardinal Jacob of Preneste¹² as *legatus de latere* to the Kingdom of Hungary.

Jacob of Preneste was to assess and analyze the situation, and then formulate a conclusion in regard to the king of Hungary. In other words, he was the deciding factor in a possible “reconciliation” between the Holy See and Hungary.¹³

The actions of Cardinal Jacob of Preneste¹⁴ went in two directions. First of all, they were meant to restore order in the Kingdom of Hungary. However, we must not forget that the chaos had been indirectly caused by the Roman Curia itself, following its endorsement of the excommunication formulated by the Archbishop of Esztergom (Strigonium, Gran). The second direction had to do with the ecclesiastical life of Hungary, focusing on the observance of church

discipline and on the implementation of the council decisions. Our analysis does not cover the entire activity carried out by the legate on the territory of the Kingdom of Hungary, being limited to those actions that specifically concerned Transylvania.

The Trial of the Teutonic Knights against the Crown of Hungary

IN HIS capacity as legate, Jacob of Preneste was called upon to look into a dispute of great interest for the Holy See and which had been left in abeyance for several years: the Teutonic issue. In an official letter issued in Anagni, Pope Gregory IX (1227–1241) notified the apostolic envoy that representatives of the Teutonic Order, which in 1225 had been driven out of the Land of Bârsa (*Terra Borza*) by King Andrew II, had petitioned the papal Curia, as the highest judicial instance, to issue a ruling on this matter, as they were the rightful lords of the Land of Bârsa, which they held on behalf of the Holy See.¹⁵

The main reason behind the arrival of the Teutonic knights in the Land of Bârsa, in 1211, had been the defense of the southeastern border of the Kingdom of Hungary—and, by extension, of *Christianitas*—against the attacks of the pagan populations, especially those of the Cumans. After settling there, legally under the direct authority of the Holy See, the knights carried out economic and military activities that brought considerable revenues to themselves and, by extension, to the Crown (in keeping with the initial agreements), without forgetting the benefits obtained by the Roman Curia itself. However, at least according to the knights themselves, this prosperity had stirred the envy of the Hungarian king, as this privileged land was quite efficiently run, and therefore the king had moved in and driven away the Order from a land that had been confirmed and placed under the protection of the Holy See.¹⁶ Consequently, the actions of the Hungarian king were a slap in the face of Rome, as the monarch had driven the knights out of an area which, from a geographical and—most importantly—political (or indeed institutional) point of view belonged to the Holy See and not to the Hungarian Crown

*. . . quod terram Boze ac ultra montes nivium fratribus domus Theotonicorum regia liberalitate donasti unde terram ipsam sub apostolice sedis protectione suscepimus et libertate donavimus speciali, adeo ut apostolico privilegio statuetimus, eam nulli nisi Romano pontifici subiacere . . .*¹⁷

The actions taken by Andrew II were indeed questionable, especially from a hierocratic point of view, as he had in fact invaded a territory that was under the temporal-spiritual suzerainty of Rome, and had acted against the interests of the Holy See, which he was actually supposed to represent in the region.¹⁸ For that matter, in 1211 the king himself had “donated”¹⁹ the lands in question to the Teutonic Order, granting them sweeping privileges and exemptions. These had been confirmed by the same monarch in 1222²⁰ and endorsed by Pope Honorius III (1216–1227).²¹ Following this papal recognition, the Hungarian king was deemed to have relinquished all rights over this region.

The Holy See asked the king to take remedial action and return the lands he had seized, and especially to request the return of the Teutonic Order. The monarch chose not only to disregard the papal dispositions, but to actually defy them. This is one of the main reasons that had led to his excommunication.

Presently, Jacob of Preneste was expected to examine each element of the case and communicate his findings to the Holy See. Following this, the latter, in its capacity as the highest judicial instance, was to issue a final ruling.

As we have already indicated, the Land of Bârsa had been granted to the Teutonic Order for military-defensive purposes, first and foremost at the behest of the Hungarian Crown, but their arrival had also served the hierocratic agenda of the Roman Curia.²² The Teutonic knights were expected to defend not only the southeastern border of the Kingdom of Hungary but, by extension, the border of *Christianitas* itself. It follows logically that this was a region of considerable interest for the Holy See. Seeking to strengthen its institutional presence in the region, Rome sought to establish a bishopric, especially for the newly-arrived residents. Thus, the bishop of Eger (Agria, Erlau) was asked to appoint a bishop for the Land of Bârsa, at the proposal of the knights. It appears that the Teutonic Order preferred direct subordination to the Bishop of Rome, as the document sent to legate Jacob of Preneste clearly indicates that “this land had no bishop or prelate apart from the Roman pontiff.”²³

Before Jacob of Preneste,²⁴ the case of the Teutonic Order had been handled by another legate, Conrad of Urach, the bishop of Porto-Santa Rufina, dispatched to the Kingdom of Hungary especially for this purpose in 1225, but no satisfactory solution had been found.

