Original Research

# Reformation of marital laws in Hungary: Early reception of Luther, Calvin and Beza before and until 1667



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#### **Read online:**



Scan this QR code with your smart phone or mobile device to read online. The main achievements of the huge research on the history of the Hungarian Protestantism show that at the beginning of the Protestantism the local reformers and preachers were interpreting Luther's ideas, but from the 1550s Calvin's doctrines became decisive. The reception of the great reformers' ideas was far from being evident in the practice. It means pastors and preachers in Hungary did not cite directly from the written heritage of Luther (Pelikan & Helmut 1955-1986), Calvin (Calvin 1863–1900) or Beza. They used to use the Bible itself. Nevertheless, many new and unknown problems raised, which deserved prompt and clear theological and moral advice. Most of the challenges were related to the burning, everyday questions of sexual sins and of family life. Therefore, it is not surprising that contemporary preachers were trying to commit everything to renew the public morality of people. The article intends to illuminate the evolution of the early Protestant marriage law system and theological thinking in Hungary after the temporary 'collapse' of the Roman Catholic Church and its canon law in the 1550s. At the same time, it is raising the question, how did the 'great reformers' influence the early Protestant marriage law system and theological thinking in Hungary.

**Intradisciplinary and/or interdisciplinary implications:** This article is based on the field of systematic theology. The study intends to understand the development of Hungarian Reformed regulations of marriage in the 16th and 17th century from theological, judicial and historical perspectives.

Keywords: marriage; adultery; Hungarian Protestantism; Calvin; Beza; Melius; Tarpai.

# Introduction

On the basis of the well-known *Calvin Handbook* dedicated to the jubilee of the Genevan reformer's birth (2009), it is apparent that he paid strong theological and ethical attention to the evaluation of the general topics of marriage, family life and sexuality (Witte 2010, 455–465). He devoted himself to building up the New Jerusalem in Geneva (Kingdon 1990:158–172, 1995, 1996:21–34; Lambert 1998; Magyar 2014:375–386, 2022a:109–142; Manetsch 2006:274–314, 2010:283–307, 2017:103–117; Monter 1976:467–484; Naphy 2003; Watt 1993:429–439, 1996:63–86, 2002:439–456, 2020:111–114; Witte 2013:245–280). Nevertheless, the footsteps of the strong reception of Calvinism in Central-East Europe with special attention to Hungary remained almost unfolded (cf. Antalóczy 2001; Erdélyi 2012:31–60, 2015, 2017:183–208, 2020:595–623, 2022:41–58).

During the 16th century, in the midst of the rapid political and economic changes, the inner spiritual content and the social dimension of marriage and family life raised several questions. The article intends to illuminate the evolution of the early Protestant marriage law system and theological thinking in Hungary after the temporary 'collapse' of the Roman Catholic Church and its canon law in the 1550s. Without any doubt, the main contributions of Hungarian pastors shaping a new marriage law system were enthroned by the elaboration of the first Reformed monography on marriage and divorce entitled *Libellus repudii et divortii Christiani* (Tarpai 1667). The monograph was authored by Andrew Szilágyi Tarpai who made a name for himself because of his international studies and experiences in Utrecht (1649) and Leiden (1651). Furthermore, the present article opens a wide window of a possible linage of Hungarian and international study of the Reformation raising the question, how did the Swiss reformers (i.e. Calvin and Beza) influence the early Protestant marriage law system and theological thinking in Hungary?

# Models of the 'great reformers' to follow?

As a fruitful consequence of the trading contacts and of the peregrination of students, the ideas of Luther and Calvin have received widespread reception in Hungary since 1550 (cf. Révész et al.

1927; Baráth & Szabadi 2009; Bucsay 1978; Hörcsik 1990; Magyar 2016; Rácz 1997, Ulrich 2022). Unfortunately, the practical realisation of their thoughts concerning the theological and judicial backgrounds of Christian marriage was certainly not suitable for entire adaption (Sípos 2012:127-158), because of the different Hungarian context. Because of the fact that the Protestantism has been taken up by German nobles, who were the true supporters of the reformation, marriage cases became 'Worldly things' (cf. Serm. Mt 18,9, LW 67:390) in the eyes of Luther regulated by the civil magistrates. In linear terms, he insisted that 'marriage is a civil affair. In all its outward circumstances it has nothing to do with the church, except insofar as there may be a case of conscience' (Table Talk 4068, LW 54:315 -cf. LW 67:390, LW 54:305, 4068, LW 54:315, 4716, LW 54:363). His exegetical and theological arguments confirmed his consideration, because on the basis of the Holy Scriptures, Luther denied the sacramental character of the marriage (Luther: De captivitate Babylonica ecclesiae, WA 6:550). According to him, the Church has to imitate Christ, who during His entire lifetime was not functioning as a lawyer or a governor to prescribe any regulations for judicial cases, because He was a preacher instructing the conscience (Comm. Mt 5,31-32, LW 21:93, cf. Table Talk 414, LW 54:65-67). At the same time, Luther admonished magistrates that their marriage rules ought to be a mirror of God's Law, thus their enactment cannot miss the Christian content (cf. Comm. 1 Cor 7,10-11, LW 28:31).

