KVHAA KONFERENSER 95

Dominus Episcopus

Medieval Bishops between Diocese and Court

Editors:
Anthony John Lappin with Elena Balzamo

Konferenser 95

KUNGL. VITTERHETS HISTORIE OCH
ANTIKVITETS AKADEMIEN

Dominus Episcopus. Medieval Bishops between Diocese and Court. Kungl. Vitterhets Historie och Antikvitets Akademien (KVHAA), *Konferenser* 95. Stockholm 2018. 267 pp.

Abstract
This volume publishes the results from a conference held in 2015 on "the lord bishop", *Dominus Episcopus*, discussing various functions and roles of bishops during the Middle Ages, covering the early to the late medieval period in mainly Northern Europe (England, Sweden, Denmark and Germany) and also Spain. For the early medieval period, the bishops' role in relation to and upholding canon law in pre-Viking Anglo-Saxon England is considered, moreover their role in everyday pastoral activities, as well as their relation to monasteries. For the middle medieval period, the role of bishops in warfare, especially in relation to the crusades, is discussed, but also their behaviour in relation to (and violations of) ecclesiastical norms and regulations. Lastly, Scandinavian bishops and their political and military involvement during the late medieval period, the Castilian episcopacy and their relation to the royal court, and finally three archbishops competing over the archbishop's see in Uppsala in the late medieval period are discussed.

Keywords:
Episcopacy, bishop, diocese, church organization, canon law, Middle Ages

ISBN 978-91-7402-463-0
ISSN 0348-1433

Publisher	Kungl. Vitterhets Historie och Antikvitets Akademien (KVHAA, The Royal Swedish Academy of Letters, History and Antiquities) Box 5622, SE-114 86 Stockholm, Sweden http://www.vitterhetsakad.se
Distribution	eddy.se ab, Box 1310, SE-621 24 Visby, Sweden http://vitterhetsakad.bokorder.se
Illustrations	See captions
Cover image	The Lewis Chessmen, *c.* 1150–1175. © The Trustees of the British Museum
Cover design	Bitte Granlund/Happy Book
Graphic design	Bitte Granlund/Happy Book
Printed	in Sweden by DanagårdLitho, Ödeshög, Sverige 2018

Contents

GENERAL ABBREVIATIONS

APA Archivio Penitenziario Vaticano.

ASB *Gamla papper angående Mora socken*: vol. 2. *Arvid Siggessons brevväxling*, ed. L. Sjödin, (Västerås: Bergh., 1932).

ASV Archivio Secreto Vaticano.

BSH Styffe, C.G. 1859–1884. *Bidrag till Skandinaviens historia ur utländska arkiver* (5 vols., Stockholm: Norstedt): vol. III. *Sverige under Karl Knutsson och Kristiern af Oldenburg, 1448–1470* (1870); vol. IV. *Sverige i Sten Sture den* äldres *tid, 1470–1503* (1875); vol. V. *Sverige under de yngre Sturarne, särdeles under Svante Nilsson, 1504–1520* (1884).

COD *Conciliorum oecumenicorum decreta*, eds. G. Alberigo, J.A. Dossetti, P. Joannou, C. Leonardi, P. Prodi & H. Jedin (2nd edn, Basel: Herder, 1962; 3rd edn, Bologna: EDB, 1973).

DD *Diplomatarium danicum*, ed. Det Danske Sprog- og Litteraturselskab (Copenhagen: C.A. Reitzels, 1938–): vol. I.3. *Diplomer 1170–1199 & Epistolæ abbatis Willelmi de Paraclito*, eds. C.A. Christiensen, H. Nielsen & L. Weibull.

DN *Diplomatarium norvegicum*: *Oldbreve til kundskab om Norges indre og ydre forhold, sprog, slægter, sæder, lovgivning og rettergang i middelalderen* (23 vols., Oslo: Norsk historisk kjeldeskrift-institutt, 1849–2011).

FMU *Finlands medeltidsurkunder I–VIII*, ed. R. Hausen (Helsingfors: Staatrådets tryckerie, 1910–1935): I. *–1400*; II. *1401–1430*; III. *1431–1450*; IV. *1451–1480*; V. *1481–1495*; VI. *1496–1508*; VII. *1509–1518*; VIII. *1519–30*

GIR *Konung Gustav den förstes registratur*, ed. J.A. Almqvist *et al.* (29 vols., Stockholm: Norstedt, 1861–1916), I. *1521–24*; II. *1525*; III. *1526*; IV. *1527*; V. *1528*; VI. *1529*; VII. *1530–31*; VIII. *1532–33*; IX. *1534*; X. *1535*; XI. *1536–37*; XII. *1538–39*; XIII. *1540–41*; XIV. *1542*; XV. *1543*; XVI. *1544*; XVII. *1545*; XVIII. *1545–47*; XIX. *1548*; XX. *1549*; XXI. *1550*; XXII. *1551*; XXIII. *1552*; XXIV. *1552–53*; XXV. *1555*; XXVI. *1556*; XXVII. *1557*; XXVIII. *1558*; XXIX *1559–60*

GL Gneuss, H. & M. Lapidge, 2014. *Anglo-Saxon manuscripts: A bibliographical handlist of manuscripts and manuscript fragments written or owned in England up to 1100* (Toronto: University of Toronto Press).

HH *Historiska Handlingar* (40 vols., Stockholm: Kungl. Samfundet för utgivande av handskrifter rörande Skandinaviens historia, 1861–1979): vol. VIII, ed. C.G. Styffe (1879).

HS Haddan, A.W. & W. Stubbs, eds. 1869–1879. *Councils and ecclesiastical documents relating to Great Britain and Ireland* (3 vols., Oxford: Clarendon Press).

HSH *Handlingar rörande Skandinaviens historia* (40 vols., Stockholm: Kungl. Samfundet för utgivande av handskrifter rörande Skandinaviens historia, 1816–1860).

PL *Patrologia Latina*, ed. J.-P. Migne, 221 vols. (Paris: the editor, 1841–1865).

RPR *Regesta Pontificium Romanorum ab condita ecclesia ad annum post Christum natum MCXCVIII. Edidit Philippus Jaffé*, 2nd edn, eds. S. Loewenfeld, F. Kaltenbruner & P. Ewald, vols. I & II (Leipzig: Veit).

S Sawyer, P.H. 1968. *Anglo-Saxon charters: An annotated list and bibliography* (London: Royal Historical Society), revised and updated S. Kelly, R. Rushforth *et al.* http://www.esawyer.org.uk/about/index.html

Introduction

Anthony John Lappin

Dominus episcopus, "the lord bishop", the usual means of referring to a diocesan in the Middle Ages and making reference to both temporal lordship and ecclesiastical position, has offered a way into conceiving of what a medieval bishop might have been. There have been excellent collections on the crucial role of the ideas of and ideals for bishops, or providing monographic studies of individual bishops.[1] Here, we have attempted something else. The "big idea" was to take various aspects of the bishops' role—what might anachronistically be described as the items one could reasonably expect to find occupying space on their in-tray—and take specific historical examples to illustrate the activity. The result was a conference generously hosted by The Royal Swedish Academy of Letters, History and Antiquities in Stockholm, and further supported by the Society for the Study of Medieval Languages and Literature; we were able to invite scholars at varied stages of their career, from doctoral student to professor, and from lands bathed by the Baltic and the North Sea, to welcome interested graduate students from the United Kingdom to take part in our deliberations, and to benefit from discussions with locally-based medievalists.[2] This allowed a wide-ranging discussion at the time and since. All of these elements have shaped the present volume.

The articles have been arranged in roughly chronological order, from the point at which their focus begins. The emphasis of subject-matter has tended to be Northern European (three articles focusing on England, two on very late medieval Sweden, one on Denmark, on Scandinavia more generally, and on Germany; and with only one primarily concerned with Spain), although authors have been alive to the wider questions suscitated by their material. Yet, even so, it would be pointless to attempt to defend the scope of the volume; one cannot but be painfully aware of what it does not

1 Such as the collected essays in Danielson & Gatti 2014; Ott 2015; Dunning 2010.

2 *Dominus Episcopus: Medieval Bishops in their Dioceses*, 3 December 2015, The Royal Swedish Academy of Letters, History and Antiquities, Stockholm.

contain, or what is briefly touched upon, or what is only scattered through the various articles of the volume.

Dominus episcopus, then, "the lord bishop". The episcopal, the churchy, side of bishops, their enthronement at the apex of a diocesan structure of parishes and archdeaneries, interspersed by foundations of monks, canons and nuns; the integration of bishops within the superstructure of the archdiocese and its archbishop, and then, upwards and, generally, southwards, to the Roman curia of deacons and cardinals, and, finally, His Holiness, the lord pope. Yet these structures and methods of organization were in consistent evolution, responding to and creating their own pressures and projects, demanding income and expenditure, requiring maintenance and intervention.

If we take the theme of our opening paper, Ryan's 'Bishops and canon law', one should note the focus: a bishop using canon law, to some extent defining an approach to canon law. Ryan does not look at the definition of the bishop in canon law, how canon law could circumscribe a bishop's action, determine his responses, or provide avenues for the resolution of problems: this would have required a very different type of article, and moved us away from our wish to focus on Aristotelian accidents rather than Platonic essences, from living organism to ideal type (although failure to match even a minimally ideal type, through infraction of canonical rules, is the central focus of Salonen; and responses to conciliar legislation is treated sporadically by Lappin). There is no question that the legal development of the bishop is of great importance, and would illuminate the progressive changes in thinking about pastoral and administrative responsibilities over the course of the Middle Ages. Indeed, scholars of canon law have used the abundant case law and decretals most fruitfully to discuss, for example, medieval attitudes to wedding and bedding. Yet, for our purposes, it should be observed that in the great canonical *summae* of the 13th and early 14th century the legislation and commentary on the undoubtedly fascinating issues of sex and marriage are dwarfed by legislation and commentary on one single episcopal facet: the rights and duties of the bishop-elect. Again, bishop-elects are not directly treated in this volume, although Hemming Gadh, perhaps the most notorious (and longest-lasting) of all bishops-elect, gains a villainous walk-on part in both Skoog and Balzamo. There will be much to be gained in juxtaposing theory with practice, process with politicking in these fields. As an example of this, a steadily-darkening grey area is approached by Lauge Christiansen, who focuses upon the decreasing legitimacy of pluri-benificed bishops over the late 12th and early 13th centuries, with particular attention to the historical events connected to, and literary presentation of, Absalon, bishop of Roskilde and, concurrently, archbishop of Lund, during a period of intense instability in the Danish kingdom.

Pastoral care, the duty of the bishop to his flock, is treated explicitly by Moilanen: preaching was seen as perhaps *the* episcopal duty within his diocese, part of his obliga-

tion to foment good doctrine and encourage Christian charity.[3] Yet here, the primary responsibility is delegated: the Anglo-Saxon bishop requests (and of course receives) homilies from a subordinate designed for episcopal delivery in the first instance, and then subsequently copied and distributed as examples of suitable preaching. Delegation by the bishop was inevitably part of the job; in fact, the difficulty may not have been in delegation of itself, but in finding clerics or monks capable of acting for the bishop; and so, perhaps, our depiction of the episcopal in-tray should have given rather more weight to the creation of cathedral monasteries and chapters. Indeed, when speaking of "a bishop", one is usually also referring to his team of sophisticated operatives keeping the various functions of a diocese in motion. Delegation in a less administrative and more political sense is discussed by Vidal Doval: bishops relying upon mendicant preachers to achieve their ends, as they were drawn into an increasing conflict with the Castilian crown. This sort of symbiosis might well have been already long-lasting: the bishops' grateful reliance upon mendicants as diocesan preachers, often against heresy, might be traced from their very inception in the first half of the 13th century. Another aspect of dependence upon mendicants is outlined by Välimäki: inquisition into heresy, where the legal control exercised by the bishop could hold back the swivel-eyed self-appointed persecutor, but also allowed him to refer matters—with an evident sigh of relief—to trained and experienced inquisitors who could also stand aloof, in a way a bishop might not wholly, from local politics and pressures.

Finally, there was the bishop's involvement in war *as a bishop*: as Villads Jensen shows, war—and particularly the bloody slaughter of the evil-doer—could be a holy, indeed sacramental, activity; and bishops could take a full role in the organization and care of the troops, held back only by caution that they "should not spill blood"—an injunction often, as with the tribunals of the inquisition, taken in an extremely literal fashion—that they themselves should not personally spill actual blood there and then. Here, though, Villads Jensen can compare ideal bishops—those who gallop across fictional fields of epic grandeur, swinging their swords and scattering heads far and wide—and the practice of historical crusaders, whose sphere of action was perhaps more circumscribed the more they were surrounded by people who actually were familiar with the relevant canon law.

Dominus episcopus, again, "the lord bishop": the aspect of bishop being a *seigneur* should not be forgotten. And so warfare, the maintenance of castles, domination of land and taxation: these all form part of Swedish bishops' activities during the late 15th and early 16th century, as detailed by Skoog, who argues for their relentless political involvement in direct government of the country. The coherence shown by the Swedish bishops may also be detected amongst segments of the Castilian bishops during the 15th century, as shown by Vidal Doval. Such bishoply *esprit de corps* takes us back

3 Brundage's *magnum opus* (1987) is a case in point.

to Ryan's sketching of an early Anglo-Saxon episcopal identity and the comparison he draws with the Carolingian bishops beyond the Channel.

Yet, in criticism of our work, one would still need to observe that the management of episcopal properties is treated to no systematic overview, although there is some discussion of the creation and management of prebends in Lappin. The spiritual and temporal are brought together in the final essay in the volume, by the co-organizer of the conference, Elena Balzamo, who describes a key moment in what might be termed the end of the medieval bishop, when *raison d'état* intervened definitively in the appointment of bishops, and eager Protestants were conscripted into a Reformation of revenue streams to the royal coffers and of political agency beneath the newly-national king of Sweden.

