

Invalidity of the 'Synod of Diamper'

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Introduction

For centuries, the validity of the 'Synod of Diamper' (1599) was controversial among canonists and students of history. The adventurous spirit and inquisitive mind of Jonas Thaliath prompted him to take up this controversial issue. By a systematic and critical research Jonas Thaliath could prove the invalidity of the 'Synod of Diamper' beyond doubt. This year when we remember the centenary of the birth of late Bishop Jonas, 'The Synod of Diamper', his classical work in Canon Law, is apt to be studied.

The doctoral work which he successfully defended at the Gregorian University in 1952, is among the pioneer works that led to the renaissance of the Syro-Malabar Church in recent history.

Moreover, it is one of the best works done in the research and specialization in the field of Canon Law. Students of Canon Law look with admiration and awe at the meticulous and systematic argumentation that he presents in each chapter of the book.

In 1937, Fr. Gregório Magno Antão¹ of Goa, in a thesis for his doctorate in Canon Law in the Gregorian University, Rome, tried to defend the legitimacy of the 'Synod of Diamper.' He also thought that the Synod as such was approved by the Pope. He had given some attention to the secular custom of the St. Thomas Christians, in dealing with the Synod.²

Fr. Placid Podipara CMI also prepared in 1939 for the Congregation for the Oriental Churches, a brief study on the canonical force of the decrees of the Synod of Diamper in which the validity of the Synod of Diamper was challenged. Fr. Placid kindly passed this work to Jonas Thaliath. In spite of these two works, Jonas "was convinced, after having been fortunate to get many more new documents on the subject, there was enough scope for reconsidering the matter and covering new ground with regard to the history of the Synod and the canonical force of its decrees."³It gave added inspiration for Jonas Thaliath to take up the controversial theme to prove the invalidity of the 'Synod of Diamper.'

The work of Jonas, *The Synod of Diamper*, has a preface, bibliography, and six chapters. Chapter I forms an introduction and chapter VI outlines the conclusion of the book. In addition to it, in the appendix to the book we find 12 manuscript copies and editions of the Acts of the Synod of Diamper. He also provides a general Alphabetical index as

¹Jonas Thaliath, *The Synod of Diamper*, Roma: Pont. Institutum Orientalium Studiorum, 1958 (Reprinted Bangalore: Dharmaram Vidya Kshetram, 1999) ix: Jonas Thaliath acknowledges his indebtedness to Fr. Gregório Magno Antão of Goa for the information about four or five letters in *Fondo Gonfalonieri* (Vatican Archives), in which, among other things, there are some references to the Synod of Diamper. After directly verifying these with the original, Jonas Thaliath has utilized them for his dissertation in Canon Law in the Gregorian University, Rome. Similarly, it is to him that he owes information about the presence of an Italian manuscript of the Acts of the Synod of Diamper in the University Library of Genova, Italy.

²Jonas Thaliath, *The Synod of Diamper*, 217.

³Jonas Thaliath, *The Synod of Diamper*, ix-x.

well as an Alphabetical Index for the Acts of the Synod. Altogether the book runs to 238 pages (+ vii pages with Preface, Bibliography and Abbreviations).

1. Sources of his study

In the Preface to the book, Jonas introduces the Diamper Synod and how it became well known in Europe soon after its celebration in 1599, through the Portuguese account of Gouvea,⁴ which was translated into many other European languages. According to Jonas "it was a one-sided view that it presented and it was not fair in many things to the local Christians. The harm done was all the more serious, as it was the main document, through which Europe for the first time came to know in some detail about the St. Thomas Christians."⁵ Only after the native bishops attempts at reconsidering the history, basing it more on the traditions and documents of the locality did revisions begin to be made. In this direction, pioneer work was done by Frs. Bernard T.O.C.D and Emmanuel Nidiri. They began to contest many of the assertions found in Gouvea and the other historians depending on him. Fathers J. Panjikkaran and Placid T.O.C.D gave to this new current of thought more life and publicity.⁶ The scholarly contributions of Fr. George Schurhammer S.J, Mgr. Beltrami and Cardinal Tisserant, all threw into bolder relief the need for reconsidering the history of the St. Thomas Christians. In the four *Motu Proprios* of the Oriental Code with their sources of references, there is no mention of the Diamper Synod.