The time at his disposal, limited to only two years (1232–1234), did not allow Jacob of Preneste to properly look into the Teutonic issue, which was therefore left in abeyance. Later on, after the end of Jacob of Preneste’s legation, the Roman Curia entrusted the case to Berthold, the patriarch of Aquileia, and to Archbishop Robert of Esztergom.²⁵

The Dispute between the Bishopric of Transylvania, the Benedictine Abbey of Cluj, and the Deanery of the Land of Bârsa

THE HOLY See had also mandated its *legatus de latere* to look into a case involving the Bishopric of Transylvania,²⁶ informing him that the dispute in question had also been examined by Egidius, subdeacon and pontifical chaplain, who was present in Hungary at that time. The opposing parties were Bishop Rainald, representing the Bishopric of Transylvania, and the convent of the Cluj (Kolozsvár, Klausenburg) monastery.

Egidius had submitted the case to the attention of the Holy See, notifying the parties that they were to appear before the Roman Curia on 8 November 1231, either in person or through a representative. The only one present on the day in question had been the representative of the Bishopric of Transylvania, as the convent of the Cluj monastery had failed to send anybody. The case was then passed on to Bishop Bulchu of Cenad (Chanadinum, Nagycsanád, Tschanad), who was to question the parties. Once again the Cluj monastery failed to send a representative. Presently, legate Jacob of Preneste was therefore asked to compel the monastery to pay the legal expenses incurred by the Bishopric of Transylvania.

The conflict between the two ecclesiastical institutions had been simmering for quite a long time. In 1222, Pope Honorius III had delegated the bishop of Vác²⁷ (Vacium, Waitzen) to find out the truth about the alleged persecution of the Cluj monastery by the canons of the Bishopric of Transylvania. The document issued by the papal chancery indicated that the monastery was directly subordinated to the Holy See and therefore enjoyed the right of exemption, in keeping with the privileges granted by both the Roman Curia and the Crown of Hungary. Nevertheless William, the local bishop, had continued the offensive policies initiated by his predecessor, Adrian, imprisoning the abbot and several clergymen from the monastery. He had also burned the documents issued by the Holy See that confirmed the privileges granted to the monastery, making it impossible for the latter to justify its disobedience in regard to the Bishopric of Transylvania. After losing its charters of privileges the abbey was left destitute, following the actions taken by the agents of the local bishop. The accusations against the bishop of Transylvania were therefore most serious, as he had acted against the interests of the Church of Rome. Legate Jacob of Preneste was to investigate the matter and question the parties, but the ruling was to come from the Roman Curia and not from the legate himself.²⁸

Three years after the investigation carried out in 1222 by the bishop of Vác, Honorius III had confirmed that the abbot of the Cluj monastery had the right

to wear the miter and the ring, the exterior symbols of exemption, meaning that he was not under the authority of the local bishopric.²⁹

The pontifical letter received by Jacob of Preneste presented all the aforementioned facts, but he nevertheless decided in favor of Rainald, the local bishop, and against the abbey, overlooking the fact that the Holy See itself had recon- firmed the right of exemption enjoyed by the Cluj monastery. Even if the precise reasons behind the questionable decision taken by the legate remain unknown, we can assume that the solution found by him was largely unsatisfactory, as the case was reopened three years later, in 1235, by the bishop of Cumania.³⁰

The Bishopric of Transylvania had also exceeded its attributions when it came to the clergymen from the Land of Bârsa, being warned by the Holy See to desist from its expansionist actions. The same Rainald—mentioned in docu- ments as bishop *Ultrasilvanus*—drew criticism from the pope, who asked him to refrain from making any claims over the Land of Bârsa, whose only legitimate bishop was the Bishop of Rome