One importantly repeated focus of these articles is also a consideration of the nature of the evidence that they can muster. Of course, this is most acute during the earlier part of the Middle Ages, where sources are few and are rarely explicit with the type of details we would prefer. Thus Ryan resurrects a neglected canonistic source to shed light upon the learning and political activity of its author—another virtuoso unpicking of carefully crafted (and cunningly disguised) allusion. Moilanen looks at preaching in Latin and vernacular as composed for Anglo-Saxon bishops, and uses the material evidence of the manuscripts to trace a path of how these works were used by the diocesan, copied, excerpted, and trickled-down to a wider audience. Lauge Christensen, in order to discuss the initially-tolerated but later condemned phenomenon of episcopal absolutism must wrestle with the affidability of the single, major source—Saxo's *Gesta Danorum*—and struggle furthermore with its wittily, diabolically, playful and allusive Latin (he was not called *Grammaticus* for nothing). Villads Jensen compares literary and canonical source material. With Lappin, however, and the 13th-century episcopal registers, something like a paper-trail begins to subsist—and, although charting a course through the material is laborious, given often obscure methods of compilation in the registers and even obscurer methods of editing them in the 19th century—the focus can move more onto definitive events and the consistent actions of individuals, as can also be found in the 16th century with Skoog; similarly Välimäki pieces together inquisition records and correspondence, and Salonen is able to build a paternity case against a previously unsuspected Danish bishop due to detective work in the Vatican archives; Rosa Vidal can extract evidence for episcopal–Franciscan collusion from the voluminous encyclopaedic work by Alonso de Espina, *Fortalitium fidei*, as well as a counter-blast led by *littérateurs* in an opposing archiepiscopal circle; and Balzamo can gauge her protagonist's attitudes, in the main, from their own writings.

Nothing that could be written about medieval bishops—let alone Late Antique, Nestorian, Byzantine, Renaissance, post-Reformation, post-Revolution bishops—could ever hope to be complete. And any story will by necessity be fragmentary, rather

like the glimpses of big cats caught by cameras in remote sites of tropical forests, which offer tantalizing glimpses of movement and action. The few frames in which we have been able to catch our lord bishops here will, we hope, be an excuse for further action-shots and future work.

BIBLIOGRAPHY

Brundage, J.A. 1987. *Law, sex and Christian society in medieval Europe* (Chicago: University of Chicago Press).

Danielson, S. & E.A. Gatti 2014. *Envisioning the bishop: Images and the episcopacy in the Middle Ages* (Turnhout: Brepols).

Dunning, R. ed. 2010. *Jocelin of Wells: Bishop, builder, courtier* (Woodbridge: Boydell).

Ott, J.S. 2015. *Bishops, authority and community in Northwestern Europe, c. 1050–1150* (Cambridge: Cambridge University Press).

Bishops and canon law in pre-Viking England:
Ecgberht's *Dialogus* in context

Martin J. Ryan

Introduction

Towards the end of the 7th century, a monk on Lindisfarne was composing a *vita* of St Cuthbert. Casting around for a means to encapsulate the episcopal virtues of his subject, he seized on a passage from Isidore of Seville's *De ecclesiasticis officiis*:

> For his [Cuthbert's] discourse was pure and frank, full of gravity and probity, full of sweetness and grace [...] His memory served him instead of books, he perused the canons, imitated the examples of the saints, fulfilled the duty of peace among his brethren.[1]

That the upholding of ecclesiastical law, canon law, was the especial duty of bishops was not a new idea in late 7th-century England or, indeed, in late 6th-century Spain.[2] Given that Cuthbert's biographer also drew extensively on 1 Timothy and the Epistle to Titus, it is tempting for the modern reader to skip over these comments, judging them mere hagiographical boilerplate. That Isidore's words were deployed again a few decades later by Stephen of Ripon, biographer of Cuthbert's near-contemporary Wilfrid, only adds to this sense.[3] Yet it is the very unoriginality of such sentiments that underlines their significance: a good bishop, indeed, a saintly bishop, knew his canon law. Whether Cuthbert did regularly peruse the canons matters less than the fact that his biographer understood that he should be presented as having done so.

An exploration of the nature of the medieval episcopacy necessarily has to devote attention to canon law: it governed bishops' interactions with each other, delineated

1 Translation, with modifications, from Colgrave 1940, 110–113. For a general survey of Isidore of Seville's influence on Anglo-Saxon England in this period see Ryan forthcoming.

2 E.g. Moore 2011, 80–83 or Isaïa 2015, 176–177.

3 Colgrave 1937, 24.

their authority over their subordinates, regulated their relationship to the laity, even shaped their specific liturgical roles.[4] More than this, canon law offers a means of understanding episcopal self-image. Synodal decrees, episcopal capitularies, even penitentials, can all show bishops thinking about themselves and about their place within Christian society.[5] This article explores evidence from the early Middle Ages, focusing predominantly on Anglo-Saxon England in the pre-Viking period, so roughly to the end of the 8th century. Central to the discussion will be the work of one specific episcopal canonist: Archbishop Ecgberht of York (d. 766). It considers the nature of canon law in the early Middle Ages and the distinctive problems presented by the English evidence, before exploring ways in which canon law might illuminate the Anglo-Saxon episcopate.

Early medieval canon law

To speak of canon law in the early Middle Ages is potentially misleading. There existed not so much law as a body of material, a corpus of sources that could be interrogated in the search for legal principles.[6] The boundaries of this corpus were imprecise and contested, expanding and contracting over time, and subject to continuous redefinition. Papal letters and synodal decrees were obvious sources to draw upon and were widely utilized, but the writings of the church fathers, of theologians and exegetes, and not to mention Holy Scripture itself, were also cited.[7] Though the authority of ancient pronouncements might be especially invoked—the "venerable canons"—more contemporary materials were also deployed. The correspondence of the Anglo-Saxon missionary St Boniface, for example, quickly became a potent source of authority for his disciples, to be placed alongside the writings of popes and the decrees of councils.[8]

If the source materials for canon law came perilously close to being limitless, they could also be contradictory—a fact of which early medieval canonists were well aware.[9] Assessing the relative authority of different sources was likewise far from straightforward: what weight, if any, did provincial and local synods carry beyond their immediate setting?[10] The rich record of the conciliar activity of the African church became a key source in early medieval Europe despite the bishops who had met in synod lacking

4 For summary see García y García 1967, 99–110, 207–225 and 361–371.
5 Patzold 2005, 355.
6 Brundage 1995, 22–23.
7 The *Collectio canonum Hibernensis* was particularly innovative in this regard, see Flechner 2012, 29–30.
8 Moore 2008, 21–28.
9 Austin 2004, 933 or Flechner 2012, 31–32.
10 Austin 2007, 44.

any formal authority outside their provinces.[11] Gallic councils from the same period, by contrast, were copied less widely.[12] Even the authority of the pope was not paramount.[13]

In practice, few approached the sources in their original state; predominantly access was mediated through canonical collections.[14] If these facilitated access to the materials nevertheless the existence of such collections added to the complexity and fluidity. Collections varied dramatically in size, scope, and organization. Certain collections could be particularly popular and widely-distributed—those compiled by Dionysius Exiguus, for example, or the *Collectio vetus gallica*—other collections were more restricted in circulation; a significant number are now represented only by a single manuscript.[15] If particular collections were especially influential, nevertheless no single collection was of paramount authority. The old idea, for example, that the *Collectio dionysio-hadriana* (supposedly requested from Pope Hadrian by Charlemagne) became the definitive canon law collection in the Carolingian kingdoms has by now been comprehensively unpicked.[16]

A reader's understanding of canon law was necessarily guided and shaped by the choices of the compilers of the collections to which they had access. Though authors did on occasion include prefaces setting out the justifications for their selections or their aims and intentions, the purpose of most collections can be grasped only by a careful consideration of their contents.[17] For a modern scholar, armed with printed editions and electronic corpora, this remains a daunting and formidable task; for a medieval reader it must have been harder still. Forgery was the most extreme authorial intervention, whether this took the form of the creation or confection of new texts—as in material from the Pseudo-Isidorian forgeries—or the reattribution of words to sources deemed more authoritative—as in the *Decretum* of Burchard of Worms.[18] Yet even when they stopped short of outright forgery, compilers could still alter or subvert the meaning of the texts they were copying.[19] Selection, rubrication, abbreviation, even the concatenation of particular passages or authorities could all determine the ways in which texts were read and understood. Witness, for example, the "mon-

11 Bof & Leyser 2016, 164.

12 E.g. Maassen 1870, 186.

13 Ubl 2007, 420–421.

14 The most detailed guide remains Maassen 1870; for more recent bibliography see Kéry 1999; and Fowler-Magerl 2005.

15 See the information in Kéry 1999. For the distortions inherent in labelling particular manuscripts as containing particular collections see Firey 2000, 81–82; McKitterick 2004, 250–253.

16 E.g. Kottje 1965, 335–342; Mordek 1969; and Firey 2010.

17 For translations and analysis of a number of these prefaces, see Somerville & Brasington 1998.

18 For an introduction to Pseudo-Isidore see Jasper & Fuhrmann 2001, 137–195. For Burchard, see Austin 2004, 942.

19 Brett 2004, 208.

strous gloss" perpetrated by Dionysius Exiguus in the titling of a canon in the second edition of his collection, or the subtle distortion of Pope Leo I's views on betrothal at the hands of the Frankish clergy.[20] Nor were all such distortions necessarily intentional; shorn of supporting context, material could be easily misunderstood. Provisional judgements and temporary dispensations could be read as definitive pronouncements, and decisions only applicable to one very specific situation could take on a general significance.[21]

It was from this mass of material—this morass, even—that canon law had to be constructed.[22] This was at once a challenge and an opportunity. Inherited traditions were not infinitely flexible but they were malleable, capable of assuming new shape and new meaning. At the same time, appeals to tradition and to the venerable canons allowed change to be presented not as innovation but as restoration. Far-reaching transformations in the nature of the episcopal office or in the relationship between bishops, their clergy, and the laity could be couched in the language of *correctio* and *emendatio*.[23] The existence of divergent, even contradictory, traditions likewise stimulated debate, controversy, and communication. Those seeking evidence, advice, answers, or even simple reassurance, wrote to others, appealing to their wisdom, their canonical expertise, or the resources of their libraries.[24] Such correspondence would, in turn, become potential source material for subsequent canonists.[25]

Canon law in Anglo-Saxon England

For a long time, scholars viewed Anglo-Saxon England as distant from the European mainstream of canon law. Ecclesiastical legislation was to be found chiefly in royal law codes or in penitentials, not in the kinds of materials and collections that circulated on the Continent.[26] Such notions were strengthened by the extreme rarity of canon law collections in surviving Anglo-Saxon manuscripts. Indeed, prior to the 10th century there is a total absence of such texts.[27] This absence is all the more surprising given that a significant number of early Continental canon law manuscripts have Insular

20 For Dionysius Exiguus, see Bof & Leyser 2016, 167, and for Leo, see Reynolds 2001, 171.

21 As may have occurred with Gregory II's *Quod proposuisti*: see Kelly 1976.

22 For some of the qualities needed by the would-be canonist, see Wirbelauer 1993, 209.

23 For the principle, see Swanson 2016, 8. For a specific example, the reforming councils of Boniface and his circle, see Deutinger 2015, 111–114.

24 See below for such correspondence between Boniface and Ecgberht.

25 Brasington 2007, 73–122.

26 Elliot 2013, 33–96. More generally, Helmholz 2004, 25–40.

27 There are two possible exceptions: Cologne, Dombibliothek ms. 213 (*GL* 836)—a version of the *Collectio sanblasiana*—the provenance of which is much disputed: see, for example, McKitterick 1985, 110–115; and the brief collection that now forms London, British Library, ms. Cotton Otho A. i (*GL* 346): see Keynes 1996.

affinities, whether in terms of their script or provenance.[28] Particular collections may even have been compiled under the influence of or for the use of Anglo-Saxons active on the Continent: the Corbie redaction of the *Collectio vetus gallica*, for example, may be linked to St Boniface.[29] Likewise, some Anglo-Saxon ecclesiastical legislation was incorporated into Continental collections, such as the sections from the *Discipulus umbrensium* version of Archbishop Theodore's penitential that circulated with the *Collectio vetus gallica*, or the canons of the 672 synod of Hertford drawn on by the Pseudo-Isidorian forgers.[30] Texts also flowed in the opposite direction. Boniface, for example, sent details of the canons promulgated at his councils to Archbishop Cuthbert of Canterbury *c.* 747, while Charlemagne sent a Latin version of the acts of II Nicaea to Northumbria in the early 790s.[31]

It is also clear that certain Anglo-Saxon churchmen were themselves accomplished canonists. Archbishop Wulfstan of York (d. 1023) is the best known and most studied and the canon law collection associated with him—the unhelpfully named *Excerptiones Ecgberhti*—is one of the few Anglo-Saxon canonical collections to survive.[32] From the pre-Viking period, Wilfrid (d. *c.* 710)—sometime bishop in Northumbria and the original English turbulent priest—may be another example. Canon law or, rather, its violation, is a recurrent theme of Stephen of Ripon's *Vita Wilfridi*. He presents his hero as the persecuted champion of orthodoxy and the vigorous defender of the canons. Stephen may even have manipulated his information to bring particular events into conformity with canon law.[33] Whether Stephen's preoccupations reflect Wilfrid's own is ultimately unknowable. Wilfrid would certainly have had opportunity to gain expertise in canon law: in his youth he spent time at Lyons, where the earliest recension of the *Collectio vetus gallica* was put together.[34] Wilfrid may even have had a connection to the copy of the *Collectio sanblasiana* that is now Cologne, Dombibliothek, ms. 213 (*GL* 836). Certainly a number of the marginal annotations look to be glossing or highlighting passages that would have been of particular relevance to Wilfrid in his disputes with successive archbishops of Canterbury.[35]

28 McKitterick 1985, 115.

29 Körntgen 2006, 29–31; for implicit doubts Ubl 2007, 413.

30 For the former Mordek 1975, 86. For the latter see the use made of canons 2 and 3 of the council by Benedictus Levita: Baluze 1677, I, 951 (nos. 166 and 167).