Jonas also comments in his Preface that it is unfortunate in not having a single source entirely free from Portuguese influence. There was also no contemporary story of the Synod of Diamper written by a representative of the St. Thomas Christians. The main sources for his doctoral dissertations were Gouvea's *Jornada* with the Acts of the Synod, and the letters of Jesuit Fathers from Vaipicotta preserved in the Jesuit archives in Rome. Contemporary Franciscan and Dominican letters had perished in a fire and Jonas did not succeed in getting any document of the period from their archives in Rome. Similarly, there was no document in the Roman Archives of the Augustinian Fathers to whose Order Menezes belonged. However, a considerable number of references in the Vatican Archives Library, and to some extent, in the National Archives (Torre do Tombo) in Lisbon, Portugal, were available for his research. According to Jonas, these above-mentioned materials helped him for reconstructing

⁴Gouvea (DE) A., according to Jonas, is the historian of Archbishop Menezes. His works are: (1) *Jornada do Arcebispo de Goa Dom Frey Aleixo de Menezes Primas da India Orenal religioso da Ordem de S. Agostinho. Quando foy as Serras do Malavar, & lugares em que morão os antigos Christãos de S. Thome, & os tirou de muytos erros & heregias em que estão, & reduzio á nossa Sancta Fe Catholica, & obediencia da Santa Igreja Romana, da qual passava de mil annos que estavam apartados* (Coimbra, 1606); (2) *Synodo Diocesano da Igreja e bispado de Angamale dos antigos christãos de Sam Thome das Serras do Malavar das partes da India Oriental* (Coimbra, 1606). These books of Gouvea gave a Portuguese version of the Synod. They were real treasures of Malabar Church history. Jonas comments that we hardly had any other account so detailed or vivid for that period. They gave a fairly correct idea of the many customs and practices of the people of that time. They were written and compiled mainly with the purpose of eulogizing the Portuguese missionaries and the missionary effort of Portugal. According to Jonas, *Jornada* has exaggerated, in many cases, the abuses prevalent in Malabar. These books of Gouvea are cited by Jonas in his work and he makes use of them in his work to prove his arguments that Synod of Diamper was an invalid one.

⁵Jonas Thaliath, *The Synod of Diamper*, x.

⁶Jonas Thaliath, *The Synod of Diamper*, x.

the Synod of Diamper and in one way they compensated for the lack of local witnesses.⁷

2. Historical background of the Synod of Diamper

Jonas, in his book *The Synod of Diamper*, through chapter I traces the historical background of the Synod of Diamper. The story of the Synod coloured as a victory of the Catholic Church in India, was spread and diffused throughout Europe by the publishing by Gouvea of *Jornada do Arcebispo de Goa...* together with the Acts of the Synod of Diamper. The book, which was soon translated into different European languages, perpetuated the false idea that the St. Thomas Christians had been living as heretics for more than a thousand years after the Roman communion and that they had been brought to the true fold within the space of a few months by the indefatigable labour of a zealous Portuguese prelate Alexis de Menezes, Archbishop of Goa.⁸ Jonas says that "it would have been nearer the truth if the Synod had been described as a step taken with the intention of binding more closely the St. Thomas Christians to the See of Rome. It is undoubtedly to the credit of the Synod that it clearly defined the Catholic doctrine at a time when this was most needed. It tried to reform, although with a Latin bias, some abuses that had crept into church discipline. But in doing so, thinking to strike at the root cause of all evil, the Synod did away with the rights of the Patriarch of Chaldea in communion with Rome over Malabar and established the Portuguese patronage instead. It will become evident that the Church of St. Thomas Christians, with all the errors and abuses that might have been present, was in union with and in obedience to the See of Rome, during the period under consideration."⁹