. . . ab apostolica sede concessas, nullum preter Romanum pontificem episcopum ha- beat vel, tu, sicut eorum nobis conquestio patefecit, in ea tibi iurisdictionem indebi- tam usurpare contendens, presbyteros et clericos ipsius terre ad sinodum tuam vocas, et tam ab eis quam a laicis decimas et alia episcopalia iura niteris extorquere . . . ,

while the policies conducted by the Transylvanian bishop, intended to bring un- der his authority all inhabitants of the region, be they clergymen or lay people, were illegal.³¹ In order to put an end to the divisive policies of the local bishop, Pope Honorius III eliminated any possible doubt by officially recognizing “Ter- ra Borza” as a papal land (. . . *prefatam terram in ius et proprietatem beati Petri suscipimus, et eam sub speciali apostolice sedis protectione ac defensione perpetuis tem- poribus permanere sancimus . . .*), directly subordinated to the Holy See.³² To that effect, the Roman Curia issued a letter addressed to all prelates in the Kingdom of Hungary, and implicitly to Bishop Rainald of Transylvania, indicating that no prelate should attempt to exercise authority over the Land of Bârsa.³³

Jacob of Preneste was tasked to implement this ruling and therefore punish the bishop of Transylvania for his attempt to subordinate the clergy from the Land of Bârsa. In this matter as well, the *legatus de latere* failed to find a solu- tion, and this case, just like the previous one, would have to be taken up by the bishop of Cumania.

Should anyone have questioned the pertinence of his decisions, Jacob of Preneste could have defended himself by arguing that the two short years spent in Hungary had not been sufficient for an in-depth investigations of all matters brought to his attention. However, the cases left in abeyance or improperly

solved were once again given to the same Cardinal Jacob of Preneste after his return to Rome. The bishop of Transylvania had lodged an appeal with the Holy See, arguing that the clergymen in the Land of Bârsa had failed to recognize what he considered to be his rightful authority.

The case in question had seemingly been closed by the former legate, but it would appear that he had been wrong to rule in favor of the bishop of Transylvania on the basis of evidence provided by the latter.

The document invoked by the head of the Transylvanian diocese had been the one issued in 1213 by the then bishop, William, who, on his own initiative, had ordered the priests ordained for the Land of Bârsa to recognize the authority of the bishop of Transylvania.³⁴ Five years later, in 1218, the Holy See had granted recognition to the action taken by Bishop William.³⁵ The incumbent Bishop Rainald conveniently overlooked the fact that in 1223³⁶ the Roman Curia had ordered the bishop of Eger to assist in the appointment of a titular bishop of the region inhabited by the Teutonic knights. This meant that the previous ruling invoked by Rainald was null and void, while the clergymen in the Land of Bârsa, with their own bishop, were subordinated directly to Rome and not to the bishop of Transylvania.

By 1224 the status of the Land of Bârsa had been clarified by the Holy See, so there was no legitimacy to Rainald's claims. Despite all that, the former legate, Jacob of Preneste, disregarded the documents in question and decided in favor of Rainald, the local bishop. Before any official document to that effect could be issued and as the appeal was still being tried in Rome, Richwinus, the procurator of the Church of Rome, raised objections to the decision taken by Cardinal Jacob of Preneste, demonstrating that it was detrimental to the Church of Rome.

In an attempt to secure a proper ruling, the case was taken from Jacob of Preneste and handed over to Otto, the cardinal-deacon of St. Nicholas in Carcere.³⁷ This was a symbolic blow to the reputation of Cardinal Jacob of Preneste, who had seemingly issued a ruling detrimental to the Roman Curia. In a later stage, the aforementioned bishop of Cumania³⁸ was tasked with solving the case.

The Dispute over the Appointment of the Bishop of Oradea³⁹

ANOTHER DISPUTE that Cardinal Jacob of Preneste was expected to solve concerned the election of the new bishop of Oradea (Magnovaradinum, Nagyvárad, Großwardein). In point of fact, two representatives of the Bishopric of Oradea had gone to Rome to complain about the situation.⁴⁰ The

issue was as follows: Subdeacon Primogenitus had been elected bishop by a majority of the chapter's members, but those who disagreed with this result had elected their own bishop in the person of Benedict, the lector excommunicated by the archbishop of Esztergom. The election of Benedict had been illegal, involving voter fraud, as confirmed by Archbishop Ugrin of Kalocsa (Kollotschau), whose jurisdiction included the Bishopric of Oradea. The case had been taken up by the abbot of St. Gotthard, who validated the election of Primogenitus and excommunicated all of Benedict's followers.