31 For Boniface, see Tangl 1916b, no. 78; for comment, Vollrath 1986, 142, 150–156, and Cubitt 1995, 102–110. For Charlemagne and II Nicaea, see Arnold 1885, 53–54; and, for comment, Noble 2009, 241–242.

32 Cross & Hamer 1999; and Elliot 2013, 169–188. For the origin of the collection's name, see below note 102. The collection is further discussed by Moilanen in this volume, 51–80.

33 Isenberg 1978, 73–80. More generally, Foley 1992, 97–98. For a later suspicion falling upon an episcopal biographer, see Lauge Christiansen in this volume.

34 Mordek 1973, 55; Isenberg 1978, 73; and Wood 2013, 201.

35 Elliot 2013, 249.

Given this evidence, it is unsurprising that recent scholarship has shown the Anglo-Saxon church to be less isolated and less idiosyncratic in matters of canon law than long thought. Texts associated with the archiepiscopal school at Canterbury (founded by Archbishop Theodore and Abbot Hadrian in the later 7th century) have been mined extensively.[36] If the precise significance of this evidence remains disputed, nevertheless it is clear that canon law was a key subject at Canterbury and that canonical collections of the kind circulating on the Continent were in use there. Other texts—not least one associated with Archbishop Ecgberht of York—have confirmed these basic ideas and expanded the evidentiary basis. Church councils, particularly of the pre-Viking period, have likewise been the subject of intensive study, and the links between Anglo-Saxon synodal practices and Continental ones emphasized.[37] The Anglo-Saxon church was distinctive, with its own particular traditions and practices, but then so too was every other church in the early Middle Ages.

The nature of the early medieval episcopacy

The early medieval bishop has often appeared in modern scholarship as an aristocrat in clerical garb.[38] His power, outside the liturgical and sacramental duties of his office, has been frequently explained as the result of his own noble birth and the delegation of royal or imperial power.[39] Such approaches are neither unsurprising nor wholly inaccurate. Bishops were, overwhelmingly, of noble origin and complaints that they were behaving like secular lords were a constant of the period.[40] Such approaches are, however, partial and incomplete: bishops were also the possessors of a distinctive spiritual authority.[41]

Potentially, too, they formed a unified body, acting in concert in the pursuit of shared aims and in the fulfillment of shared and distinctive obligations. The question of conscious episcopal solidarity in the early Middle Ages remains a vexed one.[42] Regular councils and synods, for example, had the potential to establish and to affirm such solidarities, to create an "ideology of cohesion", but this potential need not always have been harnessed nor need collective episcopal identity always have been seen as impor-

36 E.g. Lapidge 1996, 160–162; Brett 1995, 120–140; and Elliot 2013, 256–267.
37 Most notably Vollrath 1986; Cubitt 1995; and Story 2003.
38 The phrase is from Patzold 2005, 358.
39 Patzold 2005, 358; and Jussen 1995, 677–679.
40 For an example of such complaints in an Anglo-Saxon context, see canon 7 of the Roman Synod of 680 edited in Levison 1912, 280–281; for identification of the original source, Levison 1930, 672–674.
41 Jussen 1995, 716; and Patzold 2005, 358.
42 Nelson 2016.

tant, desirable, or meaningful.[43] For the Carolingian Empire, for example, the reign of Louis the Pious (d. 840) looks to have been crucial, both for redefining the purpose and function of the episcopate and for fashioning a distinctive episcopal identity.[44] In the later Anglo-Saxon period, the writings of Archbishop Wulfstan of York likewise claim for the episcopacy a unique, collective role in the English kingdom. Drawing on Insular traditions as well as the wealth of material emanating from the Carolingian Empire, Wulfstan presented bishops as the guardians of earthly peace and prosperity and as chief counsellors of the king. They were, or should be, a cadre, acting in unity to ensure the salvation of the realm.[45]

For pre-Viking England, the evidence is scarce but in some ways suggestive. The surviving sources are dominated by religious communities—monasteries, or "minsters" in scholarly parlance—and so, too, is the critical literature.[46] Modern accounts of the pre-Viking church most often follow the contours of monastic development, with the story shaped by the rise and fall of monasteries across the period.[47] Bishops are not absent from such accounts but can easily take a backseat. Such approaches are unsurprising, for monasteries were intellectual, cultural, and economic powerhouses; nevertheless, there is much that can be gained by scrutinizing the religious history of this era through episcopal sights.[48] In particular, it allows for a rebalancing of the narrative of the 8th and early 9th centuries.

This period has long been viewed as a time of declining religious standards, with increasing lay control of monasteries and the secularization of religious life.[49] A bald description such as this clearly simplifies complex, and potentially disparate, developments. Ecclesiastical and lay, monastic and secular are not straightforward categories nor are the boundaries between them self-evident and unchanging. Practices acceptable to one generation might easily seem objectionable to another.[50] More importantly for present purposes, the response of bishops to perceived abuses in this period reveals an increasingly vigorous and assertive episcopacy.[51] Bishops were forced to delineate more precisely their own authority and to clarify, sometimes even reshape entirely, their relationship with the rest of the church and with wider society.

These processes are best observed through the conciliar record. The history of An-

43 The quotation is from Nelson 1986, 239.
44 E.g. Patzold 2008, 140–168; de Jong 2009, 176–184; and Nelson 2016, 368–369.
45 Giandrea 2007, 38–42; Gates 2015.
46 Coates 1996a, 177–179; Cubitt 2005, 273–274; and Hen 2009.
47 Hen 2009, 332, on Blair 2005; Higham & Ryan 2013 is similarly focused.
48 Here, Cubitt 1995 was path-breaking.
49 Godfrey 1962, 163–166; Brooks 1984, 177–180. For more recent comment, Cubitt 1995, 110–113; Blair 2005, esp. 79–134; Higham & Ryan 2013, 203–211.
50 E.g. Blair 2005, 90–91.
51 Pratt 2007, 46; Higham & Ryan 2013, 204.

glo-Saxon church councils begins, effectively, with the Council of Hertford convened by Theodore of Canterbury in 672.[52] Theodore's archiepiscopate represents an organizational watershed in the Anglo-Saxon church as well as a turning point in the authority of the bishop of Canterbury.[53] Theodore was the first such bishop whose authority was recognized by the whole of the Anglo-Saxon church and he himself may have been the first bishop of Canterbury to claim archiepiscopal rather than simply metropolitan status.[54] The Council of Hertford played a significant role in the changes Theodore's archiepiscopate brought about. At that council, Theodore produced a book of canons and identified ten that required especial consideration by the assembly; six of these canons concerned bishops.[55] Their net effect was to assert the territorial and jurisdictional integrity of dioceses and to regularize the interactions of bishops with each other and with the religious institutions under their authority.[56] The council also agreed that a provincial synod would be convened annually and would meet at *Clovesho*—a location that remains frustratingly unidentifiable.[57] Though the evidence is fragmentary, it does appear that synods were subsequently held on something approaching an annual basis, albeit not always at *Clovesho*.[58] Very few of these synods promulgated canons or, at least, very few sets of canons now survive.[59] Most of these councils are now known only through records of disputes aired or resolved there or through grants of lands and privileges issued on such occasions.[60]

After Hertford, the next council for which an apparently full set of canons survives is that which met at *Clovesho* in 747. The immediate stimulus for this meeting looks to have been a letter from Boniface to Archbishop Cuthbert of Canterbury, detailing synods held in Francia and entreating Cuthbert to root out various errors in his own province.[61] The canons promulgated at *Clovesho* represent a comprehensive statement of episcopal ambition, leaving few areas of religious life untouched.[62] The first seven canons set out the qualities and duties of bishops. They were to be of good character and works, abstemious and scholarly, and were to defend both the pastoral office entrusted to them and the institutions of the church.[63] Each year they were to tour

52 Cubitt 1995, 8–9.
53 E.g. Brooks 1984, 71–76; Vollrath 1986, 75–76.
54 Thacker 2008, 55–62.
55 Colgrave & Mynors 1969, 348–352.
56 Vollrath 1986, 70.
57 Keynes 1994, with discussion of suggested locations at 14–17.
58 Cubitt 1995, 18–25.
59 Cubitt 1995, 62–63.
60 Keynes 1994, 21–22.
61 See above note 31.
62 Cited by canon number from the edition in *HS*, 362–376. For wider discussion of the council see Vollrath 1986, 141–156; Cubitt 1995, 99–152; and Blair 2005, 111–117.
63 Canon 1.

their dioceses, making certain that those who rarely heard the Word of God received instruction and admonition.[64] Likewise, bishops were to ensure abbots and abbesses in their dioceses maintained proper standards and that even those monasteries under lay control received some form of priestly ministration.[65] Before ordaining a monk or cleric as priest, bishops were to enquire into their character and their knowledge of the faith.[66]

The first seven canons went beyond elucidating the character and responsibilities of individuals. The bishops who gathered at *Clovesho* decreed that devotion to inmost peace and to sincere charity should remain amongst them everywhere in perpetuity and that they should be as one in their speech, works and judgement, so that though their sees be separate and scattered nevertheless they might be joined in one spirit.[67] Statements of the need for fraternal peace and accord are not uncommon in the canons of church councils but the length of that promulgated at *Clovesho* is noteworthy. Moreover, a later canon makes reference to the calumnies of kings and nobles. They had, it claims, convinced themselves that members of the church were insincere in their affections towards them and begrudged them their prosperity and disparaged their way of life.[68] Although a long way from the complexities of later Carolingian and Anglo-Saxon ideas, there is here some emphasis on the unity of the episcopacy and an assertion of its separation and distinctiveness from the secular aristocracy.

The statements of peace and unity made at *Clovesho* would be repeated, almost verbatim, in the canons of the synod that met at Chelsea in 816.[69] It was, however, a council that would present a very different vision of the episcopacy to that set out 70 years previously. Convened by Archbishop Wulfred and comprising one of the opening salvos of an acrimonious and drawn-out dispute with King Coenwulf of Mercia over the control of certain monasteries in Kent, the council of Chelsea was a combative assertion—in places arrogation—of episcopal authority.[70] Abbots and abbesses were to be appointed by bishops and monastic property could be brought under episcopal control if religious life was threatened, the latter being justified, erroneously, by reference to the Council of Chalcedon.[71] The majesty of the episcopal office was underlined

64 Canon 3.
65 Canons 4 and 5.
66 Canon 6.
67 Canon 2.
68 Canon 30.
69 Cited by canon number from the edition in *HS*, 579–584. For the reuse of the 747 canon see Cubitt 1995, 193–194; for wider discussion Brooks 1984, 175–180; Vollrath 1986, 184–190; and Cubitt 1995, 191–203.
70 For the dispute, Brooks 1984, 180–191; and Brooks & Kelly 2013, 598–604.
71 Canons 4 and 8 respectively. For the appeal to Chalcedon, see Brooks 1984, 176; and Cubitt 1995, 196–197.

by the elaborate solemnities to be performed on the death of a bishop. Amongst other arrangements, a signal was to be sounded in every church in every district and all servants of the Lord were to assemble at the episcopal seat to recite 30 psalms for the soul of the departed. Afterwards, every abbot and bishop was to recite 600 psalters, celebrate 120 masses, and free three slaves. Subsequently all the servants of God would fast for a day.[72] The perdurable power of synodal judgements was likewise emphasized: what had been established by such decrees was to endure firm and incontestable. Kings and princes were warned to interfere in no way with the written edicts attested by their predecessors—a telling admonition, given that the episcopal scriptorium at Canterbury was engaged in the forgery of just such documents around this time.[73]

The driving force behind the positions adopted at Chelsea was undoubtedly Archbishop Wulfred and the canons promulgated reflect something of his vision of the formidable authority of his office. The forgeries produced at Canterbury during his archiepiscopate, under his auspices and perhaps by his own hand, further supplement this. What is purported to be a charter of privileges issued by King Wihtred of Kent (d. 725), sets out a clear distinction between secular and ecclesiastical authority.[74] Wihtred is made to condemn any lay control of ecclesiastical lands and to acknowledge the central role of the episcopacy in appointing abbots and abbesses, "for nothing in this pertains to the power of the secular king". To the king, instead, belonged the power of appointing princes, reeves, and other secular leaders ("principes . prefectos . seu duces seculares"); to the metropolitan bishop belonged the rule and governance of the church and the appointment, consecration, and admonition of abbots, abbesses, priests, and deacons. However conventional such statements may now seem, they represented a far-reaching assault on the religious status quo.[75] Lest Wihtred's privilege alone prove insufficient, the Canterbury scriptorium also forged a confirmation by King Æthelbald of Mercia. According to this, Wihtred's charter had been read before a council at the request of Æthelbald, and all present declared a decree more noble or wise could not be found.