Another possibility arose when John Calvin's thoughts reached the country. According to the valuable bibliographies on Calvin, he can be depicted as a learned, qualified jurist of the Genevan Republic, who took pains to draft the Constitution of the City-State of Geneva in 1543 (Kingdon 1988:225-253; Magyar 2019:209-220). On the basis of his last testimony to the syndics and to the magistrates of the Republic, the reformer considered himself a first-line jurist of Geneva. This kind of self-confession was far from being wrong, since after his return from Strasburg in 1541, one of the first actions of Calvin was to re-establish the church discipline in Geneva. Doing this 'holy project', he created the Consistory, which was a so-called 'joint committee' of the local pastors and magistrates. Its task was to oversee and to improve the life of the people in religious-spiritual matters. It is beyond dispute that most part of the cases before the Consistory and city councils were related to sexuality and marital and family life. This is why the Small Council asked Calvin in October 1545 to prepare a draft of a possible marriage ordinance (Witte-Kingdon 2005:40-41. f. 29). However, he met the magistrates' engagements and made several minor changes to it in 1546. The ordinance was circulating as an 'oral law' among ministers of the City-State until the official approval of Ordonnances Ecclésiastiques of 1561 (Péter 2012 80-135). Its main part finally gave effect to Calvin's draft about marriage, which introduced new regulations on permission, promise, banns, consanguinity, affinity, annulment, and divorce (transl. Witte-Kingdon 2005:51-61). The reformer's work makes clear, he viewed the topic of the marriage not only as a 'wordly thing', but a judicial 'mixture', which meant a kind of 'cooperation' of the two kingdoms, so of the pastors and the magistrates. Unfortunately, this pure Genevan-Calvinist model was too idyllic to adapt in general, because in Hungary the nobility and the king were considerably hostile to the new belief. Only a handful towns (Debrecen, Hajdúböszörmény, Sárospatak) and lords (István Bocskai, Gábor Bethlen) showed sympathy for Protestantism on the eastern borders of the *Turkish subjection* and in the *Principality of Erdély*. Among these circumstances, only an 'independent' Reformed law system could give solution to the everyday practice.

# No, but towards an 'independent' law system of marriage

Though the members of the early Protestant synods in Óvár (1554) and Erdőd (1555) were discussing the main questions of marital impediments, banns and divorce, still the compilation of a detailed marriage ordinance was not possible yet, because the Lutheran and the Calvinist wing of the Protestantism were living together. At the same time, it is beyond dispute that the creation and the operation of the 'partial' and 'general' church synods were successful. Therefore, the inspection of the validity of marriages, the publication of the temporary separation of the parties (mensa et thoro), and the declaration of the divorce got into the jurisdictional territory of Protestant churches (Magyar 2021:179-210). Finally, the adoption of Confessio catholica (Debrecen-Egervölgy Confession: Melius 1562) under the leadership of Peter Méliusz (Melius) Juhász (1532-1572), an influential bishop of the Reformed Church in Debrecen made the Reformed wing wholly separated. Its chapter on marriage contains allusions of the decrees of Boniface, Gratian, Gregory and of the works of Hieronymus, Justinian, Lombard and Augustin. However, as we have seen, this early confession did not have a direct reference to John Calvin's legacy; still some of his ideas reflect from the text. First of all, it stands out that marital cases are not only 'wordly things', but a judicial 'mixture' under the strong influence of the congregations and the pastors (Kiss 1881:170). The confession stresses that the main goals of the marriage are: (1) mutual favour, (2) procreation and (3) an aid to avoid fornication and adultery (Kiss 1881:168–169). It shows, like Luther and Calvin, Peter Melius accepted wholeheartedly only two elements of the system of bonum triplex elaborated by Saint Augustine. Certainly, he underlined the bonum prolis as an intention to have offspring and the bonum fidei as a pledge of the carnalspiritual faith. Nevertheless, the third pillar of Augustine's theory, namely the bonum sacramenti was left out of the interest of Luther (Magyar 2018:84). Regarding the required (minimum) age of the partners, however, the confession shows relevant differences from Luther and Calvin. Luther, a reformer with rural background insisted, the legal age is 15 years for a son and 20 for a daughter (The Estate of Marriage, LW 45:37), while Calvin declared that sons with 20 years and daughters with 18 years (later on Calvin changed them to 24 and 20: Kingdon-Witte 2005:53) have to have the power to contract a marriage without the permission of their father. Because of the fact that Hungary used to be a country with strong agricultural influence, the Confessio catholica encouraged its readers to establish a family.