Cardinal Jacob of Preneste was called upon to reopen the case, as those who had been excommunicated had lodged an appeal with the Holy See. The case concerning the election of the bishop of Oradea seems to have dragged on without any final outcome, even if some rulings were issued. In what Jacob of Preneste is concerned, he was also unable to do anything in this matter. That the trial was proceeding with no end in sight is also indicated by the fact that, once Jacob of Preneste stopped dealing with it, the case was taken up by Rainerius, cardinal-deacon of the church of St. Mary in Cosmedin.

The contribution of the former legate Jacob of Preneste to this case is revealed by the letters sent by Pope Gregory IX to the bishop of Pécs (Quinque Ecclesiae, Fünfkirchen) and to the provost of Veszprém (Vesprim, Weißbrunn), asking them to carry out the ruling issued by the cardinal of Preneste, namely, to pay the outstanding expenses as calculated by the legate himself and incurred during his stay in the Kingdom of Hungary.⁴¹

The legate had also been tasked to inform the Roman Curia about the life and activity of the former Archbishop Luke of Esztergom, who had been slated for canonization.⁴² Two years prior, this task had been entrusted to the bishop of Cenad,⁴³ but now the pope wanted additional data and evidence to supplement those already gathered and sent to the Holy See. In spite of this whole endeavor, the canonization of Luke, the former archbishop of Esztergom, never took place.⁴⁴

Resolving the Dispute between the Holy See and the Kingdom of Hungary

QUITE NATURALLY, one of the tasks entrusted to Cardinal Jacob of Preneste regarded the very situation of the Kingdom of Hungary, which also affected certain parts of Transylvania. Located on the fringes of Christendom, this kingdom had acquired a number of features that it did not share with most of its western counterparts. One such feature concerned the non-Christians living in the kingdom, especially the Jews and the Ishmaelites, who were sup-

posed to be removed from any high office in the realm following the decisions adopted during the Fourth Lateran Council of 1215. Failure to comply with these decisions was punishable by royal excommunication and the placement of the country under interdict. This is precisely what had led to the excommunication of the Hungarian king⁴⁵ and to the subsequent legation of Cardinal Jacob of Preneste. It is quite certain that the communities in question, present all over the Kingdom of Hungary, could also be found in Transylvania.

Cardinal Jacob of Preneste was sent to the kingdom of Andrew II in order to compel the king to implement canons 67–70 adopted in 1215.⁴⁶ The Holy See considered that the king was in breach of these provisions and had favored the non-Christians, who had become defiant in regard to the Christians living in Hungary.⁴⁷

For the punishment to be rescinded, an essential requirement was the elimination of the aforementioned categories from any high office in the realm. In this regard, at least on the surface, this was achieved by way of the oath to the Church of Rome taken by the king and his sons, somewhere in the region of Bereg (*Comitatus Bereghiensis*).⁴⁸ The king of Hungary pledged to remove the Jews, Ishmaelites, etc. from any administrative office and intervene wherever the categories in question were said to own Christian slaves.⁴⁹ Furthermore, the Christians were banned from marrying or living alongside Jews or Saracens, and the other way around, the punishment in this case involving the seizure of all assets. A solution was also found on the issue regarding the distribution of salt, a pending dispute between the Crown of Hungary and the local church, and the document thus issued indicated the precise amount to be received by each ecclesiastical establishment. Any activity in the realm that was likely to have ecclesiastical implications was to be carried out only after prior consultation with the two archbishops of Hungary, those of Esztergom and Kalocsa.⁵⁰ The king also pledged noninterference in any marital case, recognizing the exclusive jurisdiction of the church over such matters.

As the document in question indicates, the king and his son, Béla IV, took this oath before the papal legate and in the presence of Archbishop Robert of Esztergom, of the provost of Alba (Fehér, Weissenburg), the abbot of Oradea, and others. The document was drawn up by Archbishop Ugrin of Kalocsa, in his capacity as chancellor of the royal court.⁵¹ Apart from the aforementioned pledges, the king was to pay to the church, as normally expected, all outstanding debts, be these tithes or other taxes specific to the system of alliances that included the Kingdom of Hungary. It could be argued that the agreement concluded at Bereg put an end to the disputes between Hungary and Rome. At the political level, this was the most important issue that needed a resolution, and the final outcome was clearly in favor of the Church of Rome. The king of

Hungary could do little but accept all that was requested of him, in order for the excommunication and the interdict to be rescinded.