Wulfred's rule marks a high point of archiepiscopal ambition in Anglo-Saxon England—he was an exceptional man, in exceptional circumstances. Yet the province of Canterbury was itself distinctive in certain ways. The archdiocese cut across political boundaries and a bishop's obedience to his archbishop could trump even his loyalty to his king.[76] Likewise, elevation to the episcopacy could take a churchman far from his

72 Canon 10.

73 Canon 8. For the forgeries, Brooks 1984, 191–197; Cubitt 1999; Brooks & Kelly 2013, 310–313 and 342–346.

74 S22, cited from Brooks & Kelly 2013, no. 8. For discussion, Cubitt 1995, 188–189.

75 Brooks 1984, 183–186.

76 For the extent of the Canterbury archdiocese see Higham & Ryan 2013, 1. For loyalty to archbishop rather than king see Chaplais 1978; Brooks 1984, 80.

own kingdom. Certain appointments of this sort may have been royal strategies—a form of religious overlordship—but it must have been difficult for a king to ensure the continuing loyalty of distant subjects.[77] That successive archbishops especially cultivated episcopal obedience is suggested by the series of professions surviving from the later 8th century onwards.[78] Though such professions of obedience to an ecclesiastical superior were long established by this period, the Canterbury professions are distinctive for two reasons. First, the individual professions survive in written form, the earliest to do so in Western Europe.[79] Second, the pledges of loyalty and obedience that they contain are more involved and more elaborate than near-contemporary Continental examples and, indeed, later English ones.[80] The professions were also more than simple pledges of obedience and loyalty. In them, bishops-elect affirmed their own religious orthodoxy and bona fides—even in some cases promising to uphold the sacred canons, the ancient synods, and the decretals of popes—thus casting the archbishops who received these professions as the guarantors of right faith and tradition.[81]

Thus far the discussion has focused on sources from the Canterbury province, from the southern archdiocese. For York and the northern archdiocese, co-terminous with the kingdom of Northumbria, the material is of a very different nature. There is, in essence, an evidentiary divide between north and south in the pre-Viking period. In Northumbria narrative sources are plentiful but documentary ones almost entirely absent, whilst for the south the situation is effectively reversed. The late 7th and early 8th centuries witnessed a flurry of textual production in Northumbria. Amongst works produced were five episcopal hagiographies, with Gregory the Great and Wilfrid the subject of one each, and Cuthbert the subject of three, two of which are by Bede.[82] These biographies offer differing, and perhaps competing, visions of ecclesiastical leadership.[83] The inherent tensions in the episcopal office between institutional and charismatic authority, between public magnificence and personal asceticism are thrown into sharper relief by the different influences operating on Northumbrian Christianity—Roman, Ionan/Irish, and Frankish.[84]

To these hagiographies can be added Bede's *Historia ecclesiastica gentis Anglorum*, within which he developed a distinctive model of the monk-bishop and espoused

77 Higham 1997.
78 Brooks 1984, 165. For the professions themselves, see Richter 1973.
79 Richter 1973, xxxvi.
80 Brooks 1984, 165. For length, cp. the 10th-century professions to the metropolitan of Arles printed in Albanès & Chevalier 1901, 129, 131–132.
81 Wilcox 2014, 334–335.
82 Goffart 1988, 256–257.
83 Goffart 1988, 258–296; and more recently Stancliffe 2012.
84 For the influences see, for example, Mayr-Harting 1991, 51–102.

particularly close co-operation between king and episcopacy.[85] Bede's final surviving work, his letter to Bishop Ecgberht of York, likewise has much to say about bishops. Although now most often read for its observations about the state of monasticism, the letter is actually a sustained exploration of the duties of the episcopal office and the necessary qualities of the bishop.[86] By contrast, Bede's extensive exegetical output presents more problems of interpretation; bishops feature, but less than might be expected. When Bede repeatedly discussed the need for spiritual reform within Northumbria, it was to the fundamentally non-institutional language of Gregory the Great that he turned: reform was to be drive by *rectores*, *doctores*, and *praedicatores*.[87] Amongst these could be counted some bishops, but Bede's categories could not be mapped in any straightforward way onto the clerical hierarchy. Spiritual leadership could be found outside the institutional church as well as within.

What are lacking from Northumbria are conciliar records of the kind emanating from the southern province. Prior to the re-elevation of York to metropolitan status in 735, Northumbrian sees were, in theory, part of the Canterbury archdiocese. In practice, Northumbrian bishops rarely attended its provincial synods and the authority of the archbishop was fluctuating and contested.[88] Hagiographies offer details of synods convened by archbishops of Canterbury in Northumbria but provide only such information as relates to their saintly heroes. Narrative sources likewise show archbishops of York convening their own provincial synods but no canons survive.[89] The one partial exception is the canons from a council in Northumbria convened by Bishop George of Ostia, one of the two papal legates who toured England in 786.[90] George convened an assembly of the king, Ælfwold, Archbishop Eanbald of York and all the leading men of the kingdom, both secular and ecclesiastical. Having learned from them the ills befalling the kingdom, George wrote a capitulary that was then read out before the council. It was a comprehensive and far-reaching statement about the right ordering of society, admonishing clergy and laity alike. The episcopal oversight of the church was stressed and the need for regular synods emphasized.[91] Kings were commanded to

85 Coates 1996b; Ryan 2016, 87.

86 Grocock & Wood 2013, 124–161; for discussion, see Brown 2014, 91–102.

87 Thacker 1983, 130–153, DeGregorio 2002 and 2004.

88 Of the synods of the Canterbury province prior to 735 listed by Cubitt 1995, 247–264, Northumbrian bishops attended only two that took place outside of Northumbria: those in 675 (S51) and 693x699 (S53). If the witness list attached to the forged record of the 716 Council of *Clovesho* (S22) is accepted as genuine, then Bishop Acca of Hexham also attended at least one synod. For general discussion, see Brooks 1984, 63–83.

89 Cubitt 1995, 19.

90 Cited by canon number from the edition of the report of the papal legates in Dümmler 1895, 20–29. For wider discussion see Vollrath 1986, 162–179; Cubitt 1995, 152–190; and Story 2003, 55–92.

91 Canons 1 and 3.

rule with discretion and justice and to obey faithfully the admonitions of their bishops.[92] Priests and bishops, "sacerdotes", were likened to angels and thus placed above all secular judgement—just as kings were set over all other ranks and dignities, so, too, were bishops in those things that pertained to God.[93]

The influence of George's capitulary was felt particularly in the later Anglo-Saxon period, though there are interesting parallels between his ideas and those of Archbishop Wulfred outlined above.[94] What is unclear is whether the capitulary reflects Anglo-Saxon or Northumbrian thinking at the time. In particular, the possible influence of Alcuin on the drafting of the text continues to be debated.[95] Certainly, there are clear similarities between Alcuin's later writings and the ideas in the capitulary but the direction of influence is unclear. As it stands, George's capitulary looks remarkably Carolingian in nature, albeit Continental concepts and vocabulary have been inflected to suit distinctive Northumbrian needs.[96] In the face of these and wider evidentiary issues, there is one surprisingly under-utilized source which illuminates Northumbrian ideas of the episcopate—the *Dialogus* of Archbishop Ecgberht.

Ecgberht of York and the *Dialogus ecclesiasticae institutionis*

Ecgberht, bishop and then archbishop of York from 732–766, is now all but forgotten outside specialist works. This is not surprising for few Anglo-Saxon bishops are household names, but Ecgberht might have cause to be disappointed: he was undoubtedly a giant of the Anglo-Saxon church.[97] He presided over the see of York when it was re-elevated to metropolitan status,[98] educated a young Alcuin,[99] and corresponded with Bede and St Boniface.[100] He was also a member of the ruling dynasty of Northumbria and his brother, Eadberht, was king for much of Ecgberht's archiepiscopate. For Alcuin, looking back from the end of the 8th century, this period of joint rule was nothing short of a golden age.[101]

Across the Middle Ages and the early modern periods a number of Latin works were attributed to Ecgberht's authorship—most with little justification.[102] One of

92 Canon 11.
93 Canon 11.
94 For later influence see Schoebe 1962, 75–83. For similarities to Wulfred, Cubitt 1995, 188.
95 Cubbit 1995, 164–185; Story 2003, 63–64; and Bullough 2004, 350–356.
96 Story 2003, 78–91.
97 Mayr-Harting 2004; Ryan 2012, 41–42.
98 For background, see Story 2012.
99 Bullough 2004, 169–174.
100 For correspondence with Bede see note 89 above, for correspondence with Boniface see, for example, Levison 1946, 139–140 and below, 25.
101 Godman 1982, 100.
102 The origin of the Latin penitential attributed to Ecgberht remains disputed: Hagenmüller, as

these, the *Excerptiones Ecgberhti*, did much to establish Ecgberht's reputation in early scholarship as a skilled canonist. Though the *Excerptiones* are not the work of Ecgberht (but of Wulfstan, as above, 16), nevertheless there are two sources of evidence that suggest this reputation was well deserved. First, Ecgberht was the recipient of two letters from St Boniface, both of which sought advice from him on matters relating to canon law. In the first, dating to *c.* 746, Boniface requested the archbishop be his adviser and supporter in his researches into ecclesiastical legislation.[103] He had also asked Ecgberht to be shown an admonitory letter to Æthelbald, king of Mercia, written by Boniface and a number of other bishops in Frankia, that he might emend it and strengthen it with his own authority.[104] In the second letter, dating to the late 740s, Boniface is found seeking Ecgberht's reassurance concerning how he had dealt with a priest who had previously undertaken penance for fornication and was now the sole minister over a large body of Christians.[105] Fearing to remove him from his office and deny believers the life-giving sacraments as well as wary of damaging the reputation of priesthood if private sins became publicly known, Boniface had allowed the priest to remain.

Boniface's high opinion of Ecgberht's knowledge is supported and strengthened by the second piece of evidence—the *Dialogus ecclesiasticae institutionis*.[106] Less a dialogue in the strictest sense, this text is a series of 16 questions and answers accompanied by a short prefatory address. In form, the *Dialogus* corresponds most closely to the *Libellus responsionum* of Gregory the Great to Augustine of Canterbury but there are also parallels with other papal correspondence.[107] The subject matter is more distinctive: in essence, the *Dialogus* is a work about the relationship between the ecclesiasti-

his title suggests (*Die Überlieferung der Beda und Egbert zugeschriebenen Bußbücher*, 1991), rejected Ecgberht's authorship and at p. 298 suggested an origin in an Anglo-Saxon centre in the Rhine-Main region, perhaps Lorsch, while more recently Meens (2014, 97–100) has argued for an English provenance. Probably during the 10th century, the first capitulary of Ghaerbald of Liège was inserted between the preface and main body of a copy of this Latin penitential: this resulted in the attribution of the authorship of Ghaerbald's capitulary to Ecgberht in the Anglo-Saxon period and thereafter, thanks to a misinterpretation of a marginal note, led Henry Spelman to entitle the canon law collection he was editing *Excerptiones D. Egberti*: see Wormald 1999a, 231–232, and Elliot 2013, 451–550. The *Egbert Pontifical* (Paris, Bibliothèque nationale de France, ms. lat. 10575) looks to have gained its name only in the 17th century and the attribution is based solely on the presence of the preface to (pseudo-) Ecgberht's *Penitential* at the beginning of the manuscript: see Prescott 1987, 128.

103 Tangl 1916b, no. 75.

104 There is some evidence that Ecgberht did just that, since different versions of the letter circulated in England and on the Continent: Tangl 1916a, 714–723; but see Reuter 1994, 52–58, for doubts.

105 Tangl 1916b, no. 91.

106 Cited by question/answer number from the edition in *HS*, 403–413.

107 Ryan 2012, 47 and Elliot 2013, 388–389.

cal and secular worlds.[108]

In its fullest form, the *Dialogus* survives only as folios 4^{v}–8^{r} of the late 11th-century computistical miscellany that now forms folios 4^{r}–71^{v} of London, British Library, ms. Cotton Vitellius A. xii (*GL* 398).[109] Two further manuscripts, both of the so-called Wulfstan's "commonplace book" group, transmit questions 1 and 12.[110] The earlier of these two (Cambridge, Corpus Christi College, ms. 265; *GL* 73) dates to the mid-11th century, the later (Oxford, Bodleian Library, ms. Barlow 37) to the late 12th or 13th century.[111]

Given the dates of the manuscript witnesses, how secure is the attribution to Ecgberht? Is the *Dialogus* another pseudo-Ecgberht text? The only reference to Ecgberht comes in the now-illegible incipit to the text in the Cotton manuscript, "Succinctus dialogus ecclesiasticae institutionis a Domino Egbherto, Archiepiscopo Eburacae civitatis conpositus".[112] Outside this, the work is effectively anonymous: even the addressee is referred to simply as "your venerable sanctity". Though the attribution to Ecgberht has been questioned, and some potential anachronisms identified, there are good grounds for assigning the *Dialogus* to the 8th century and a number of reasons to believe Ecgberht to be its author.[113] First, the repeated references to monks and monasteries would ill suit a 9th- or early 10th-century context when monastic life was at its lowest ebb in Anglo-Saxon England. Likewise, reference to monasteries under lay control—made without condemnation—would look out of place in a text if it were the product of the monastic revival and Benedictine Reforms of the later 10th century.[114] Secondly, answer 1 weights the oaths of various churchmen in hides—a practice not attested in any other Anglo-Saxon text after the end of the 9th century.[115] Thirdly, of the sources drawn on in the *Dialogus*, none is later than the middle of the 8th century, with the 747 council of *Clovesho* seemingly the most recent.[116]

---

108 Mayr-Harting 2004.

109 Ker 1949–1950, 156 n. 2; 1976, 38–39; Webber 1992, 14, 16, 41, 144–145.

110 For the "commonplace book" group see, for example, Bethurum 1942, 916–929, Wormald 1999b, 218–219; and Sauer 2000.

111 For Cambridge, Corpus Christi College, ms. 265 see Wormald 1999b, 211–220 and Cross & Hamer 1999, 41–48; for Barlow 37, Cross & Hamer 1999, 49–55, and Sauer 2000, 343–354.

112 As given in the *editio princeps* by Ware 1664, 91, and in the late 17th-century catalogue of the Cotton manuscripts: Smith 1696, 82.

113 For doubts about Ecgberht's authorship see Kelly 1976, 101 fn 78, for possible anachronisms see Appendix, below. For a defence of Ecgberht's authorship along slightly different lines, see Elliot 2013, 402–410.

114 Blair 2005; and Higham & Ryan 2013, 251–258 and 311–322.

115 Question 1. For oaths in hides see Ryan 2011, 215.

116 For the sources drawn on see Ryan 2012, 45–53 and Elliot 2013, 390–397; the latter includes, with permission, a list of my own unpublished source identifications. To these can be added the use of Isidore of Seville's *De ecclesiasticis officiis* in answer 16: see Ryan forthcoming.