Therefore, daughters - being capable for marriage - could contract partnership above 13, sons 18 years (Kiss 1881:172). Besides the disputation of the legal age of the partners, the confession gives an account of the impediments in general. On the basis of the canon law, Calvin listed five impediments to engagement, namely: (1) infancy, (2) precontract, (3) incest, (4) contagious disease and (5) desertion by either party. The Marriage Ordinance (1546), moreover, named the following impediments to either engagement or marriage: (6) discovery of the lack of presumed virginity, (7) lack of consent by either party, (8) lack of parental consent to a party under the legal age (roman law: minor), (9) fornication with another by either party and (10) failure of a condition that went to the essence of marriage (cf. Witte-Kingdon 2005:43). Regarding impediments, on the basis of the 'Holy Scripture, the example of the saints, and the regulations of the emperors, and of the popes' the Confessio catholica gave emphasis to the requirements of the parental consent and of the consent by either party (Kiss 1881:168). Another main contribution was the editor's attempt to create a list of causes for divorce. At this point, Melius could have cited Luther's understandings, who found possible to suit for divorce in the case of: (1) desertion, (2) adultery, (3) unsuitable for marriage, (4) either party does not fulfil their matrimonial (i.e., sexual) duty and (5) application of an irreconcilable controversy (The Estate of Marriage, LW 45:30-35). Calvin did not go far afield, he accepted the acts of the: (1) desertion and (2) of the adultery. Although the Confessio accepted the means of: (1) desertion and (2) of the adultery, still it opened new ways for divorce naming the possibility of (3) hidden fact of consanguinity, (4) the impotence, (5) when either party becomes separated by religion ('religion gap'), (6) homicide act against their spouse, (7) secret marriage and (8) marriage lacking parental (or either party's) consent (cf. Kiss 1881:171).

In the following year, when bishop Melius published The Book of Ceremonial Remonstrance (Szertartási intelmek: Melius 1563), he decided to unfold not only the judicial but also the theological backgrounds of marriage. Unfortunately, he did not have reference to the written heritage of the reformers, Melius cited only one time the 'legacy of Ignatius, and of the doctors of the Church' (Fekete 2020:233). As an important regulation, Melius emphasised again the importance of the parental consent, the free will of the spouses and of the public swearing before accurate witnesses (Fekete 2020:235). Besides this, he devoted long sections to the dangerous consequences of the huge dissension in age (Fekete 2020:231). However, the volume did not specify what the 'huge difference' means, still it prescribes minimum 13 or 14 years for daughters. Unfortunately, Melius did not make remarks for sons. Nevertheless, the most noteworthy statement in the document is the following: 'everybody makes a mistake, who bids the marriage to priest, church, altar, and date' (Fekete 2020:229). Therefore, Melius believed the marriage could be contracted, for instance before a layman, the church only provides its adequate legal regulations, the act of the banns or ensures the ideal place for the nuptial ceremony. All the

same, mostly, marriages were celebrated before a Reformed pastor and become effective after the copulation of it. Without any doubt, the central part of the passage represents a wonderful theological contribution to the topic of marriage and family life. According to the text, the first purpose of the marriage is the mutual support of the spouse (Fekete 2020:235), when the husband looks like a wise adviser for his wife, helping her with his minds and cherishing her with his hands in the times of troubles (Fekete 2020:234). Wives are well advised to serve their men without grumbling and keep the house and the livestock in good order (Fekete 2020:234). The act of the procreation was illuminated as a second marital goal, namely to pursue family life not only for avoiding fornication and not for becoming wealthy, but for the enlargement of the Kingdom of God (Fekete 2020:235). The third benefit of the marriage shines as a good remedy against fornication and the last one to testify how deep the secret bond between Christ and the spouses is (Fekete 2020:236–37).

Later on, when the members of the first Reformed Synod gathered in Debrecen, Melius framed his celebrated book, entitled Articuli Maiores (Major Articles 1567) reminding his readers of the importance of the lack of parental consent and of lack of consent by either party. Moreover, the articles emphasised the compulsory character of vows at weddings followed by the usage of rings and the mutual attachment of the right hands (Kiss 1881:576). After that, the regulation makes clear, it is prohibited for adulterers and deserters to remarry; therefore pastors have to obliterate this kind of scandalous partnerships from the Reformed church avoiding the pollution of the body of Christ (Kiss 1881:577). However, the early Protestant synods established the operation of the 'partial' and 'general' church gatherings in order to oversee marriage cases (e.g., validation, separation, vows, divorce), still all of the cited Reformed materials like Luther and Calvin previously - kept aloof themselves from restraining the right of the 'civil magistrates' to punish public fornicators and adulterers. For instance, The Book of Ceremonial Remonstrance stressed (Fekete 2020):