If we look at the overall picture, the legation of Cardinal Jacob of Preneste⁵² fell short of expectations, at least from a hierocratic point of view, as it failed to fully impose the discipline requested by the Holy See. If we tally the erroneous decisions, we could even conclude that in most cases the papal legate, Cardinal Jacob of Preneste, actually acted against the interests of the Roman Curia whose legate he was.

(Translated by BOGDAN ALDEA)



Notes

1. Attila Zsoldos, *Magyarország világi archontológiája 1000–1301*, História Könyvtár-Kronológiák, adattárak, 11 (Budapest, 2011), 89.
2. Lester L. Field Jr., “Christendom before Europe? A Historiographical Analysis of ‘Political Theology’ in Late Antiquity,” in *Plenitude of Power: The Doctrine and Exercise of Authority in the Middle Ages: Essays in Memory of Robert Louis Benson*, edited by Robert C. Figueira, Church, Faith and Culture in the Medieval West (Aldershot, 2006), 141–170.
3. Colin Morris, *The Papal Monarchy: The Western Church from 1050 to 1250*, Oxford History of the Christian Church (Oxford, 1989), 182–188.
4. Joannes Dominicus Mansi, ed., *Sacrorum Conciliorum Nova, et amplissima collectio*, vol. 20, 1070–1109 (Paris, 1902), 168–169.
5. Enzo Petrucci, *Ecclesiologia e politica: Momenti di storia del papato medievale* (Rome, 2001), 261–290; Péter Molnár, “‘Államépítés’ Angliában és Franciaországban: Események és intézmények,” in *Európa ezer éve: A középkor*, edited by Gábor Klaniczay, vol. 2, Osiris tankönyvek (Budapest, 2004), 36–61.
6. Robert C. Figueira, “The Medieval Papal Legate and His Province: Geographical Limits of Jurisdiction,” in *Plenitude of Power*, 73–105.
7. Jacob of Pecorara was born in 1170 in Cicogni, a village near Piacenza, into a noble family. He began his ecclesiastical career as a priest in the church of San Donnino of Piacenza, and between 1211 and 1219 he was an archdeacon with the chapter of the cathedral of Ravenna. In 1215 he left for France, joining the Cistercian Order at Clairvaux Abbey, where he was consecrated as a monk in 1220. After returning to Rome, he held several high administrative positions at the Roman Curia. In 1231 he was appointed abbot of Trois-Fontaines, an abbey situated not far from Clairvaux, and that same year the consistory elevated him to the rank of cardinal. He was therefore created cardinal by Pope Gregory IX (1227–1241), with the title of suburbicarian of Palestrina (Lat. Praenestina). After 1236, his career intersected

that of the young canon Tedaldo Visconti of Piacenza, the future Pope Gregory X (1271–1276), who summoned the Second Council of Lyon of 1274. Between 1232 and 1237, on several occasions Jacob of Preneste was dispatched as papal legate, to the court of Emperor Frederick II (January 1232) and to Hungary (July 1232–spring of 1234), and then to Spain, Tuscany, and Lombardy (1236–1237). Cardinal Jacob of Preneste died on 25 June 1244. Agostino Paravicini Bagliani, *Cardinali di curia e "familiæ" cardinalizie: Dal 1227 al 1254*, vol. 1, *Italia sacra: Studi e documenti di storia ecclesiastica*, 18 (Padua, 1972), 114–127.