A specific attribution to Ecgberht is indicated by question and answer 16. The question asks for information about the Ember Fasts so that they may be observed uniformly "through all of your sees" ("per universas [...] vestrae sedes")—the implication being that the person questioned is an archbishop. That it is a Northumbrian rather than an archbishop of Canterbury is suggested by the number of Ember Fasts referred to in the answer: four, as opposed to the three mentioned in the canons of the 747 council of *Clovesho*.[117] In addition, there is at least one reference elsewhere in the *Dialogus* to a particular piece of royal legislation.[118] Given that that the archdiocese of Canterbury covered numerous kingdoms, this is further evidence in favour of a Northumbrian archbishop. Was Ecgberht this Northumbrian archbishop? In answer 16, the author notes that he has spent time in Rome, and only two Northumbrian archbishops from the 8th century are known to have done so: Ecgberht and his successor Ælberht.[119] Given his correspondence with Boniface, Ecgberht might be preferred.

With Ecgberht's authorship accepted much, nevertheless, remains uncertain about the *Dialogus*. The addressee of the text was clearly someone whose learning and authority Ecgberht respected—he asks that the addressee confirm and strengthen by his writing anything he finds worthy in the text and to add better material where he thinks the text is in error. The parallels with Boniface's first letter to Ecgberht are noteworthy and the *Dialogus* is one more example of the kinds of debate and discussion that could be provoked by canon law. Yet the addressee of the *Dialogus* is anonymous. The circumstances in which Ecgberht was asked the questions and in which he gave his answers are likewise obscure. Is the *Dialogus* the gathering together and reworking of a series of judgements made by Ecgberht on numerous separate occasions?[120] Is it the product of a single occasion, a series of questions asked by one individual or group? That the phrasing and syntax of the questions differ might suggest the former, but certainty is lacking.[121] At the very least, that Ecgberht does not always answer the totality of what he was asked suggests that the question and answer format of the *Dialogus* is not entirely fictive.[122]

As evidence for the nature of the Anglo-Saxon archbishop, the *Dialogus* is noteworthy for the sheer range of areas that Ecgberht and his interlocutor believed came under archiepiscopal authority. Amongst other matters, Ecgberht offers judgements on the weight of oaths ecclesiasts may swear in criminal cases and disputes concerning

117 Canon 18. For comment see Cubitt 1995, 143.

118 Answer 8.

119 For Ecgberht's journey to Rome see Grocock & Wood 2013, 154–155 fn. 80; for Ælberht see Bullough 2004, 243.

120 For extended discussion, coming to different conclusions, see Elliot 2013, 398–402.

121 For example, questions 12 and 13 both follow a "Quod si [...] Vestra Unanimitas/Sanctitas" pattern, 11 and 14 open with "Quid ad haec dicitis/dicimus", whilst question 10 closes with it.

122 In answer to question 1, Ecgberht does not provide a weight for the oath of a bishop.

land, whether priests and deacons may witness the bequests of the dying, the value of wergilds to be paid for the murder of monks and members of the clergy, as well as on the jurisdiction of ecclesiastical courts and abbatial succession in monasteries. Running through the *Dialogus* is a clear emphasis on archiepiscopal authority and oversight. How much this was the result of Ecgberht's office and how much his own membership of the upper echelons of the nobility, is unknowable. Ecgberht's authority may have been underpinned by the power of his brother, King Eadberht,[123] and York itself may also be a special case—it appears far more an episcopal or archiepiscopal city than a royal one.[124] Certainly, the rulings in the *Dialogus* impact beyond the confines of the institutional church. Many of the questions and answers concern the problematic—and presumably much-contested—interface between lay and ecclesiastical hierarchies and between religious and secular jurisdictions. For what crimes, for example, ought an ecclesiast be subject to secular justice, what was the appropriate punishment for laymen who fornicated with nuns, how did the aristocratic origins of a cleric or monk affect the value of their wergild and ought it be paid to their kinsmen or to their ecclesiastical superiors?[125]

In certain cases, Ecgberht was reaffirming existing legislation. Thus the lay lord of a monastery who received a renegade monk was to pay the established due—namely ten *sicli* to the king, ten to the bishop, and the ten to the monk's former abbot.[126] In other cases, Ecgberht was establishing new principles. A layman who fornicated with a nun was not to pay the fine which royal law ("lex [...] publica") decreed for fornication, rather double the amount, namely 60 *argenti*.[127] Ecgberht may even have been legislating for areas previously reserved for the king. In answer 12, Ecgberht assigned priests a wergild of 800 *sicli* whereas Archbishop Theodore's penitential had earlier stated those who killed a priest were to be in the judgement of the king.[128]

The *Dialogus* also suggests bishops more generally to have been involved in determining appropriate wergilds. Answer 12 also decrees that the wergild of a murdered abbot not in holy orders should be the same as that of a priest unless a "sinodale collegium" should decide on a higher or—adding insult to fatal injury—a lower figure. Similarly, the wergild owed for the murder of a bishop was to be fixed according to the judgement of a universal council ("secundum [placitum] universalis consilii").[129]

123 Mayr-Harting 1991, 252.

124 Rollason 2003, 205. For bishops and urban centres in Anglo-Saxon England more generally see Lorans 2003, 49–50 (with specific reference to York).

125 See question 8 for the first two points, question 12 for the third.

126 Question 7.

127 Question 8.

128 Finsterwalder 1929, 294.

129 A word is clearly missing in the Cotton manuscript; at first sight, the texts in Corpus Christi College, ms. 265, and Bodleian, ms. Barlow 37, are of no use in determining the missing

What role would bishops play in such adjudications? Much hinges on what Ecgberht means by "sinodale collegium" and "universalis consilii". What was the composition of such gatherings and under whose authority were they convened? The vocabulary of assemblies in this period is imprecise or, rather, the distinctions modern scholars might wish to draw did not necessarily inform the language choices of Anglo-Saxon authors.[130] *Synodus* and its variants look to have been reserved for gatherings that were predominantly ecclesiastical in nature—albeit that lay people might have been present. *Concilium* might be used of such meetings—indeed, some assemblies could be termed both *synodus* and *concilium* by the same author—but was also used for other types of gathering.[131] In terms of authority, the terminology is likewise ambiguous. *Synodus* need not mean only an assembly convened and presided over by bishops, whose judgements and pronouncements were decided and underpinned by ecclesiastical authority.[132]

Ecgberht's "sinodale collegium" could, then, have been an exclusively ecclesiastical affair but need not. Bishops did claim a certain level of independent jurisdiction even in secular cases: Theodore's penitential stated bishops could judge the cases of the poor up to the value of 50 *solidi*.[133] The assembly convened to assess the wergild of an abbot not in holy orders may be another such example but certainty is difficult. Ecgberht's *universalis concilium* sounds a grander affair and perhaps akin to the so-called *concilia mixta*—assemblies of lay and ecclesiastical élites presided over by the king which resolved both secular and religious matters.[134] Again, the *Dialogus* may here be confirming and expanding on previous rulings. Archbishop Theodore had earlier decreed that those who murdered bishops were to be in the judgement of the king.[135] A *universalis*

word—in both manuscripts the section laying out the value of wergilds is replaced with "ut suprascriptum est". The referent here seems to be the text preceding the extracts from the *Dialogus* in these two manuscripts, a text which does indeed set out the punishments for the murder of bishops and other ecclesiasts. Interestingly, it states that penance for the murder of a bishop should be "secundum placitum universalis concilii"—perhaps allowing the word missing from the Cotton manuscript to be restored.

130 E.g. Vollrath 1986, 13–27 and for Frankish sources Hartmann 1989, 4–5.

131 Cubitt 1995, 4–8. For *synodus* and *concilium* used of the same assembly see, for example, Colgrave & Mynors 1969, 200, and 304 on Nicaea.

132 Bede terms the Synod of Whitby of 664 a *synodus* but it was presided over by King Oswiu of Whitby and it was he who made the final decision in favour of the Roman church: Colgrave & Mynors 1969, 298. See also Cubitt 1995, 6.

133 Finsterwalder 1929, 313.

134 For *concilia mixta* see, for example, Ullmann 1969, 24 or Halfond 2010, 17.

135 Bullough 2004, 142. Bullough does not state which of Theodore's "rulings" he means but in his answer Ecgberht's appears to draw on one of the non-Discipulus umbrensium versions of Theodore's penitential. Chapter 79 of the *Capitula Dacheriana* reads "Qui autem episcopum vel presbiterum occiderit *regi dimittendus est ad* iudicandum," Finsterwalder 1929, 245; Ecgberht utilizes the italicized words when stating that if a person cannot pay the wergild im-

concilium convened and presided over by the king at which bishops and other ecclesiasts could offer counsel would be an appropriate forum to determine such judgement.

Canon law and the *Dialogus*

What light can the *Dialogus* shed on the circulation of canon law materials? On the face of it, precious little. With the exceptions of Gregory the Great and Augustine of Canterbury, Ecgberht names no authorities in the text.[136] In the preface he claims to have made use of "sacrorum apicum"—a phrase that could refer solely to Holy Scripture but could also imply papal pronouncements. [137] He also makes reference to the Bible in a number of answers and in one case (answer 14) directs the reader to look at a particular passage—"read the dedication of the Temple of Solomon [i.e. I Chronicles 28:11]." Sometimes existing ecclesiastical legislation is invoked, such as the "venerable canons" in answer 7, and on occasion reference is made to royal law, as in answer 8.

It is clear, though, that the *Dialogus* does draw extensively and repeatedly on papal letters, synodal decrees, and other canon law materials.[138] This borrowing was more sophisticated than the simple copying out of extended sections of source materials. Ecgberht wove together different authorities, altering the order of information and, in some cases, subtly varying its meaning or importance. In question 13, for example, Ecgberht was asked:

> If a lawful marriage be dissolved by mutual consent on account some infirmity of the husband or wife, is it permitted for the healthy partner, if incontinent, to enter into a second marriage, with the infirm partner consenting and pledging to preserve their continence in perpetuity? What does your sanctity judge about this?

Ecgberht's answer is involved and evasive, noting Biblical injunctions against adultery but also acknowledging human weakness and frailty. He eventually—almost implicitly—permits the second marriage but insists that the party vowed to perpetual continence can never remarry:

> No one acts contrary to the Gospels and to the Apostle without punishment, therefore we give no consent whatsoever to adulterers. However, we impose upon nobody burdens that cannot be carried without danger but we proclaim with confidence those things that God has commanded. But he whose weakness prevents him from fulfilling them we leave unpunished

posed they are to be handed over to the king for punishment—similar phrasing can be found in the *Canones Basiliensis, Cottoniani*, and *Gregorii*.

136 A practice that badly mislead Helmholz 2004, 29–30.

137 For the former meaning: Petrucci 1995, 30–31; for the latter, see the preface to the report of the papal legates: Dümmler 1895, 20. Given Egcberht is at this point quoting from a letter from the Emperor Honorius to Pope Boniface too much weight should not be put on the precise meaning.

138 See above note 116.

> to the judgement of God alone. Therefore, lest by silence we seem to favour adulterers, or the devil who deceives adulterers should exult over the avengers of adulterers, listen: "what God hath joined together let not man put asunder," and again "he that is able to receive it, let him receive it." On the other hand, often with the changing of times necessity breaks the law. What did David do when he was hungry? Nevertheless, he was without sin. Therefore, in uncertain cases judgement ought not be given. But it is necessary to risk decisions for the salvation of others: with this condition imposed, that it is in no way permitted that the one who has devoted themselves to continence enter a second marriage with their first spouse still living.

In the course of his answer, Ecgberht draws on two sources:[139] a letter of Pope Leo I to Rusticus of Narbonne (*RPR* I, 544, 'Epistolas fraternitatis') and the collection of North African conciliar material now known as the *Canones in causa Apiarii*:[140]

Dialogus	Leo I to Rusticus	*Canones in causa Apiarii*
Nemo contra Evangelium, nemo contra apostolum *sine* vindicta *facit*, idcirco consensum minime præbemus adulteris; onera tamen, quæ *sine periculo* portari non possunt, nemini inponimus, ea vero, quæ dei sunt mandata, confidenter indicimus. Quem autem infirmitas implendi præpedit, uno profecto multum reservamus judicio Dei. Igitur ne forte videamur silentio fovere adulteros, aut *diabolus qui decipit adulteros de adulteris exultet,* ulterius audi: "Quod deus conjunxit homo non separet." Et item: "Qui potest capere, capiat." Sepe namque temporum permutatione, necessitas legem frangit. Quid enim fecit David quando esuriit? et tamen sine peccato est. Ergo in ambiguis *non est ferenda sententia. Sed* consilia necesse est periclitari pro salute aliorum, hac conditione interposita, ut ei qui se continentiæ devovit nullo modo concedatur secundas inire nuptias, vivente priore.	mitius agas cum eis qui pudicitiae zelo videntur modum excessisse vindictae; ne *diabolus, qui decepit adulteros, de adulterii exsultet ultoribus**	Ceterum de quibus apertissime scriptura sanxit, *non ferenda sententia est sed* sequenda. Proinde quod in laicis deprehenditur, multo magis debet in clericis praedamnari. Vniversi dixerunt: *Nemo contra* prophetas, *nemo contra euangelia facit sine periculo*.**

* *PL* 54, 1200a–b.

** Munier 1974, 102.

139 For the suggestion that Ecgberht's reference to David may have been inspired by the exegesis of the Venerable Bede, see Roumy 2006, 307–308.

140 On the latter see Cross 1961.

Why did Ecgberht choose the sources that he did? The use of extracts from the *Canones in causa Apiarii* is curious. The canon in question does not concern divorce or remarriage but rather usury. Moreover, it states that there is no need to pass judgement concerning those matters about which Sacred Scripture is clear. Ecgberht, by contrast, uses the words to declare judgement should not be given in difficult or ambiguous cases. Why Leo's letter? A consideration of the wider context may shed some light.