Adultery tears the covenant of marriage between husband, wife and God to shred, therefore it is lawful for a Lord or Prince to kill every adulterer. Fornicators should be killed indeed, so do not punish them with rod or fine. (p. 240)

In 1617, only one year before the famous synod at Dortrectht, Stephan Pathai released the first *Hungarian Reformed Book of Ceremonies*. In this book he discussed the forms of baptism, and the Lord's last supper together with the questions of marriage and excommunication. Regarding the form of the nuptial ceremony, Pathai acknowledged that the unwritten 'oral law' differs in every city and town, still he admitted, the exchange of rings and other habits are marginal things, the main intention of the union rests in the honourable attitude of the partners (Fekete 2020:39). As he thought, the order of the marriage was established by God; therefore it is a 'chaste, honorable, and praiseworthy thing' among the believers. However, Pathai did not cite exactly the works and the authority of the 'great reformers', still it is striking, like Luther and Calvin, he accepted that the main purposes of this peculiar partnership aim: (1) the reproduction, (2) the mutual support and (3) the prevention of fornication (Fekete 2020:41–43). It is an expansive fact that Pathai devoted the most detailed section for the distressing issues of fornication (Fekete 2020:41). Finally, at the end of the chapter, he pointed out, how important it is to praise God for his Mercy bestowing a honourable-faithful spouse, well offspring and strength in mutual care (Fekete 2020:43).

After the sorrowful waves of the 30 Years' War, in 1649 Stephen Geleji Katona published his collection of Hungarian and Transylvanian church laws under the title of Ecclesiastical Canons. Its paragraphs 66-74 give a full overview of marital regulations. Firstly, the document clarifies how important the act of the banns is. Unlike Calvin, who ordered wedding would be proclaimed three times, the Ecclesiastical Canons required only one proclamation before the nuptials. Accurate witnesses or proper records are obligatory in the case of the marriage of newcomers and of previously confined persons (Geleji 1875:33-34, 66). Seemingly, the text is not intended to follow the judicial liberty introduced by Melius (cf. Melius 1563:229), because the articles figure Calvin's thoughts, namely, the wedding ceremony has to take place in the church with pastoral assistance. Mutual promise and the custom of shaking the hands are also an inevitable attachment (Geleji 1875:34-35, 67). Regarding the proper date of the ceremony however, the document shows a fundamental departure from Calvin's legacy. According to Geleji, it is generally forbidden to take nuptial promise on Saturday and Sunday (Geleji 1875:34-35, 67), while the Genevan reformer rebuked vehemently those ceremonies that were organised on Sundays, when the Lord Supper was celebrated (Péter 2012:105-106.). The Canons, after the discussion on affinity (Geleji 1875:35-68), point out what the legal age is for spouses, namely: 18 years for a son and 14 for a daughter (Geleji 1875:36-69), which stands closer to Luther, then to Calvin. It goes without saying, that the Canon, because of the substantial goals of the marriage (i.e. prolification), forbids the huge dissension in age (Geleji 1875:36-70). In the 71-73 parts, the Canons was taking up the fundamental topic of divorce (Geleji 1875:36-38). Unequivocally Geleji does not stand into the line with Luther or Calvin, since he accepted only two causes for divorce, namely: adultery and desertion. It reminds clearly to the Genevan rules. Although, The Canons make clear that capital sentence would be the proper punishment for adultery, as Calvin believed (Magyar 2022a, 2022b), still Geleji kept himself aloof from publishing regulations mandatory for every city and region. He knew well, the judgement of the question was far from being unified in Hungarian territories. At the same time, Geleji, like Luther and Calvin insisted not to derogate the rights of the civil government to judge and punish sexual crimes. Marriage promises, says article 74, can be dissolved on of solid grounds, namely serious disaffection (Kiss 1875:39), while the Genevan reformer did forbid it (cf. Witte-Kingdon 2005:53-55).

As a conclusion of the detailed overview of the early Hungarian Reformed confessions and articles concerning the topic of marriage, it is worthy to say, all these documents did not cite directly the written heritage of Luther, Calvin or Beza; but their content displays countless similarities related to the fundamental 'three goals' of marriage, the questions of divorce, age or annulment.

# 'Breakthrough': The first Hungarian Reformed monography on marriage and its backgrounds

Just few years after the publication of *Ecclesiastical Canons*, in 1667, the reformed pastor, Andrew Szilágyi Tarpai released his high-esteemed monography on marriage, entitled: *Libellus repudii et divortii Christiani: azaz, az igaz keresztyének között, a' megmátkásodott és házasságban lévö személyeknek egy mástol valo törvényes és helyes elválásoknak igaz tudománya és az egyházi tanitoknak a' szerént való praxisok.* The work was dedicated to Paul Ubrési, who serviced as a vice-county government commissioner in Ungvár county. It is not surprising, Ubrési was a supporter of the local reformation, committing everything to create equal circumstances for Catholics and Protestants. However, the volume had already had a second, facsimile edition (Tarpai 2012); the original copy counted 80 pages enriched with illustrative graphs.