Jonas writes, "Missionaries, instead of minimizing the importance of many of these errors which had practically no influence on the people or the clergy, exaggerated and magnified them out of all proportion. They are, however, not to be blamed for this. They might have acted in all sincerity and perhaps with the best intentions, feeling obliged to act as they did. Those were the days of the Inquisition and it was its spirit that prevailed."¹⁰ Jonas, in his work 'Synod of Diamper', introduces the hero of the story, Archbishop Menezes of Goa. It was he who invalidly convoked the 'Synod of Diamper.' He was a member of the Order of St. Augustine and he hailed from one of the noblest families of Portugal, the Menezes. As soon as Menezes heard of the death of Mar Abraham which took place in 1597, he hastened to nominate Ros as administrator of the vacant diocese, Angamaly. But the archdeacon had already taken up the government in accordance with the tradition of the Church of St. Thomas Christians. The archdeacon opposed the archbishop's authority to intervene in the matters of the church of St. Thomas Christians. The archbishop however, "in a spirit of conciliation promised in return for a pledge, to have the proposed diocesan synod celebrated before Easter. But as the time fixed for the Synod lapsed, and as the archdeacon and others were temporizing, the archbishop began again exercising his authority, administering the sacraments, preaching about Nestorian heresy and obedience to the Pope."¹¹ Simultaneously, with negotiations to win the favour of the

⁷Jonas Thaliath, *The Synod of Diamper*, x-xi.

⁸Jonas Thaliath, *The Synod of Diamper*, 2.

⁹Jonas Thaliath, *The Synod of Diamper*, 2-3.

¹⁰Jonas Thaliath, *The Synod of Diamper*, 16-17.

¹¹Jonas Thaliath, *The Synod of Diamper*, 21.

king, Menezes tried to gain the good will of the Christians by showing kindness and magnanimity. Many people were attracted by this kindness but the archdeacon and priests continued to resist his intervention in the affairs of their church. To break their resistance, the archbishop's next move was to form a party in his favour. He thought out a well-designed plan. The archbishop administered ordination three times in the space of four months. The first ordination service took place at Diamper with the first batch of 38 priests, where eventually the Synod was conducted. The archbishop published a decree that those who desired ordination should come to Diamper. The next ordination was conducted at Kaduthuruthy. The third ordination was at Parur, with not less than 50 priests. Certainly, the number of the newly ordained could have well surpassed a hundred and it was mainly on this group that the archbishop relied for the conducting of the Synod. Winning over slowly a good part of the clergy and their families and friends, Archbishop Menezes became more confident of himself and began directly to confront the archdeacon and his party.¹²

After having prepared everything, Menezes retired to Kodungalore, a Portuguese fortress, where he completed, it is said, without anybody's assistance, the drafting of the decrees of the Synod from the notes he had taken concerning the customs and abuses prevalent in Malabar.¹³ When everything was ready, on June 9, 1599 Menezes went to Diamper to be there a little earlier than the commencement of the Synod. Of the invited, besides the people of Diamper and those who voluntarily came, and the deacons and sub-deacons and those in minor orders, there were 153 priests, 660 representatives of the people, making in all 813.¹⁴ The Synod began on June 20, 1599, and it ended on June 25, 1599. So the synod seems to have actually lasted only 6 days, of which the initial ceremonies took up two days. Hence, only 4 days seem to have been devoted to the reading and passing of the main body of decrees.¹⁵ According to the report of Gouvea, the Synod was very orderly except for one or two minor disturbances, and everybody was given the right and occasion to express his views and take a legitimate part in the proceedings. After the Synod the archbishop made another visit to the churches. The main scope of this visit was to put into execution the decrees of the Synod of Diamper. A decree was published, under excommunication, that all who possessed Syriac books should hand them over to the archbishop on his visit. Some of these books were corrected by Ros and some were solemnly burned by the archbishop dressed in pontificals. Many books perished in the fire.¹⁶

Archbishop Menezes entered Goa returning from the Church of Malabar on November 16, 1599, and before he left for Goa, he appointed the archdeacon as governor to rule the vacant diocese until the Holy Father provided a bishop. Sometime after the Synod of Diamper, on November 25, 1599, a letter was written in Latin and sent to the Pope by the archdeacon, giving information about the Synod and its works. Jonas writes that the poor archdeacon who had no knowledge of the Latin language was asked to put his signature where and when the Portuguese wanted. Soon the

¹²Jonas Thaliath, *The Synod of Diamper*, 22-25.