The question Ecgberht was asked was very much a live one in the mid-8th century. Ecgberht and his interlocutor were not the only ones debating the indissolubility or otherwise of Christian marriage. In the mid-720s, Pope Gregory II wrote to St Boniface providing answers to various questions the missionary had asked of him.[141] One of these concerned the possibility of a man taking a second wife if his first was unable to carry out her conjugal duties due to sickness. Gregory asserted that though continence would be the better course for the man to take, nevertheless he might remarry. Both the question posed by Boniface and Gregory's answer are remarkably similar to the *Dialogus*. The situations described are not identical, though Gregory has clearly summarized Boniface's questions and may have excised details. Had Boniface asked the same question of Ecgberht that he did of Pope Gregory II and received the same answer? Or had Boniface transmitted Gregory's text to Ecgberht, who subsequently borrowed the spirit of it but not, apparently, the letter?[142]

The agreement of Gregory and Ecgberht masks wider debate and disagreement. The 8th century, particularly its second half, was a period in which questions about separation and remarriage acquired especial urgency. Francia was a particular focus of such debates. On at least two occasions, the Carolingian ruler Pippin enquired of the papacy about the circumstances in which separation and remarriage might be possible. On the first occasion, Pope Zacharias asserted the indissolubility of marriage; on the second, Pope Stephen II permitted remarriage in cases of leprosy or demonic possession.[143] Frankish councils, especially those in the mid-750s at Verberie and Compiègne, were likewise occupied with such questions. At Verberie remarriage was permitted, for example, to a husband whose wife had conspired to murder him, to a husband whose wife refused to accompany him when he fled his land or his lord, or to the innocent party in certain cases of incestuous marriage. At Compiègne, remarriage was allowed, amongst other circumstances, in cases of leprosy, where a person had been deceived about the noble status of their spouse, or to a husband whose first wife had entered a religious community—the latter something that the Council of Verberie had forbidden.[144]

141 Tangl 1916b, no. 26. For details, see Kelly 1976.

142 Kelly 1976, 100, saw connections between the *Dialogus* and Gregory's letter as unlikely.

143 See, for example, Bevilacqua 1967, 286–287; Hartmann 1989, 65–66; Ubl 2007, 418; and Heidecker 2010, 17.

144 E.g. Wemple 1981, 77; Hartmann 1989, 74–78; Ubl 2007, 417–419; and Heidecker 2010, 17–18.

The debates of the 8th century are, in parts, a reflection of the general early medieval situation. The Bible offered various views on separation and remarriage and it took considerable exegetical effort to make it speak with a single voice.[145] The opinions offered by the church fathers were influential and potentially authoritative but they were neither as uniform as they can now seem nor as definitive.[146] St Augustine's insistence on absolute indissolubility has long been seen as a turning point in the history of Christian marriage and as marking a parting of the ways between Eastern and Western churches.[147] Yet Augustine's writings mark a decisive moment only in retrospect—the authority of Augustine was long in the making. Despite powerful supporters, the triumph of his position was by no means assured in the early Middle Ages.[148] Adding to these complexities, religious ideals could be drastically out of step with secular practices. In the Roman period, divorce was easy and not uncommon; such evidence as there is suggests this was true also of the early medieval West, at least up to the Carolingian period.[149]

There was also more immediate stimulus in the 8th century. Ongoing debate about indissolubility was reinvigorated by the needs of the new Frankish ruling dynasty and by the injection of opinion from a widely divergent tradition. For the early Carolingians, endorsement of less lenient attitudes towards marriage was one means of attracting and maintaining clerical support.[150] Equally, limiting the grounds for separation and remarriage, as well as enforcing stricter definitions of incestuous unions, could potentially disrupt rival aristocratic alliances.[151] At the same time, influential figures within the Frankish kingdom were calling for increased religious uniformity and standardization, calls that adumbrated the ecclesiastical policies of Charlemagne. Marriage practices were one area in which such demands were played out.[152]

Giving greater urgency to these debates was the dissemination of ideas about divorce very different from those of the ecclesiastical mainstream in the West. The penitential pronouncements associated with Archbishop Theodore of Canterbury permitted separation and remarriage in a wide variety of cases.[153] Amongst other situations, remarriage was permitted for a woman put away by her husband for adultery, for the wife of a man enslaved, for a man whose wife had left him and refused to be reconciled,

145 Clark 1999, 153–171.
146 Heidecker 2010, 11–14.
147 E.g. Munier 1978.
148 Bof & Leyser 2016.
149 For divorce in the Roman period see Reynolds 2001, 44–65; for the early Middle Ages see Reynolds 2001, 99–100; and McNamara & Wemple 1976, 98–101.
150 Wemple 1981, 76.
151 Hartmann 1989, 78.
152 Heidecker 2010, 14–16.
153 Kottje 1981, 27–28.

and to those whose spouses had been taken into captivity. Theodore even appears to have permitted divorce on mutual consent.[154] A reflection of his Greek background, Theodore's position was distinctively lenient and permissive in a Latin context.[155] Indeed, it was significantly out of step with the assertion of absolute indissolubility made at the Council of Hertford, convened by Theodore himself.[156] However, such was Theodore's learning and authority that his ideas could not be ignored easily. In Ireland, Theodore's views on marriage look to have provoked significant debate—even if ultimately they were rejected.[157] Likewise, Pippin's enquiries of the papacy concerning separation and remarriage may have been stimulated, in part at least, by the uncertainty created by Theodore's ideas.[158]

The question asked of Ecgberht was, then, a topical and a controversial one. Anglo-Saxon churchmen would have been well aware of the debates taking place in Francia in this period. Boniface and his circle, as well as the numerous others who joined the Continental missions, were a particular conduit for ideas; people and texts flowed back and forth across the Channel and North Sea.[159] In addition, Northumbria looks to have had especial links to Francia and to Pippin, with sources speaking of a bond of friendship between King Eadberht and the Carolingian ruler.[160] A Northumbrian churchman faced with such a dilemma concerning marriage could well be excused seeking insight and guidance from a superior, especially a superior possessed of a level of canonical expertise. Ecgberht himself was in a potentially difficult situation. Though by no means as permissive as that of Theodore, Ecgberht's position in the *Dialogus* was a lenient one. If he could find support for it in papal correspondence and other canonical sources he could equally well find condemnation of it. This may explain why Ecgberht chose to draw on the letter of Leo to Rusticus in his answer. The section used by Ecgberht concerned accusations made against Rusticus that he had been too forgiving in his treatment of adulterers. Leo advised Rusticus to be equally forgiving in his response to his detractors.[161] The letter thus dealt with adultery—an accusation that might be made against someone who took a second spouse—and was a reminder of the need for clemency in judgement and of the dangers of excessive severity. In using Leo's letter, Ecgberht was subtly forestalling potential condemnation of his own position.

Other questions and answers in the *Dialogus* demonstrate similar approaches. In

154 Finsterwalder 1929, 327–329.
155 Charles-Edwards 1995, 158–159.
156 Colgrave & Mynors 1969, 352.
157 Charles-Edwards 1995, 159–162.
158 Ubl 2007, 419.
159 E.g. McKitterick 1991.
160 Story 2003, 19–26.
161 Wessel 2008, 176–177.

question 5, Ecgberht was asked about the validity of sacraments performed by corrupt priests before and after their condemnation. Ecgberht's response is to refocus the question on those receiving the sacraments:

> We believe that ministrations performed by one who is unordained, usurping the name of priest, ought in no way to be set aside, if the people were ignorant [of the fact]. For while his guilt was his alone, he did no harm to others by ministering good things badly. Yet how can perfection, which was not in the giver, be bestowed upon him who knew the offences had in no way been removed and nevertheless had been a partaker [in the sacraments] of the guilty man? What can he receive [...][162] certainly he gave damnation, which he did have, through wicked offices, so that the partaker receives the same sentence of excommunication. But it is not right that this be accepted with regard to baptism, which ought not to be repeated. However, the rest of the ministrations performed by this unworthy man would seem less firm.

In his answer Ecgberht draws on a letter of Pope Anastasius II to the Emperor Anastasius concerning the Acacian Schism (*RPR* I, 744 'Exordium pontificatus'), one by Innocent I to the bishops of Macedonia on the heretic Bonosus and his followers (*RPR* I, 303 'Magna me gratulatio'), and, briefly, the *Regula Benedicti*.[163] Again, Ecgberht did not copy out his sources verbatim. He wove them together and altered their order, adding his own phrases and ideas. Crucially, the position Ecgberht set out is not quite that of Anastasius or that of Innocent; he used his sources to advance his own very particular points. Innocent's basic position was that the sacraments performed by Bonosus after his condemnation were invalid: he was a heretic, outside the church, and thus could bestow nothing upon the recipients of the sacraments.[164] For Anastasius, although Acacius was a sinner he was still within the church and thus the sacraments that he performed were valid.[165] Ecgberht's position was that the validity of the sacraments depended upon the knowledge of the recipients: if they knew the minister to be condemned, they shared in his condemnation, if unaware of it then the sacraments were valid. The sole exception to this was baptism, which was not to be repeated.

As with question 13, the subject here corresponds with wider debates taking place at the same time in Francia. Most obviously, the question that Ecgberht is asked in the *Dialogus* is similar to that asked of him by Boniface: what to do about the ministrations of sinful priests.[166] It is more than just this basic similarity, however. Boniface repeatedly enquired of the papacy as to the validity of baptisms performed by sinful or ill-educated priests. He himself appears to have doubted it and in particular cases

162 There is an omission in the manuscript at this point. For possible restorations, see Saltet 1907, 100; and Elliot 2013, 392.

163 For the use of these sources, see Ryan 2012, 50–51.

164 Dunn 2015, 278–282.

165 Cowdrey 1969.

166 See above 25; and Elliot 2013, 406–410.

ordered rebaptism.[167] Here, too, Boniface may have been influenced by Theodore's penitential. Theodore stressed the need for rebaptism in certain cases—such as when the baptism had been performed by a priest who was a fornicator or when performed by a priest who was not himself baptized.[168] Nor was Boniface alone in Francia in seeking confirmation or denial of the validity of certain baptisms. As with the issue of the indissolubility of marriage, the existence of divergent traditions encouraged sections of the Frankish church to seek out the advice of the papacy and to shore up their own positions.[169]

There was also a distinctively Anglo-Saxon context for the issues with which Ecgberht was grappling. The Synod of Whitby in 664 brought the Northumbrian church into alignment with Rome—at least in matters regarding the tonsure and the dating of Easter.[170] In so doing, however, it brought into question the orthodoxy of previous practices and the value of other traditions. Were the Ionan roots of the Northumbrian church to be rejected utterly or remembered fondly, were those who adhered to Irish practices schismatics and heretics or pious albeit misguided believers, were figures such as Bishop Aidan of Lindisfarne to be venerated or cast out?[171] The debates were acrimonious and their repercussions felt well into the 8th century. At stake was more than just the past of the Northumbrian church; such questions impacted on the validity of the sacraments performed by those in full communion with the Ionan church. The complexities of the situation are reflected in Theodore's penitentials. The archbishop's position looks to have shifted over time, with different groups of rulings reflecting markedly different approaches. In certain rulings, Ionan clergy and those in communion with them appear as heretics to be expelled from the church, in others those ordained by British and Irish bishops can be readmitted with the simple laying on of hands. Elsewhere those outside the Catholic faith could be ordained only in cases of great necessity and only after a period of penance.[172] Theodore's rulings were neither internally consistent nor always in harmony with other sources of canonical authority—the latter being something of which his disciples were well aware.[173]

Ecgberht was not writing about adherents of Irish practices, simply those priests who had been condemned. Yet he would have known that questions about the validity of sacraments performed by erring ministers had a long and controversial history in Northumbria. The traditions he inherited offered no easy answers. Ecgberht is also likely to have known that his own position—that baptism ought not be repeated—was

167 Ubl 2007, 409–412.
168 Finsterwalder 1929, 314.
169 Ubl 2007, 413–414.
170 Mayr-Harting 1991, 103–113.
171 Charles-Edwards 2000, 317–321; Stancliffe 2003; Higham 2015, 129–143.
172 For discussion, see Stancliffe 2003, 12–17.
173 See the notes made by the Discipulus umbrensium: Finsterwalder 1929, 295–296.

at odds with that of Archbishop Theodore. In the end, Ecgberht's answer looks to have been conditioned by pastoral pragmatism. In the 8th century, Anglo-Saxon churchmen made repeated complaints about the inadequacy of provisions for pastoral care, noting the vast size of dioceses, the scarcity of clergy, and the ignorance and illiteracy of priests.[174] In such circumstances, what hopes were there that priests would be free from sin or that condemned clergy could be prevented from ministering? By focusing on those receiving the sacraments, Ecgberht sidestepped such concerns. A faithful laity might safely receive the sacraments from a sinful priest, even one who had been condemned, as long as they were ignorant of his offences.

Conclusions

The *Dialogus*, then, shows a Northumbrian archbishop deploying a range of canon law sources to make contributions to the kinds of debates being played out in Francia and elsewhere. Ecgberht need not have been addressing his answers to churchmen on the Continent—indeed, much of the *Dialogus* would have made little sense outside of Anglo-Saxon England—but his concerns were similar to theirs. Ecgberht was facing the same kinds of challenges and he was drawing on the same types of sources to resolve them. In this sense, the *Dialogus* is further evidence that the distinctiveness of Anglo-Saxon England in matters of canon law has been overplayed in the past. It likewise emphasizes the close intellectual ties between England and the Continent in this period. There remain curiosities, however. Despite making extensive use of sources, Ecgberht does not name them. As the authority of texts was tightly bound up with the authority of their authors this is a strange omission. Could Ecgberht assume his unidentified addressee would recognize and appreciate such citations, without needing them to be pointed out? That is, is the *Dialogus* evidence for a sophisticated grasp of canon law not only on Ecgberht's part but also more widely in Anglo-Saxon England? Or did Ecgberht imagine his own authority was sufficient—he might draw on the words of others but it was ultimately his own status that underpinned that of the *Dialogus*.