In order to discover the early Hungarian reception of the 'great reformers', it is useful to compile a possible list of sources traceable in the volume. To start with the principle of in medias res, Tarpai refers three times to Calvin (Tarpai 2012:94, 106, 146) and eight times to Beza (Tarpai 2012:81, 89, 97, 106, 108, 137, 145x2). At all times, Tarpai cites not the Institutes, but the biblical commentaries from the Genevan reformer. In the case of Beza, he wielded successfully the work, entitled: Tractatio de repudiis et divortiis: in qua pleraeque de causis matrimonialibus (quas vocant) incidentes controversiae ex verbo Dei deciduntur (1569). There is no need for a great conception to catch the similarities between the title of Beza's and Tarpai's volume. Interesting to note, however, that Beza's volume contains only one reference to Calvin (Beza 1569:53), while he cited, for instance, 115 times the Bible and 45 times the church fathers (Augustine: 39, Cyprian: 4, Tertullian: 2) parallel with the registers of the Roman Catholics church synods (Lateran: 14, Trident: 3). At the same time, Tarpai adapted Beza's illustrative graphs as well (Beza 1569, 14-19 -cf. Tarpai 2012:87-89). It is not surprising that readers do not find references to neither Luther nor Melanchthon. Nevertheless, the pure examination of the references could be misleading, because four times when Tarpai cited the work of Beza (Tarpai 2021:108, 137, 145x2), he mentioned the Genevan church practices, using the term 'Genevensis Ecclesiae Constitutiones', which were not Beza's own ideas, but the requirements of the Ordonnances Ecclésiastiques updated under the influence of John Calvin in 1561. Therefore, from this perspective, Calvin's references increased to seven.

In his dedicational preface, Tarpai made clear what was the main reason for preparing the book (Tarpai 2012:67), namely: because of the widespread attacks of the Hungarian Roman Catholics, for example, by the great Jesuit monk and cardinal, Peter Pázmány (1570–1637), who in his book, entitled *Isteni igazságra vezérlő kalauz* (Pázmány 1613:135; Szabó 2022) delivered numerous complaints against the Reformed view of marriage and divorce. In base-lines, the volume consists of three large parts: the first one illuminates the huge and complex system of impediments, the second section deals with the burning issues of divorce and the last one refers to additional questions. The inner framework of the volume was based on the pulsating variation of questions and answers, unfortunately without ordinal numbers.

Related to the marital oath, Tarpai stressed, only the usage of the present, not the future tense could establish valid judicial and moral obligation for marriage, employing the solemn saying: 'I am taking You now as a wife' or 'I am taking You as a bride' (Tarpai 2012:83). Thus, valid engagements were enforceable before the magistrates, if the fiancé was not absent from the city. Referring to Beza's *Repudii*, Tarpai pointed out: if a man had already deserted secretly with malice, after 1 year, the sorrowful case had to be proclaimed three times in the church within 1.5 months the independence has been granted for the bride (Tarpai 2012:107). It is worthy to cite at this point the relevant similar passage from Calvin's *Marriage ordonnances* (1546) and *Ordonnances Ecclésiastiques* (1561), which states (Witte–Kingdon 2005; Péter 2012):

[*I*]f a man, being debauched as aforesaid, has abandoned his wife without his wife having given him occasion or having been to blame [...] let the wife wait till the end of a year to see whether she cannot learn where he is [...] the deserter (should be proclaimed) in the church for three Sundays, two weeks apart, so that the term is six weeks. (pp. 58; 130–131)

In the case of bridegrooms, Tarpai required only the three publications of the fact without determined awaiting time. Of course, here is another accordance with Calvin, who emphasised: if a wife departs from her engaged man and goes to another place 'the husband shall not be required to wait a year'. At first sight, the same procedure was followed against the wife and the husband, but the phrase of 'wait till the end of a year' was not presented in the text (Witte–Kingdon 2005:59.). Therefore, it is not without good reason to point out: all these allusions show substantial evidences for the measurable presence of Calvin's heritage in the volume, because, say it again, when Tarpai four times cites Beza, in fact he refers to the Genevan church ordonnances worked out by Calvin.