¹³Jonas Thaliath, *The Synod of Diamper*, 27.

¹⁴Gouvea, *Jornada*, f.66 as cited in Jonas Thaliath, *The Synod of Diamper*, 27.

¹⁵Gouvea, *Synodo Diocesano*, f.58v as cited in Jonas Thaliath, *The Synod of Diamper*, 31.

¹⁶Cf., J B. Chabot, *L'autodafé des livres syriaques du Malabr*, in *Florilegium ou recueil de travaux d'érudition dédiés à M. le Marquis Melchior de Vogüé à l'occasion du quatrevingtième anniversaire de sa naissance*, 18 oct. 1909, Paris, 615-623, as cited in Jonas Thaliath, *The Synod of Diamper*, 31.

appointment of the bishop was made and it was Ros. He had the favour and support of Archbishop Menezes and was nominated to the See of Angamaly. In 1608 the title of archbishopric was restored and Angamaly was freed from the metropolitan rights of Goa.¹⁷

Jonas in the first chapter of his book *The Synod of Diamper*, after sketching the historical background and the setting of the Synod of Diamper and the circumstances that led to it and the events that immediately followed, he examines the juridical value and the merits of the Synod. He asks the four following questions:¹⁸ (i) Was the council or synod legitimately convoked? (ii) Was it legitimately conducted? (iii) Was it approved by the competent authority? (iv) How and in what manner has consuetude later modified or not, the legal import of the council?

In view of arriving at the conclusion, the invalidity of the Synod of Diamper, Jonas does not discuss the decrees one by one (the decrees of the Synod of Diamper are so numerous and elaborate), but focuses on two questions only, i.e., regarding the legitimate conduct of the Synod and its subsequent approbations, and thus, Jonas devotes the rest of the chapters in the following way: Chapter II Of What Kind was the Synod? Chapter III: Convocation of the Synod, Chapter IV: Approbation of the Synod, Chapter V: Consuetude and Chapter VI: Conclusion. This is the schema that he follows systematically in his book.

3. Is the Synod of Diamper, a Diocesan Synod?

“Of what kind was the Synod?” is the theme that Jonas develops in the second chapter of his book *The Synod of Diamper*. The Synod of Diamper was one intended for the entire St. Thomas Christian community of Malabar. At the dawn of the 16th century there were five bishops in Malabar. The Metropolitan See seems to have been in Kodungalore. From 1569 Mar Abraham was alone in Malabar till his death in 1597. He had the title of the See of the Metropolitan of Angamaly which was the centre of the St. Thomas Christians. In spite of all other considerations, Diamper Synod was generally considered a diocesan Synod. It is so described in the convocatory letter and in the proceedings.¹⁹ In 1583, a few years before the Diamper Synod, a synod had been held at Angamaly by Mar Abraham with the aid of the Jesuits of Vaipicotta. It was always spoken of as a diocesan Synod, although the whole of the St. Thomas Christian community was represented at it. The situation had not changed much in 1599. Mar Abraham had died and now it was Menezes, claiming to be the lawful prelate of the St. Thomas Christians who convoked the Synod for the entire St. Thomas Christian Church.²⁰

Finally, the question is whether a council intended for a province *Ipsa Facto* becomes a provincial council, or should necessarily be participated in by more than one bishop pertaining to that province, before it can be so described. In our case, though the Synod of Diamper was held for a province, it was a council in which no one but Menezes exercised legislative authority. According to Jonas, there was no need of taking into consideration the presence of the archdeacon, who was at that time the administrator

¹⁷Jonas Thaliath, *The Synod of Diamper*, 32-34.

¹⁸Jonas Thaliath, *The Synod of Diamper*, 35.

¹⁹Jonas Thaliath, *The Synod of Diamper*, 36-37.