As a source for archiepiscopal authority, the *Dialogus* is at once informative and ambiguous. Informative, for it provides insight into areas barely touched on in other contemporary and near-contemporary sources. Indeed, it is hard to find a parallel for the *Dialogus* across the whole of the Anglo-Saxon period. That the *Dialogus* has barely featured in discussions of Anglo-Saxon law and is only a little more prominent in discussions of the Anglo-Saxon church is unexpected. Yet its evidence is ambiguous, for much about the *Dialogus* remains uncertain. It is unclear whether the *Dialogus* is distinctive only because it survived, and other such documents did not, or whether it

174 Blair 2005, 161; and Higham & Ryan 2013, 213–215. For later episcopal engagement with pastoral matters, see Moilanen in this volume.

survived precisely because it was distinctive. Was it the kind of work that could only be produced by a figure such as Ecgberht? It is tempting to view Ecgberht's authority as ultimately bound up with that of his brother, the king. Yet it is worth remembering that Ecgberht was a bishop and archbishop before his brother ascended the throne. Did Ecgberht's authority pave the way for that of his brother rather than the other way around?

The *Dialogus* was not attempting to offer a systematic or comprehensive overview of the proper functioning of Christian society. The contrast with documents such as the 747 council of *Clovesho* or Bishop George's capitulary is marked. Yet there are similarities. Like the conciliar material, Ecgberht was wrestling in the *Dialogus* with the consequences of ecclesiastical success. From the later 7th century onwards the Anglo-Saxon church had effectively gone native, dominated no longer by missionaries or by foreign clergy. It became wealthy, with richly endowed monasteries and churches staffed by members of the upper echelons of society. In a virtuous—or perhaps vicious—circle, success made the church richer and more attractive, drawing in wealth and patronage from kings and the nobility, and so control of it and its assets became ever more important and thus ever more contested. At the same time, the church offered a source of authority alternative to that of the king and the secular aristocracy, one that ambitious churchmen such as Archbishop Wulfred were keen to emphasize. There were problems, too, in reconciling parallel hierarchies and harmonizing potentially overlapping and competing jurisdictions. None of these problems were unique to Anglo-Saxon England but they were no simpler to solve because of this.

In their own different ways, the councils and the *Dialogus* sought to draw boundaries, to demarcate spheres of influence, and to determine the place and value of the institutional church and its members in wider society. For all the apparent problems, or, perhaps, because of them, the 8th and early 9th centuries were periods of intense intellectual activity. Figures such as Bede or Alcuin inevitably dominate modern accounts, but bishops such as Ecgberht played their own distinctive part.

APPENDIX: POTENTIAL ANACHRONISMS IN THE *DIALOGUS*

A number of possible anachronisms in the *Dialogus* have been identified but none is fully compelling.

Ware, in his *editio princeps*, noted of the address "venerabilem [...] sanctitatem": "Egbertus hunc titulum, pro more scriptorum illius ævi, Præsuli attribuit, sicut & posteà, *Beatitudinem*, & *Fraternitatem*. Occurrit vox *sanctitatis* hoc sensu, post ipsum Normannorum in Angliam adventum".[175] It is not clear whether Ware was suggesting the address to be anachronistic or simply pointing out parallels—certainly he other-

175 Ware 1664, 131.

wise treats the works as authentically 8th-century. At any rate, though the address is rare it is attested prior to the Norman Conquest. It occurs in the body of the supposed letter of Felix of Messina to Gregory the Great (*RPR* II, †1334), forged in the 9th century, and is also used by Pope Hadrian I, who died in 795, regarding Tarasius of Constantinople (*RPR* II, 2449).[176]

The second potential anachronism concerns the references to public penance in answer 15. The *Discipulus Umbrensium* version of the penitential of Theodore includes the annotation "Reconciliatio ideo in hac provincia publice statuta non est quia et publica penitentia non est."[177] Much remains problematic about this observation, not least what is meant by "hac provincia",[178] but it would seem to contradict answer 15. As the references to public penance occur when Ecgberht is quoting from papal decretals, Ecgberht may have carried across the terminology unthinkingly.[179] On the other hand, in his commentary on the Gospel of Luke, Bede seems to suggest some kind of publicly performed atonement did exist in Northumbria in the 8th century. Comparing Christ's raising of Lazarus, his raising of the widow's son, and his raising of the daughter of the ruler of the synagogue, Bede observed: "Sed et hoc notandum quod quia publica noxa publico eget remedio leuia autem peccata leuiori et secreta queunt paenitentia deleri".[180]

Doubts have also been expressed about the authenticity of answer 16, concerning the Ember Fasts. On the basis of the liturgical terminology, Gevaert argued significant parts of the answer to be marginal annotations made by an English monk or cleric in the 9th or 10th century.[181] More recently, Pfaff has also suggested, apparently independently, that the liturgical vocabulary employed in answer 16 would be anachronistic in a mid-8th century context.[182] At issue are the references in the answer to an *antiphonarium* (in this context meaning antiphonale missarum or graduale) and *missali liber* of Gregory the Great present in England and to his (i.e. Gregory's) missals that the author of the answer inspected when he was in Rome. For Gevaert, such references were better suited to the time of John Hymonides (later 9th century), who described in his *Vita Sancti Gregorii Magni* how Gregory had composed an antiphonary and that the authentic version of this was preserved at the *schola cantorum* he had founded in Rome.[183] For Pfaff, the mid-8th century seemed early for the use of

176 For the former, see Hinschius 1863, 747; and for the latter, Mansi *et al*. 1766, 1081.
177 Finsterwalder 1929, 306.
178 Charles-Edwards 1995, 163–170.
179 Elliot 2013, 407.
180 Hurst 1960, 193–194.
181 Gevaert 1890, 80–81.
182 Pfaff 2009, 47–48.
183 Gevaert 1890, 81. For John Hymonides' description of Gregory's authentic antiphoner see *Vita S. Gregorii Magni*, *PL* 75, 90B–D, with discussion in Hiley 1993, 508–509.

the terms missal and antiphonary, with the reference to the latter in particular being suspiciously precocious.[184]

These objections are not insurmountable. The earliest surviving antiphonale missarum to be titled such is the so-called *Mont-Blandin Antiphonary* or *Blandiniensis*, now preserved as part of Brussels, Bibliotheque Royale, ms. 10127–10144.[185] The incipit of this manuscript reads (with abbreviations expanded): "In dei nomen incipit antefonarius ordinatus a sancto Gregorio per circulum anni". *Blandiniensis* can be dated to the late 8th to 9th centuries, later than the *Dialogus* but perhaps not by much more than a generation.[186] The terminology in answer 16 does not seem sufficiently anachronistic to condemn it as a later addition. This is not to suggest that the author of answer 16 was referring to a manuscript akin to *Blandiniensis*. As Chavasse observed, if the author had been drawing on a manuscript stating it had been composed by Gregory he would likely have noted that fact; instead, the author's evidence is primarily based on provenance.[187] The point is that potentially as early as the end of the 8th century there survives an antiphonale missarum attributed to Gregory's authorship and that the word *anti(ph/f)onarius* was being used of it. Regarding parallels with John Hymonides' biography of Gregory, the author of answer 16 states that he saw missals (in the plural) in Rome. If he was referring to his inspection of the supposed authentic antiphonary, the singular might be expected.

By the end of the 7th century, Gregory had acquired a reputation of playing an important part in the development of liturgical chant.[188] Given Gregory's veneration in England, it unsurprising that an author would seek to link the liturgy in his present with Gregory himself. In the end, what the author of answer 16 was doing was asserting that the liturgical practices he was describing were unimpeachably Roman and orthodox. There could be no better marker of that than Gregory. Neither the attribution of liturgical books to Gregory's authorship nor the vocabulary look to be enough to condemn answer 16. It certainly differs from the other answers, not least in length, but answer 16 would seem to be an integral part of Ecgberht's *Dialogus*.[189]

---

184 Pfaff 2009, 48.

185 B in Hesbert 1935.

186 For dating see, for example, Andrieu 1931, 91 and 486 (end of the 8th century); Froger 1978, 92 ("most probably [...] from the end of the eighth century") or Bischoff 1998, 160 ("VIII/IX").

187 Chavasse 1983, 53, stressing Ecgberht was not referring to a Gregorian Sacramentary.

188 E.g. Hiley 1993, 505–506.

189 I am particularly grateful to Anthony Lappin and Elena Balzamo for the invitation to speak at the conference underlying this volume and to the other speakers and delegates for thought-provoking discussions on the day and subsequently. Very early versions of this paper were presented at the International Medieval Congress at the University of Leeds in 2013 and at the History Research Seminar of the School of Arts and Humanities, Nottingham Trent University, in 2014. For the former I must thank especially Peter Darby, Máirín MacCarron, and Joanna Story and for the latter Amy Fuller. I am also very grateful to Michael Elliot for correspondence on Ecgberht and on Anglo-Saxon canon law more generally.

BIBLIOGRAPHY

Manuscripts
Brussels, Bibliothèque Royale, ms. 10127–10144.
Cambridge, Corpus Christi College, ms. 265.
Cologne, Dombibliothek, ms. 213.
London, British Library, ms. Cotton Otho A. i.
London, British Library, ms. Cotton Vitellius A. xii.
Oxford, Bodleian Library, ms. Barlow 37.
Paris, Bibliothèque nationale de France, ms. latin 10575.

Printed works
Albanès, J.-H., & U. Chevalier, 1901. *Gallia Christiana Novissima, III Arles* (Valence: Valentinoise).
Andrieu, M. 1931. *Les Ordines romani du haut moyen âge*: 1. *Les manuscrits* (Louvain: Spicilegium Sacrum Lovaniense).
Arnold, T. ed. 1885. *Symeonis monachi opera omnia*: vol. II. *Historia regum* (London: Longman).
Austin, G. 2004. 'Jurisprudence in the service of pastoral care: The *Decretum* of Burchard of Worms', *Speculum* 79, 929–959.
Austin, G. 2007. 'Bishops and religious law, 900–1050', in *The bishop reformed: Studies of episcopal power and culture in the central Middle Ages*, eds. J.S. Ott & A.T. Jones (London: Routledge), 40–57.
Baluze, E. ed. 1677, *Capitularia regum Francorum*, 2 vols. (Paris: Franciscus Muguet).
Bethurum, D. 1942. 'Archbishop Wulfstan's commonplace book', *Publications of the Modern Languages Association* 57, 916–929.
Bevilacqua, A.J. 1967. 'The history of the indissolubility of marriage', *Proceedings of the Catholic Theological Society of America* 22, 253–308.
Bischoff, B. 1998. *Katalog der festländischen Handschriften des neunten Jahrhunderts Teil I: Aachen–Lambach* (Wiesbaden: Harrasowitz).
Blair, J. 2005. *The church in Anglo-Saxon society* (Oxford: Oxford University Press).
Bof, R. & C. Leyser 2016. 'Divorce and remarriage between Late Antiquity and the early Middle Ages: Canon law and conflict resolution', in *Making early medieval societies: Conflict and belonging in the Latin West, 300–1200*, eds. K. Cooper & C. Leyser (Cambridge: Cambridge University Press), 155–180.
Brasington, B.C. 2007. 'Collections of bishops' letters as legal florilegia', in *Law before Gratian: Law in Western Europe c. 500–1100*, eds. P. Andersen, M. Münster-Swendsen & H. Vogt (Copenhagen: DJØF), 73–122.
Brett, M. 1995. 'Theodore and Latin canon law', in *Archbishop Theodore: Commemorative studies on his life and influence*, ed. M. Lapidge (Cambridge: Cambridge University Press), 120–140.

Brett, M. 2004. 'Editions, manuscripts, and readers in some pre-Gratian collections', in *Ritual, text, and law: Studies in medieval canon law and liturgy presented to Roger E. Reynolds*, eds. K.G. Cushing & R.F. Gyug (Aldershot, Ashgate), 205–224.

Brooks, N.P. 1984. *The early history of the Church of Canterbury: Christ Church from 597 to 1066* (London: Leicester University Press).

Brooks, N.P. & S.E. Kelly, eds. 2013. *Charters of Christ Church Canterbury, part 1* (Oxford: Oxford University Press for the British Academy).

Brown, G.H. 2014. 'Bede, both subject and superior to the episcopacy', in *Envisioning the bishop: Images and the episcopacy in the Middle Ages*, eds. S. Danielson and E.A. Gatti (Turnhout: Brepols), 91–102.

Brundage, J.A. 1995. *Medieval canon law* (London: Taylor & Francis).

Bullough, D.A. 2004. *Alcuin: Achievement and reputation* (Leiden: Brill).

Chaplais, P. 1978. 'The letter from Bishop Wealdhere of London to Archbishop Brihtwold of Canterbury: The earliest original "letter close" extant in the west', in *Medieval scribes, manuscripts, and libraries: Essays presented to N.R. Kerr*, eds. M.B. Parkes & A.G. Watson (London: Scolar Press), 3–23.

Charles-Edwards, T. 1995. 'The Penitential of Theodore and the *Iudicia Theodori*', in *Archbishop Theodore: Commemorative studies on his life and influence*, ed. M. Lapidge (Cambridge: Cambridge University Press), 141–174.

Charles-Edwards, T. 2000. *Early Christian Ireland* (Cambridge: Cambridge University Press).

Chavasse, A. 1983. 'L'Organisation générale des sacramentaires dits grégoriens: VI. Le titre du livre, selon H et O', *Revue des Sciences Religieuses* 57, 50–56.

Clark, E.A. 1999. 'Constraining the body, expanding the text: The exegesis of divorce in the later Latin Fathers', in *The limits of ancient Christianity: Essays on Late Antique thought and culture in honor of R.A. Markus*, eds. W.E. Klingshirn & M. Vessey (Ann Arbor: University of Michigan Press), 153–171.

Coates, S. 1996a. 'The role of bishops in the early Anglo-Saxon church: A reassessment', *History* 81, 177–196.

Coates, S. 1996b. 'The bishop as pastor and solitary: Bede and the spiritual authority of the monk-bishop', *Journal of Ecclesiastical History* 47:4, 601–619.

Colgrave, B. ed. and trans. 1937. *The life of Bishop Wilfrid by Eddius Stephanus* (Cambridge: Cambridge University Press).