### Tarpai on engagement and its impediments

It is relevant that the Genevan reformer paid strong theological and judicial attention for the act of the engagement. As Calvin believed, the statement of 'I promise, I will take You as a wife....' had already had a compulsory character, if: (1) the promise was serious, lacking every kind

of moral trifling, (2) two proper witnesses were present, (3) parental permission was declared and (4) their consent was common. This is why Calvin believed that valid promises should turn to marriage (Witte–Kingdon 2005):

After the promise is made, let the marriage not be delayed for more than six weeks; otherwise let the parties be called to the Consistory to be admonished. If they do not obey, let them be remanded before the Council to be compelled to celebrate it. (p. 54)

All the same, Tarpai's main contribution was to clarify the complex questions of impediments (Tarpai 2012:74-83) related to engagements that made contemporary pastors and magistrates constantly anxious. Tarpai condemned: (1) the secret marriages, which were lacking the consent of the parents in the years of the youthfulness. Of course, the presence of the proper witnesses was also crucial. (2) As an important survivorship of the Roman Law, the strait recital of the oath was obligatory. (3) Close grades of affinity and (4) the forced consent was also abhorred. (5) Besides these, Tarpai took the aspects of deceit seriously. He introduced five ways of spite deceit (Tarpai 2012:76-79), namely: (1) when the party was abused in person (case of Jacob and Leah), (2) in the 'footing'/'fortune' of the partner, (3) in rank, (4) in morality or (5) in the state of health concerning the procreation. According to him, the promise withdrawal only in the case of 'a', 'd' even if when it is found by sufficient proof that a girl who was taken for a virgin is not one, and in the case of 'e', when the cause of inability is found in the nature, or if not, it is contagious and incurable (time for investigation: 3 years). Another question was: if it happens that parties contracted marriage by their own action through (6) drunkenness, the promise turns to marriage only when the vinous person repeated their vow. Among the last aspects, if any of the parties had (7) a serious mental illness prior to the promise, it was annulled; however, if it was found after the engagement, the appropriate waiting period (three years for women and five years for men) was set up to prevent the withdrawal. (Tarpai 2012:78). Besides these, Tarpai (2012:110) mentioned the possibility of (8) monastic vows and (9) spiritual kinship which he entirely rejected. Related to the questions of impediments, Calvin was not intended to give a completely elaborated system of impediments nor in his Marriage ordonnances or in the second version of Ordonnances Ecclésiastiques. The only topics discussed were the regulations pertaining to the degrees of affinity (Witten-Kingdon 2005:56; cf. Péter 2012, 37-38, 108–116), the two grounds for annulment of the engagement, i.e. when a girl accepted as a virgin is not one, and the circumstances surrounding the engagement (Witten-Kingdon 2005:56, cf. Péter: 2012, 34, 95-96). As we have seen, Tarpai acknowledged these two facts.

### Tarpai on divorce

According to the forceful attacks of the Catholic priest, Peter Pázmány, the Reformed pastors guaranteed divorce for money; therefore Tarpai devoted a long chapter to the evaluation of Christ's words on divorce (cf. Matthew 19,9).

Using three commentaries of the text (from 'Jansen', 'Alphonsus de Castro', 'Croquetius'), Tarpai - in clear accordance with John Calvin - stressed: because of the neverending temptations of the Satan, and the people's readiness for committing sin, the marriage is dissoluble (Tarpai 2012:120). The most detailed sections of the chapter give a deep-seated discussion of the reasons of adultery and desertion as two 'exceptions', but it is obvious, in the case of 'religion gap', as Calvin did (cf. Kingdon 1995:143-164) Tarpai too accepted the possibility of divorce (Tarpai 2012:113). However, Tarpai cited none of Luther's works; it is worthy to point out that the German reformer in his book, entitled The Babylonian Captivity of the Church (1520) believed, only the sorrowful acts of: (1) adultery and (2) desertion give cause for divorce (LW 36,70), still later in his sermon on The Estate of Marriage (1522) other reasons were named by him. These were: (3) the situation in which the husband or wife is not equipped for marriage, because of bodily or natural deficiencies of any sort, the situation in which one of the parties deprives and avoids the other and finally the case when there is an irreconcilable conflict between them (LW 45:30-35). It is so obvious that neither Calvin, nor Tarpai was so opened and indulgent. Nay, Tarpai decidedly resisted to grant for divorce on the ground of bodily illnesses deuces or infertility. From this aspect, it seems, Luther was a far more practical theologian (cf. Csepregi 2017:139-147)!

It is striking, the early Hungarian Reformed thoughts on the sin or crime of fornication and adultery represented in the volume makes clear, the contemporary pastors and preachers were intended to improve the general level of public morality in every town and city. They believed all of them were 'building up the City of God, the New Jerusalem' in Hungary. Aiming to reach a high-level Christianity, they reshaped the ordinary life of the local townsfolks. This is why cases, involving sexual crimes, made them constantly anxious. Although, as we have pointed out, after 1541 Hungary had been divided into three parts, which silenced the validation of the territorial laws, still churchmen and pastors welcomed the provisions of *Ofner Stadtrecht of Buda* (1421). This law made clear:

[*M*]embers of the law court should persecute adulterers. So, let them to be named not only in the private, but in the public sphere as well. Magistrates have to unfold the justice in case of torture even. A pit should be grubbed for them right next to a gibbet and let them to be laid down alive in it, then a stick should be run through either of them (p. 288).