²⁰Jonas Thaliath, *The Synod of Diamper*, 37-39.

of the Church, for the simple reason that although given some preferential signs of honour, he was considered just one of the priests taking part in the Synod, and had no legislative power, the archbishop being the soul law-giver.²¹

In a letter written by Pope Gregory XIII to Mar Abraham, he asks him to attend the provincial council of Goa on the supposition that it is impossible for the prelate of the St. Thomas Christians to hold a provincial council. Thus, Jonas concludes that any Synod celebrated for the St. Thomas Christian Church in 1599 by its legitimate prelate, according to the Sacred Canons is to be considered a diocesan synod and not a provincial council.²²

4. The Legitimacy of the Convocation of the Synod of Diamper

According to Jonas the legitimacy of the convocation of a synod depends mainly on three factors:

1. Whether the one who convoked the Synod had a legitimate title to do so.
2. Whether those who had the right to attend the Synod were formally invited.
3. Whether those who should have been there were excluded or were actually welcomed or present?²³

In the above mentioned three factors, Jonas argues that we need only to discuss the first of these conditions in detail. To his mind, the second question, whether all those who had the right to attend were legitimately invited, there is no room for any doubt. It is because by the convocatory letter each and every priest was called to the Synod under the pain of excommunication *latae sententiae*.²⁴ With regard to the third point, a difficulty must be raised concerning the invitation extended to laymen to participate in the Synod. Four men elected from each parish were to be present at the convention. On the subject of introduction of lay men to the diocesan synods, Pope Benedict XIV observed that introduction of lay men to the diocesan synods was a practice (not so very rare in the ancient discipline of the Church.)²⁵ He also concedes that under certain conditions they could nevertheless be admitted, provided they do not take part in the voting.²⁶ To invite laymen to the Synod of Diamper was in tune with the ancient custom among the St. Thomas Christians of Malabar for their lay representatives to attend the ecclesiastical conventions.²⁷ So the convocation of the laymen to the Synod of Diamper was in order and legitimate. The only question left, and this is the most important one, is whether the convenor Menezes had in reality the legitimate title, ordinary, or was he delegated to convoke the Synod. ²⁸

²¹Jonas Thaliath, *The Synod of Diamper*, 39-40.

²²Jonas Thaliath, *The Synod of Diamper*, 39-40.

²³Jonas Thaliath, *The Synod of Diamper*, 41.

²⁴Jonas Thaliath, *The Synod of Diamper*, 41.

²⁵Benedictus XIV in *De Synodo Diocesana*, III, IX, VIII says, “*Non prorsus ab antiquis moribus alienum fuisse arbitramur, ut ad istas (diocesanarum synodos) pariter quandoque laici introducerentur.*” as cited in Jonas Thaliath, *The Synod of Diamper*, 41.

²⁶Benedictus XIV in *De Synodo Diocesana*, III, IX, and VIII as cited in Jonas Thaliath, *The Synod of Diamper*, 41.

²⁷Laymen participated in the Synod which took place at Angamaly in 1583 in Giamil S., (ed.), *Genuinae relationes inter Sedem Apostolicam et Assyriorum Orientalium seu Chaldaeorum Ecclesiam* (Rome, 1902) as cited in Jonas Thaliath, *The Synod of Diamper*, 42

²⁸Jonas Thaliath, *The Synod of Diamper*, 43.

Jonas in his work proves that Archbishop Menezes of Goa had no legitimate title to convoke a diocesan Synod in Malabar. This argument he powerfully works out in Chapter III of his book. He was authorized by Pope Clement VIII in two of his letters (of 27 January 1595 and of 21 January 1597) addressed to him, to entrust the whole government of the Diocese of Angamaly in Malabar to Menezes, until Rome appointed a new bishop for the diocese. Thus in the inaugural address he says: "That he was celebrating this Holy Synod by virtue of the two briefs of the Holy Father Clement VIII, by which His Holiness had entrusted him with the government of the Church."²⁹ But Jonas in his book powerfully argues that these letters of Pope Clement VIII which Archbishop Menezes cites gave him no power whatever to conduct the Synod of Diamper³⁰. Therefore, the convocation itself was unauthorised, manipulated and invalid.