8. Ioan-Aurel Pop, "*Din mâinile valabilor schismatici...*": *Românii și puterea în Regatul Ungariei medievale (secolele XIII–XIV)* (Bucharest, 2011), 30.
9. Brenda Bolton, "Tradition and Temerity: Papal Attitudes to Deviants, 1159–1216," in *Schism, Heresy and Religious Protest*, edited by Derek Baker, *Studies in Church History*, 9 (Cambridge, 1972), 79–91; Robert Chazan, "Pope Innocent III and the Jews," in *Pope Innocent III and his World*, edited by John C. Moore (Aldershot, 1999), 187–204.
10. Ferdinandus Knauz, ed., *Monumenta Ecclesiae Strigoniensis, tomus primus: Ab a. 979 ad a. 1273* (Strigonii, 1874), 257; László Solymosi, "Egyházi-politikai viszonyok a pápai hegemonia idején (13. század)," in *Magyarország és a Szentszék kapcsolatának ezer éve*, edited by István Zombori (Budapest, 1996), 47–54.
11. Lajos Besenyey, Géza Érszegi, and Maurizio Pedrazza Gorlero, *De Bulla Aurea Andreae II regis Hungariae MCCXXII* (Verona, 1999), 35–44.
12. Imre Szentpétery, *Az Árpád-házi királyok okleveleinek kritikai jegyzéke/Regesta regum stirpis Arpadianae critico-diplomatica*, vol. 1, 1001–1270 (Budapest, 1923), 159; Nora Berend, "How Many Medieval Europes? The 'Pagans' of Hungary and Regional Diversity in Christendom," in *The Medieval World*, edited by Peter Linehan and Janet L. Nelson (London–New York, 2001), 77–92.
13. Tibor Almási, "Egy ciszterci bíboros a pápai világhatalom szolgálatában: Pecorari Jakab magyarországi legációja," *Magyar Egyháztörténeti Vázlatok: Essays in Church History of Hungary* (Szeged) 5, 1–2 (1993): 129–141.
14. Șerban Turcuș, *Sfântul Scaun și românii în secolul al XIII-lea*, foreword by Acad. Camil Mureșanu, *Biblioteca enciclopedică de istorie a României* (Bucharest, 2001), 114.
15. *Documente privind istoria României* (hereafter cited as *DIR*), *Veacul XI, XII și XIII, C. Transilvania*, vol. 1 (1075–1250) (Bucharest, 1951), doc. 216, pp. 256–258.
16. *Ibid.*, doc. 151, pp. 204–205.
17. *Ibid.*, doc. 168, pp. 214–216, 385–387.
18. Zsigmond Jakó, *Erdélyi Okmánytár/Codex diplomaticus Transsylvaniae: Diplomata, epistolae et alia instrumenta litteraria res Transylvanas illustrantia*, vol. 1 (1023–1300), *A Magyar Országos Levéltár kiadványai II. Forráskiadványok* 26 (Budapest, 1997), 134.
19. *DIR*, *Veacul XI, XII și XIII, C. Transilvania*, vol. 1 (1075–1250) (Bucharest, 1951), doc. 77, pp. 150–151.
20. *Ibid.*, doc. 130, pp. 182–184.

21. Ibid., doc. 134, pp. 187–188.
22. *Documenta Romaniae Historica* (hereafter cited as *DRH*), *D, Relații între Țările Române*, vol. 1 (1222–1456), edited by Ștefan Pascu et al. (Bucharest, 1977), doc. 8, pp. 17–19.
23. *DIR, C. Transilvania*, 1, doc. 140, pp. 195–196.
24. Jakó, I: 175; Emilio Nasalli Rocca, *Il Cardinale Giacomo da Pecorara: Profilo biografico* (Piacenza, 1937), passim; Gaetano Tognoni, *Storia del cardinale Giacomo Pecorara, vescovo di Preneste, 1170–1244* (Parma, 1877) (reprinted in 2010), passim.
25. *DIR, C. Transilvania*, 1, doc. 227, pp. 272–273.
26. Ibid., doc. 217, pp. 258–259.
27. Ibid., doc. 133, pp. 186–187.
28. Ibid., doc. 133, pp. 186–187.
29. Ibid., doc. 175, pp. 220–221.
30. Ibid., doc. 240, pp. 287–289; Gusztáv Wenzel, *Árpádokori Új Okmánytár/Codex diplomaticus Arpadianus continuatus*, vol. 2, 1234–1260, *Monumenta Hungariae Historica, Diplomataria VII* (Pest, 1861), pp. 33–34. “. . . episcopo Penestrino, tunc Apostolice Sedis Legato, contra . . . abbatem et conventum Monasterii de Clusa Ultrasilvane Diocesis duplicem questionem, unam videlicet super quibusdam decimis, et alteram super subiectione ipsius Monasterii, obedientia et reverentia et aliis juribus episcopalibus, ad que ipsos sibi teneri dicebat; de quarum una scilicet super decimis ut Legatus, de reliqua vero ut delegatus ab Apostolica Sede cognovit: . . .”
31. *DIR, C. Transilvania*, 1, doc. 146, pp. 201, 380–381; *DRH, D*, 1, doc. 3, pp. 7–8.
32. *DIR, C. Transilvania*, 1, doc. 151, pp. 204–205, 381–382; *DRH, D*, 1, doc. 4, pp. 8–10.
33. *DIR, C. Transilvania*, 1, doc. 152, p. 205.
34. Ibid., doc. 91, pp. 157–158.
35. Ibid., doc. 108, p. 167.
36. Ibid., doc. 140, pp. 195–196.
37. Șerban Turcuș, “Un processo transilvano alla corte pontificia nel 1235,” *Medieval and Early Modern Studies for Central and Eastern Europe* (Iași) 1–4 (2009): 5–21.
38. Wenzel, 27–29.
39. William J. Collinge, *Historical Dictionary of Catholicism*, *Historical Dictionaries of Religions, Philosophies, and Movements* 12 (Lanham, MD, 1997), 80.
40. *DIR, C. Transilvania*, 1, doc. 218, pp. 259–261.
41. Ibid., doc. 248, pp. 296–298.
42. Ibid., doc. 221, pp. 263–264.
43. Ibid., doc. 209, p. 247.
44. Margit Beke, ed., *Esztergomi Érsekek 1001–2003* (Budapest, 2003), 59–67. Luke was the 16th archbishop of Esztergom, between 1158 and 1181. He also played an important role at the royal court as advisor to King Géza II (1141–1162). It was he who persuaded the king to side with the pope in the dispute between the Holy See and the Empire, represented by Alexander III and Emperor Frederick I Barbarossa, respectively. In 1161 Luke received the *pallium* from Rome in recognition of his