As a result, it is not surprising that so many years before the legacy of Tarpai, as already as in 1560s for instance, bishop Melius was firmed in the right of the 'civil magistrates' to punish public fornicators and adulterers (Fekete 2020:240).

He really expected that they had to do so. Of course, these Hungarian approaches were far being unique at that time, because Luther and Calvin represented the same argumentation. Though Tarpai did not cite Luther's written heritage, still according to the German reformer, the most ideal penalty for adultery would be the capital punishment: 'So I wish, only in the case of adultery that the sentence of decapitation should be put into practice' - wrote Luther, but criticising the laxity of the magistrates, he grievously confessed: 'If adulterers pay with their lives, and they suffer decapitation, we would have little work to enquire for the right punishment' (Tischreden 6934, WA 6:278-279. -cf. *Tischreden* 6935, WA 6:279–280). In other place, Luther argued: 'The blame rests with the government [...] the temporal sword and government should [...] put adulterers to death' (The Estate of Marriage, LW 45:30) In spite of the fact that Calvin had a very different social and political situation in Geneva, as a high esteemed moderator of the Genevan Consistory, he stressed over and over again: adultery violates the sacred covenant of God, therefore biblical stories on this topic proof:

[*T*]hat adultery has been greatly abhorred in all ages. The law of God commands adulterers to be stoned. Before punishment was sanctioned by a written law, the adulterous woman was, by the consent of all, committed to the flames. (*CO*, 47:190. Translation: *CTS*, 17/2:322, *CO*, 23:499. Translation: *CTS*, 1/2:286, *CO*, 47: 190–191. Translation: *CTS*, 17/2:323)

Similarly, Tarpai was criticising two times the judicial laxity of civil magistrates (Tarpai 2012:116, 143), who failed to inflict the death penalty and the adulterer, showing a bad example, can betake himself and remarry in a foreign country. However, in the eyes of Tarpai, marital cases are in the segment of the civil magistrates and of the church's authority. The procedures including divorce are pure judicial matters, when a petitioner suits for divorce because of a wrong conduct of the respondent (Tarpai 2012:125). Also, Tarpai angled the importance of the accusation against the abuser and mischievous deserted person. According to Tarpai, it is obvious that the rights of a husband and of a wife are equal in this respect (cf. Witte-Kingdon 2005:57). Therefore, in a general sense, one of the parties proves by sufficient testimony or evidence and asks to be separated by divorce. As a result, after a successful divorce, like in Geneva or in Wittenberg, a power has been granted for the true party to marry again (Tarpai 2012:114). Also, it catches the eyes, though Calvin and the early Hungarian Reformed synods urged severe punishment for adultery, which was the most frequent cause of divorce. In the case of proved adultery, not only in Geneva and Wittenberg, but also in Hungary, a 'judicial door' was open(ed) for the true party to practice Mercy toward the wicked (Magyar 2022a, 2022b). Therefore, Calvin stated in accordance with Tarpai that, 'one may exhort him to pardon his wife. But let no pressure be brought to compel him against his will' (Witte-Kingdon 2005:58). At the end of the section concerning the evaluation of adultery, Tarpai like Calvin emphasised: 'divorce shields the true party, therefore if it happens when all of the parties committed adultery, it certainly does not give occasion for divorce' (Sermon on Deut 5,18, CO XXVI, 336, translation: Calvin 2011, 170, -cf. Tarpai 2012:128).

It is by no means surprising that Tarpai because of the very special political and social circumstances in Hungary had to deal with so many questions of desertion. As it is well known, several men were pursuing agricultural or trading business, and others were involved in sorrowful military actions against the Turkish army. As the fates show: some of them were murdered, seriously injured, captured or lost. These circumstances required prompt and clear rules to follow. To Tarpai the desertion meant a special variation of mensa et thoro when the absence of one of the parties was suspending or permanently abolishes the fulfilment of the purposes of the marriage (Tarpai 2012:129). Reading the formulas represented in Tarpai's volume, it is evident that the author was utterly familiar with the church canons existing in Calvinist Geneva. Like in Calvin's town, if a man abandoned his wife and went to a known place, but he refused to return or the 'religion gap' was no more tolerable, the deserter was proclaimed straightway in the church 'for three Sundays, two weeks apart, so that the term is six weeks' (Witte-Kingdon 2005:58; cf. Tarpai 2012:137). Another question arose when the husband through debauchery or some evil feeling went away and left his place of living for an unknown location, in Geneva the wife had to wait till the end of a year, commending herself to God, after she could suit for divorce with the public proclamation process detailed above (Witte-Kingdon 2005:58). According to Tarpai's published regulations, a wife in Hungary had to wait two or three years before the case could be initiated.(Tarpai 2012:138). But it is curious that in spite of Tarpai's particular knowledge related to the Genevan church ordonnances and the compelling Hungarian situations, he did not refer to one of the most crucial points of Calvin's Ordonnances (1561), which requires (Witte-Kingdon 2005; Péter 2012):