5. Approbation of the Synod

It was Raulin, according to Jonas, who explicitly affirmed for the first time that the Synod and its acts were approved by the pope. Jonas, by citing the work of Cyril Korolevskij,³¹ affirms that the Holy See many times enforced observance of the Acts of the Synod. Jonas concludes that it was with Raulin's edition the Synod of Diamper came to be well known in Rome, and from that time the *Congregation of the Propaganda Fide* began enforcing one or the other of the decrees. Finally, Jonas proves authoritatively that Menezes had no authorization to convoke the Synod of Diamper. He did not even actually intend to celebrate a diocesan Synod proper, he did not conduct the Synod following the formalities. Menezes also secretly added many decrees to the original decrees. Hence, Jonas concludes in the fourth chapter of the book entitled, 'The Approbation of the Synod' in the following way: "Until and unless one produces a document of the Holy See, the Synod stands as invalid because of the following grave and substantial defects of (i) the lack of authority in the one who convoked it, (ii) the absence of intention in the one who conducted it, (iii) the lack of form in the manner of holding it, and (iv) the lack of integrity in the text promulgated."³² With these conclusions Jonas takes us to the chapter V in which he takes up the consuetudes (customs) which were introduced by the Synod of Diamper among the St. Thomas Christian community of that time.

6. Consuetude

In chapter V of the book, through the title 'Consuetude' Jonas argues that in the course of time the decrees of the Synod of Diamper became the basic Code of Church legislation for Malabar. Because of the continuous application of the decrees by the prelates who governed Malabar and who erroneously considered the Synod a valid one, many of the consuetudes or customs grew up in the St. Thomas Christian

²⁹Jonas Thaliath, *The Synod of Diamper*, 47-48.

³⁰Jonas Thaliath, *The Synod of Diamper*, 110-111.

³¹ Cyril Korolevskij, *Classification et valeur des sources connues de la discipline chaldéenne, in Codificazione canonica orientale*, Fonti, fasc. VIII, *Studi storici sulle fonti del diritto canonico orientale* (Rome, 1932) as cited in Jonas Thaliath, *The Synod of Diamper*, 155.

³²Jonas Thaliath, *The Synod of Diamper*, 156.

community. Citing A. Coussa's work,³³ Jonas argues that some of the Acts of the Synod of Diamper overstep the limitations of the legislative powers of a Latin Ordinary to govern Orientals. According to him, "even the Holy See with its plenitude of power seems not to have done anything on the same scale in changing established customs and liturgy and in imposing new obligations."³⁴ Many of the innovations introduced by the Synod were sustained and continued by later legislations.³⁵ Similarly, some of the consuetudes, although long accepted in a Church, might be not in consonance with the spirit of that Church, and thus should be considered wanting in a necessary quality required of a legitimate consuetude, namely, *rationabilitas* (reasonability).³⁶ Jonas argues that "some of the changes introduced in the Syro-Malabar liturgy by the Synod of Diamper are certainly not in conformity with the general spirit which pervades that liturgy, and as such, need not be considered to have gained stability by mere continued use."³⁷ In Jonas's opinion no one considers Diamper Synod as a supplementary source. In case there happens to be areal need, it is to the Latin Code that the Syro-Malabar Church looks as a directive norm. Prophetically, Jonas warns that it will continue to be so until the Oriental codification is completed.³⁸

7. Conclusion

The book of Jonas titled, *The Synod of Diamper*, brings out his arguments in his last chapter titled 'Conclusion' to convincingly prove the invalidity of the Synod of Diamper. Jonas brings out four arguments to prove the invalidity of the Synod of Diamper:

