

Károli Gáspár University of the Reformed Church
Faculty of Theology

Doctoral (PhD)
Summary of the Thesis

**THE BASIS OF ECCLESIASTICAL JUDGMENT IN THE
HUNGARIAN REFORMED CHURCH**

**ANALYSIS OF DECISIONS OF THE UNIVERSAL
CONVENTION COURT (1908-1943)**

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The topic and the objectiv of the thesis

We have to know what happened in the past in order to be able to understand in depth the context of the present, in order to not only see the surface as our one and only truth and in order to be able to perceive the will of God in as many dimensions as possible within our lives. Part of this perception is to familiarize ourselves, as much as we are able, with the past of our Church (which is a very rich tradition, and therefore affects our present and our personal lives in many different ways).

The process of assembling the intricate pieces of the mosaic of our ancestors' successes, failures, joys and sorrows is a wonderful adventure. We can draw conclusions, we can see what they did particularly right or spectacularly wrong (measured by a previously set „standard”) and we can use all this knowledge in our everyday lives, we can use all the experience they have had before us but mostly for our benefit. If we do all this with the necessary care and attention, we will leave to our children, the next generations a great legacy we perhaps do not even see how important it can become later. And if they see this in a different way, they will hopefully not follow bad examples. Writing history, including the work done in this dissertation, always reveals a specific part of a larger process. When examining these, we have to assemble the full picture as someone examining morsels in order to guess what the bread must have been like. Even if we are not successful, we should still remember how important a morsel is for a hungry mouth and that, in some cases, a real morsel is worth much more than an imaginary bread.

To go further into details, one of the big differences between „general” historiography and writing Church history is that Church historians, based on their religious faith, know for real, what that particular bread is like. The „bread” is entirety itself, the eternal will of our Heavenly Father, which He has declared and is continuously declaring for us.

When we discuss Church history, we are in fact discussing the relationship of the visible and the invisible Church. We research the history of the visible Church, which is, of course, closely interconnected with that of the invisible Church, but we have a different relationship to the invisible Church, which I do not wish to examine in detail in this dissertation. The Visible Church started with the appearance of the Visible, and the Visible is Christ Himself. According to the will of Christ, after his ascension to Heaven, those who belonged to him were and still are united in a community, with the help and strength of the holy Ghost. From the moment people consciously want to belong to a community, because they accept the basis of that community, its norms and rules of co-existence, they share a value system, from that moment on we can talk about the existence of „law” in such a community. In the beginning this is, of course, customary law. The Christian Congregation is, created of, based on and upheld by the law of God, the commandment of God, the word of God. This has not changed ever since the beginning. The blueprint of every Christian congregation is the earliest Christian congregation. Without divine law, i.e. without the declared will of God, the existence of congregations and the Church have no justification.

Of the aforementioned customary law all I want to say is that in every human community there are some common standards and rules accepted by all its members. These are usually the simplest of norms, especially in the very first times of Christianity (for example setting an order of regular meetings and common meals BUT also, what to do with members who trespass against the rules and norms accepted by the community.)

However, when the Church becomes better organised, when an increasing number of congregations are interacting, when work is better organised and specific tasks are shared, an increasing number of rules and, later, an entire system of rules and regulations develops, one which regulates a multitude of relationships within the congregation and the relations of congregations with one another, but also the relations of congregations and the „outer” world, i.e. those outside the congregation.

When we examine the organisation, rules, the origins and application of rules of the visible Church, then we examine canon law. The history of canon law is an organic part of the history of the Church. The two are interconnected, it is almost impossible (and really not necessary) to separate them or even to draw a sharp line between the two.

In the first section of my dissertation I explore the legitimisation, development, and historical background of Church jurisdiction, naturally based on the Holy Script as a primary source of law. Following that, I examine the development and specifics of canon law by analysis of statutes. My largest and most prominent research examines

in detail the verdicts passed by ecclesiastical courts (known as 'convent' courts) from 1908 to 1943. I have analysed every court decision available in the Synod's Archives of the Hungarian Reformed Church (those that were available for research, since some are still not open for research). The ecclesiastical court minutes, verdicts and rulings are summarized according to their content at the end of the dissertation in a table. The central question for me was how and on basis of what statutes the courts determined guilt, which infractions they punished, and what punishments they meted out.

The content structure of the dissertation, the research method, the main findings:

The dissertation consists of two main parts which are also the title of the dissertation:

- The foundation of ecclesiastical jurisprudence in the Hungarian Reformed Church
- The analysis of the decisions of the Universal Convention Court (1908–1943)

The first major chapter discusses the concept of ecclesiastical law, the basic concepts of ecclesiastical jurisprudence and its system of sources of legal sources. Moreover, the process of the formation of church discipline, with particular regard to the organizational development of the Hungarian Reformed Church is also mentioned. This is followed by a comparison of church constitutions from 1881 to 2000.

The second major chapter analyses the decisions of the Universal Convention Courts. This includes procedural issues, the content and form requirements of the minutes, the composition of the court and the way in which decisions are made. The analysis of the decisions continues with the grouping of the cases of the Universal Convention Court in the light of the legal classifications and the imposition of penalties.

The examination of the legal functioning of the Universal Convention Court of the Hungarian Reformed Church came after both the examination of the church organization and the system of church courts, which is followed by an analysis of the discussed cases. These are numbered in their own. The litigation material can be found inside the Synod Archives of the Reformed Church of Hungary in an alphabetical order, but unnumbered. After studying the available documents, I collected, processed, analysed and organised the data, then I drew conclusions. I included the data in a table, which forms an appendix to the dissertation.

The Universal Convention Court of the Hungarian Reformed Church was at the top of the judicial organization of the Reformed Church between 1881–1964. The Universal Convention Court conducted hearings in two forms, the Universal Convention Ordinary Court and the Universal Convention Extraordinary Court. This is also how the discussed cases were distributed.

265 cases were heard between 1908-1943 by the Universal Convention Court (as Ordinary and Extraordinary Court). Several orders could be made during the hearing of a case or the procedure was closed with an order or judgment (decision). There was no option to appeal against the final decision of the Universal Convention Court. Appeals could be made against the preceding orders.

The Universal Convention Court is established by Article 237 of Chapter II of the Church Act 1881.

During its proceedings, the Universal Convention Court established the facts of the case by itself, as well as the legal classification and the penalty imposed. It is not bound by the decisions of the lower courts within the course of its proceedings.

The Universal Convention Court was abolished by Article 1 of Act I of 1964.