If a man goes to a journey to deal in merchandise or otherwise (i.e. military service) without fraud or alienation from his wife, and he does not return for a long time and it is not known what has happened to him [...] let his wife not be permitted to remarry until after a term of ten years has passed since the day of his departure, unless there is certain testimony of his death. (pp. 57; 39–124)

An other difference between Calvin and Tarpai is that the Hungarian pastor did not mention the special legal procedure concerning the desertion of a woman, when after the return of the wife, the true husband could 'refuse to take her back because of the suspicion he has that she mismanaged her body' let the husband's request to ascertain whether she did fornicate or not (Witte–Kingdon 2005:59).

The third part of the book deals with some additional questions. The main task was to confirm the publication of the banns in the church, which was required before the wedding three times in Geneva (Witte – Kingdon 2005:55), but only one time in Hungary (Tarpai 2012:146). Calvin did not appreciate the long-time engagements; therefore he insisted: 'the marriage not be delayed for more than six weeks' (Witte – Kingdon 2005:54); Tarpai did not publish this rule. Like in Geneva, the ceremony was organised in the church before the pastor (Witte – Kingdon 2005:54). The outward implements (the usage of rings, mutual attachment

of the right hands) can differ from region to region (Tarpai 2012:147). Nevertheless, Calvin and Tarpai emphasised: the celebration of the marriage should be modest without drummers (Witte–Kingdon 2005:55; Tarpai 2012:148) or dance (Magyar 2019). As a last task, Tarpai clarified what are the fundamental obligations of church and 'state' related to marital cases. The magistrates are called to publish marital regulations and edicts on the basis of the Scripture, but at the same time, they are warned to punish the wicked fornicators and adulterers. Pastors and the ecclesia are responsible for celebrating the wedding and publishing the divorce (Tarpai 2012:150–151).

## Conclusion

According to the main achievements of the huge research on the theological 'rainbow-bridge' between Calvin and Hungary, it is worthy to point out that at the beginning of the Protestantism the local reformers and preachers were interpreting Luther's ideas, but from the 1550s Calvin's doctrines became decisive (Bucsay 1980:209-228, 1985; Szabó 1912:113-173). At the same time, during the renewal of the public morality of people and of the religious dimensions of family life, Protestant pastors in Hungary did not cite directly from the written heritage of 'the great reformers', because they were concentrating on the principle of Sola Scriptura (Hörcsik 2009:15). They were quoting only from the Bible itself. Therefore, it is not easy to find out which reformer influenced the early Hungarian Reformed confessions and religious convictions (Kiss 1881). Nevertheless, because of the research concerning the presence of Calvin's volumes in early modern Hungarian private and church libraries, we have already had a more complex picture about the practical reception of John Calvin's thoughts in Hungary. In spite of the sorrowful fact that Hungary after the guileful siege of Buda in 1541 (Ács 2019; Kálmán 2020; Molnár 2001:xiii; Wien 2022) had been divided into different areas, still the cultural intercourse between Hungary and the Western countries remained vivid at that time. As a valuable outcome of the peregrination to Protestant universities, students were purchasing theological books as first pieces of their private collections. Based on a study of the remaining pieces and catalogues of private, church, and public libraries, the main recognitions (cf. Hörcsik 2009:26-29; Márkus-Karasszon 1996:95-132; Oláh 2011:116-148; Ősz 2011:149-187, 2014) indicate that Calvin's commentaries (altogether 342 items) were more prevalent than his systematic works like the Institutes (a total of 189 items). Therefore, Calvin's exegetical works certainly paved the way for the renewal of public morality in Hungary. However, it seems, the availability of the contemporary sources is limited, still it is hard to deny that in the 16th century Hungary, besides the 'traditional topics' of the Protestantism (e.g., original sin, church discipline, forgiveness, justification and mercifulness), the reflection on everyday questions of marriage, family life and cohesion was a substantial element of the pastoral ministry.

The article pointed out, on the basis of the Hungarian Reformed confessions and articles concerning the topic of marriage, that early pastors and preachers did not cite directly the written heritage of Luther, Calvin or Beza. The different political and social situation in Hungary did not make possible to adapt completely the revolutionary thoughts of the reformers. This is why the contemporary local synods and edicts have been formulated first of all after the guidance of the Holy Scripture interpreted by the reformers. Thus, as we have seen, it is not possible to deny that content of the early Reformed articles shows so many similarities between the Western and Hungarian theological thinking, related to the fundamental 'three goals' of marriage, the questions of impediments, proclamation, divorce, age or annulment. Nevertheless, the closing fundamental remark is the following: John Calvin's theological and social ideas were certainly recognised in Hungary by the interpretation of Theodor Beza.

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