1. Archbishop Menezes lacked the authority to convoke the Synod. Because the cited letters of Pope Clement VIII do not authorize him to convoke the Synod of Diamper. The briefs did not say a word about the conduct of a diocesan Synod. Nor can it be said that such faculties were contained implicitly in them. The main authorization of the briefs given to Menezes was to nominate a vicar apostolate for the vacant See of Angamaly. The Synod of Diamper had actually nothing to do with the nomination of a vicar apostolic. Thus, according to Jonas, both the titles put forward to legitimize the Synod fall, and therefore, he concludes that Menezes invalidly convoked the Synod of Diamper.³⁹
2. Archbishop Menezes' intention of the convocation was not for healthy deliberations in the Synod but to impose his decrees on the Christians of Malabar. Menezes had no right to give ordination in Malabar. For the sake of winning for himself a party in the Synod he ordained 30 or 50 priests in two batches within the space of three or four months. He had his way to a great extent owing to the help of native kings who intimidated the Christians with

³³A. Coussa, *Epitome Praelectionum de iure ecclesiastico orientali*, vol. III, *De Matrimonio* (Rome, 1950) 220, as cited in Jonas Thaliath, *The Synod of Diamper*, 165.

³⁴Jonas Thaliath, *The Synod of Diamper*, 165.

³⁵Jonas Thaliath, *The Synod of Diamper*, 167.

³⁶Wernz F. X., *Jus Decretalium*, t. I (Rome, 1913) n. 190: The possibility of forming consuetudes or customs can be of *praeter legem* (beyond the law) or *contra legem* (contrary to the law) through error. He maintains that "a consuetude is to be considered unreasonable when it is manifestly opposed to reason, special attention being given to the nature of an ecclesiastical institution," as cited in Jonas Thaliath, *The Synod of Diamper*, 162-7.

³⁷ Jonas Thaliath, *The Synod of Diamper*, 167.

³⁸Jonas Thaliath, *The Synod of Diamper*, 168.

³⁹Jonas Thaliath, *The Synod of Diamper*, 170.

threats of serious punishments. During the Synod things were done quite arbitrarily. According to Jonas, we have the irrefutable witness of Ros himself to show that in the beginning Menezes had no intention of convoking a formal diocesan Synod. He had in mind only the giving of a directive norm for the Church of the St. Thomas Christians. Only after the convention was over, when everything had gone well beyond his expectations, did the archbishop want to affix to the gathering at Diamper the former title of a Diocesan Synod.⁴⁰Therefore, the absence of proper intention in Archbishop Menezes who convoked and conducted it, makes his act invalid.

3. Archbishop Menezes did not take care of the legitimate formalities of conducting a Synod. According to Jonas, the witnesses of Menezes' whole-hearted co-operators, Ros and two other Jesuit Fathers, confirm that Menezes held the Synod by committing grave irregularities. Ros has said absolutely, according to Jonas, that not a single one of the prepared decrees was discussed and changed. Moreover, the decrees were read in Portuguese which neither the laymen nor the priests understood. And at the end they were obliged to sign a translation in Malayalam, the contents of which they were given no opportunity to study. According to Jonas it was only due to Ros's insistence that they consented to affix their signatures.⁴¹Therefore, it lacked the canonical form of conducting a synod. Thus, it was invalid.
4. Archbishop Menezes, a few months after the Synod when he was in Goa interpolated a few more decrees into the original text of the Synod. Menezes took the liberty of adding more canons *ad libitum* after the Synod was over and of inserting them in the body of the text.⁴²Therefore, there is the lack of integrity in the text that he promulgated. Thus, Jonas outstandingly establishes the invalidity of the 'Synod of Diamper' and he convincingly concludes that the invalidity of the Synod of Diamper stands proved.

⁴⁰Jonas Thaliath, *The Synod of Diamper*, 170-171.

⁴¹Jonas Thaliath, *The Synod of Diamper*, 171.

⁴²Jonas Thaliath, *The Synod of Diamper*, 171: It was this revised text that was sent to Rome for papal approbation. Without knowing the full story, Pope Clement VIII issued the brief *Divinam Dei* in 1601, showing his satisfaction at the work accomplished and bestowing his apostolic blessing on Menezes and his endeavors, especially in the conduct of the Synod. But, the brief did not contain any formal approbation of the Synod as such, even in an implicit way.