contribution to the strengthened relationship between the Holy See and the Kingdom of Hungary. Later on, both Andrew II and Béla IV petitioned Rome to initiate the procedure for his canonization, which was handled by papal legate Jacob of Preneste. The canonization never took place.

45. János M. Bak, György Bónis, and James Ross Sweeney, eds. and trans., *The Laws of the Medieval Kingdom of Hungary/Decreta regni mediaevalis Hungariae*, vol. 1, 1000–1301 (Bakersfield, CA, 1989), 34–37; Besenyei et al., 35–44; Pál Engel, *Regatul Sfântului Ștefan: Istoria Ungariei medievale 895–1526*, translated by Aurora Moga, Romanian edition by Adrian Andrei Rusu and Ioan Drăgan (Cluj-Napoca, 2006), 123; Z. J. Kosztołnyik, *Hungary in the Thirteenth Century*, East European Monographs (Boulder, CO–New York, 1996), 103–116.
46. Jakó, 175.
47. *DIR, C. Transilvania*, vol. 1, doc. 222, pp. 264–270.
48. Gyula Kristó, *A Kárpát-medence és a magyarság régmúltja (1301-ig)* (Szeged, 1993), 243.
49. Berend, 151–157.
50. *DIR, C. Transilvania*, vol. 1, p. 268.
51. *Ibid.*, doc. 224, 225, pp. 270–271.
52. Pietro Maria Campi, *Dell'istoria ecclesiastica di Piacenza*, vol. 2 (Piacenza, 1651), 180. Campi included in his text an excerpt from the inscription on the tombstone of Cardinal Jacob of Preneste: “*F. IACOBO PECORARLÆ PLACENTINO S. R. E. card. Amplissimo, Episcop; Prænestino, Qui, Federico II. Ecclesiam persequente, Italianque simul fœdum in modum lacerante, Longobardica, Vngarica, Etrusca, Gallica, & Hispanica Legationibus, Gregorii IX. iussu egregie perfunctus; Urbis denum Vicarius ab Innocentio IV. Pont. constitutus, summa cum sanctitatis laude ibidem cessit e vita An. MCCXLIV..*”

Abstract

The Implications for Transylvania of Cardinal Jacob of Preneste’s Legation (1232–1234)

The present article approaches, in a hierocratic perspective, Cardinal Jacob of Preneste’s legation to the eastern fringe of *Christianitas*, more precisely to Transylvania, focusing on aspects such as the reasons behind the cardinal’s visit to the Kingdom of Hungary, his right to interfere in the internal affairs of said kingdom, and the extent to which he fulfilled the planned objectives. If we look at the overall picture, the legation of Cardinal Jacob of Preneste fell short of expectations, at least from a hierocratic point of view, as it failed to fully impose the discipline requested by the Holy See. If we tally the erroneous decisions, we could even conclude that in most cases the papal legate, Cardinal Jacob of Preneste, actually acted against the interests of the Roman Curia, whose legate he was.

Keywords

Holy See, excommunication, legation, Cardinal Jacob of Preneste, Transylvania