Colgrave, B. ed. and trans. 1940. *Two lives of Saint Cuthbert: A life by an anonymous monk of Lindisfarne and Bede's prose life* (Cambridge: Cambridge University Press).

Colgrave, B. & R.A.B. Mynors, eds. and trans. 1969. *Bede's Ecclesiastical history of the English people* (Oxford: Clarendon Press).

Cowdrey, H.E.J. 1969. 'The dissemination of St. Augustine's Doctrine of holy orders during the later patristic age', *Journal of Theological Studies* new ser. 20, 448–481.

Cross, F.L. 1961. 'History and fiction in the African canons', *Journal of Theological Studies* new ser. 12, 227–247.

Cross, J.E. & A. Hamer, eds. and trans. 1999. *Wulfstan's canon law collection* (Cambridge: D.S. Brewer).

Cubitt, C. 1995. *Anglo-Saxon church councils c. 650–c. 850* (London: Leicester University Press).

Cubitt, C. 1999. 'Finding the forger: An alleged decree of the 679 Council of Hatfield', *English Historical Review* 114, 1217–1248.

Cubitt, C. 2005. 'The clergy in early Anglo-Saxon England', *Historical Research* 78, 273–287.

de Jong, M. 2009. *The penitential state: Authority and atonement in the age of Louis the Pious, 814–840* (Cambridge: Cambridge University Press).

DeGregorio, S. 2002. '*Nostrorum socordiam temporum*: The reforming impulse of Bede's later exegesis', *Early Medieval Europe* 11, 107–122.

DeGregorio, S. 2004. 'Bede's *In Ezram et Neemiam* and the reform of the Northumbrian church', *Speculum* 79, 1–25.

Deutinger, R. 2015. 'Recht und Raum in den Anfängen der karolingischen Reform. Zu den fränkischen Synoden 742–762', *Rechtsgeschichte* 23, 110–118.

Dümmler, E. ed. 1895. *Epistolae Karolini Aevi: Tomus II* (Berlin: Weidmann).

Dunn, G.D. 2015. 'Innocent I on heretics and schismatics as shaping Christian identity', in *Christians shaping identity from the Roman Empire to Byzantium*, eds. G. D. Dunn & W. Mayer (Leiden: Brill), 266–290.

Elliot, M.D. 2013. 'Canon law collections in England ca 600–1066: The manuscript evidence', unpublished Ph.D. thesis, University of Toronto.

Finsterwalder, P.W. ed. 1929. *Die Canones Theodori Cantuariensis und ihre Überlieferungsformen* (Weimar: Hermann Böhlaus).

Firey, A. 2000. 'Ghostly recensions in early medieval canon law: The problem of the *Collectio Dacheriana* and its shades', *Tijdschrift voor Rechtsgeschiedenis* 68, 63–82.

Firey, A. 2010. 'Mutating monsters: Approaches to "living texts" of the Carolingian era', *Digital Proceedings of the Lawrence J. Schoenberg Symposium on Manuscript Studies in the Digital Age* 2, 1–14.

Flechner, R. 2012. 'The problem of originality in early medieval canon law: Legislating by means of contradiction in the *Collectio Hibernensis*', *Viator* 43, 29–47.

Foley, W.T. 1992. *Images of sanctity in Eddius Stephanus' Life of Bishop Wilfrid, an Early English saint's life* (Lewiston, New York: Edwin Mellen).

Fowler-Magerl, L. 2005. *Clavis Canonum: Selected canon law collections before 1140* (Hannover: Hahnsche Buchhandlung).

Froger, J. 1978. 'The critical edition of the Roman Gradual by the Monks of Solesmes', *Journal of the Plainsong and Mediaeval Music Society* 1, 81–97.

García y García, A. 1967. *Historia del Derecho Canónico*: vol. I. *El Primer Milenio* (Salamanca: Instituto de Historia de la Teología Española).

Gates, J.P. 2015. 'Preaching, politics, and episcopal reform in Wulfstan's early writings', *Early Medieval Europe* 23, 93–116.

Gevaert, F.-A. 1890. *Les Origines du chant liturgique de l'Église latine: Étude d'histoire musicale* (Ghent: A. Hoste).

Giandrea, M.F. 2007. *Episcopal culture in late Anglo-Saxon England* (Woodbridge: Boydell Press).

Godfrey, J. 1962. *The church in Anglo-Saxon England* (Cambridge: Cambridge University Press).

Godman, P. ed. and trans. 1982. *Alcuin: The bishops, kings, and saints of York* (Oxford: Clarendon Press).

Goffart, W. 1988. *The narrators of barbarian history (A.D. 550–800): Jordanes, Gregory of Tours, Bede, and Paul the Deacon* (Princeton: Princeton University Press).

Grocock, C. & I.N. Wood, eds. and trans., 2013. *Abbots of Wearmouth and Jarrow* (Oxford: Clarendon Press).

Hagenmüller, R. 1991. *Die Überlieferung der Beda und Egbert zugeschriebenen Bußbücher* (Frankfurt: Peter Lang).

Halfond, G.I. 2010. *The archaeology of Frankish church councils, AD 511–768* (Leiden: Brill).

Hartmann, W. 1989. *Die Synoden der Karolingerzeit im Frankenreich und in Italien* (Paderborn: Ferdinand Schöningh).

Heidecker, K. 2010. *The divorce of Lothar II: Christian marriage and political power in the Carolingian world* (Ithaca, New York: Cornell University Press).

Helmholz, R.H. 2004. *The Oxford history of the laws of England*: vol. I. *The canon law and ecclesiastical jurisdiction from 597 to the 1640s* (Oxford: Oxford University Press).

Hen, Y. 2009. 'Review article: Liturgy and religious culture in late Anglo-Saxon England', *Early Medieval Europe* 17, 329–342.

Hesbert, R.-J. ed. 1935. *Antiphonale missarum sextuplex* (Brussels: Vromant).

Higham, N.J. 1997. *The convert kings: Power and religious affiliation in early Anglo-Saxon England* (Manchester: Manchester University Press).

Higham, N.J. 2015. *Ecgfrith: King of the Northumbrians and High-King of Britain* (Donington: Shaun Tyas).

Higham, N.J. & M.J. Ryan 2013. *The Anglo-Saxon world* (London: Yale University Press).

Hiley, D. 1993. *Western plainchant: A handbook* (Oxford: Clarendon Press).

Hinschius, P. ed. 1863. *Decretales Pseudo-Isidorianae et Capitula Angilramni* (Leipzig: Bernhard Tauchnitz).

Hurst, D. ed. 1960. *Bedae Venerabilis Opera*: Pars II. *Opera Exegetica:* 3. *In Lucae Evangelium Expositio, In Marci Evangelium Expositio* (Turnhout: Brepols).

Isaïa, M.-C. 2015. 'The bishop and the law, according to Hincmar's Life of Saint Remigius', in *Hincmar of Rheims: Life and work*, eds. R. Stone & C. West (Manchester: Manchester University Press), 170–189.

Isenberg, G. 1978. *Die Würdigung Wilfrieds von York in der Historia Ecclesiastica Gentis Anglorum Bedas und der 'Vita Wilfridi' des Eddius: Ein Vergleich der verschiedenen literarischen Intentionen und der unterschiedlichen historischen Voraussetzungen* (S.l. [Münster?]).

Jasper, D. & H. Fuhrmann, 2001. *Papal letters in the early Middle Ages* (Washington D.C.: The Catholic University of America Press).

Jussen, B. 1995. 'Über "Bischofsherrschaften" und die Prozeduren politisch-sozialer Umordnung in Gallien zwischen Antike und Mittelalter', *Historische Zeitschrift* 260, 673–718.

Kelly, W. 1976. *Pope Gregory II on divorce and remarriage: A canonical-historical investigation of the letter* Desiderabilem mihi*, with special reference to the response* Quod proposuisti (Rome: Università Gregoriana Editrice).

Ker, N.R. 1949–1950. 'Salisbury Cathedral manuscripts and Patrick Young's catalogue', *Wiltshire Archaeological and Natural History Magazine* 53, 153–183.

Ker, N.R. 1976. 'The beginnings of Salisbury Cathedral Library', in *Medieval learning and literature: Essays presented to Richard William Hunt*, eds. J.J. Alexander & M.T. Gibson (Oxford: Clarendon Press), 23–49.

Kéry, L. 1999. *Canonical collections of the early Middle Ages (ca. 400–1140): A bibliographical guide to the manuscripts and literature* (Washington, D.C., Catholic University of America Press).

Keynes, S. 1996. 'The reconstruction of a burnt Cottonian manuscript: The case of Cotton MS Otho. A. I', *British Library Journal* 22, 113–160.

Keynes, S. 1994. *The councils of Clofesho* (Leicester: University of Leicester Department of Adult Education).

Körntgen, L. 2006. 'Kanonisches Recht und Busspraxis: Zu Kontext und Funktion des *Paenitentiale excarpsus Cummeani*', in *Medieval church law and the origins of the Western legal tradition: A tribute to Kenneth Pennington*, eds. W.P. Müller & M.E. Sommar (Washington D.C.: The Catholic University of America Press), 17–32.

Kottje, R. 1965. 'Einheit und Vielfalt des kirchlichen Lebens in der Karolingerzeit', *Zeitschrift für Kirchengeschichte* 76, 323–342.

Kottje, R. 1981. 'Ehe Und Eheverständnis in Den Vorgratianischen Bussbüchern', in *Love and marriage in the twelfth century*, eds. W. van Hoecke & A. Welkenhuysen (Leuven: Leuven University Press), 18–40.

Lapidge, M. 1996. 'The School of Theodore and Hadrian', in *Anglo-Latin literature 600–899* (London: Hambledon), 141–168.

Levison, W. 1912. 'Die Akten der römischen Synode von 679', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 2, 249–282.

Levison, W. 1930. 'Zu den Akten der römischen Synode von 679', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 19, 672–674.

Levison, W. 1946. *England and the Continent in the eighth century* (Oxford: Clarendon Press).

Lorans, E. 2003. 'Ensembles épiscopaux et espace urbain dans l'Angleterre anglo-saxonne. Un état de la question', *Histoire urbaine* 7, 37–53.

Maassen, F. 1870. *Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgange des Mittelalters*. Vol. I: *Die Rechtssammlungen bis zur Mitte des 9. Jahrhunderts* (Graz: Leuschner and Lubensky).

Mansi, G.D. *et al*. eds. 1766. *Sacrorum Conciliorum nova, et amplissima collectio*: vol. XII. *Ab anno DCLXXXVII. usque ad annum DCCLXXXVII. inclusive* (Florence: Antonius Zatta).

Mayr-Harting, H. 1991. *The coming of Christianity to Anglo-Saxon England* (3rd edn, University Park, Pennsylvania: Pennsylvania State University Press).

Mayr-Harting, H. 2004. 'Ecgberht (d. 766)', *Oxford dictionary of national biography* (Oxford: Oxford University Press), http://www.oxforddnb.com/view/article/8580 [accessed 10 November 2017].

McKitterick, R. 1985. 'Knowledge of canon law in the Frankish kingdoms before 789: The manuscript evidence', *Journal of Theological Studies* new ser., 36, 97–117.

McKitterick, R. 1991. *Anglo-Saxon missionaries in Germany: Personal connections and local influences* (Leicester: University of Leicester Department of Adult Education).

McKitterick, R. 2004. *History and memory in the Carolingian world* (Cambridge: Cambridge University Press).

McNamara, J.-A. & S.F. Wemple 1976. 'Marriage and divorce in the Frankish kingdom', in *Women in medieval society*, ed. S.M. Stuard (Philadelphia: University of Pennsylvania Press), 95–124.

Meens, R. 2014. *Penance in medieval Europe, 600–1200* (Cambridge: Cambridge University Press).

Moore, M.E. 2008. 'Canon law and royal power in the councils and letters of St. Boniface', *Bulletin of Medieval Canon Law* new ser., 28, 1–30.

Moore, M.E. 2011. *A sacred kingdom: Bishops and the rise of Frankish kingship, 300–850* (Washington D.C.: The Catholic University of America Press).

Mordek, H. 1969. '*Dionysio-Hadriana* und *Vetus Gallica*—historisch geordnetes und systematisches Kirchenrecht am Hofe Karls der Großen,' *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 55, 39–63.

Mordek, H. 1973. 'Die *Collectio Vetus Gallica*, die älteste systematische Kanonessammlung des fränkischen Gallien', *Francia* 1, 45–61.

Mordek, H. 1975. *Kirchenrecht und Reform im Frankenreich: Die Collectio Vetus Gallica, die älteste systematische Kanonessammlung des fränkischen Gallien* (Berlin: Walter de Gruyter).

Munier, C. ed. 1974. *Concilia Africae: a. 345—a. 525* (Turnhout: Brepols).

Munier, C. 1978. 'Divorce, remariage et pénitence dans l'Église primitive', *Revue des Sciences Religieuses* 52, 97–117.

Nelson, J.L. 1986. 'National synods, kingship as office, and royal anointing: An early medieval syndrome', in J.L. Nelson, *Politics and ritual in early medieval Europe* (London: Hambledon), 239–257.

Nelson, J.L. 2016. 'Charlemagne and the bishops', in *Religious Franks: Religion and power in the Frankish kingdom. Studies in honour of Mayke de Jong*, eds. R. Meens, D. van Espelo, B. van den Hoven van Genderen, J. Raaijmakers, I. van Renswoude & C. van Rhijn (Manchester: Manchester University Press, 2016), 350–369.

Noble, T.F.X. 2009. 'Kings, clergy, and dogma: The settlement of doctrinal disputes in the Carolingian world,' in *Early medieval studies in memory of Patrick Wormald*, eds. S. Baxter, C. Karkov, J. Nelson & D. Pelteret (Farnham: Ashgate), 237–252.

Patzold, S. 2005. 'L'épiscopat du haut Moyen Âge du point de vue de la medievistique allemande', *Cahiers de civilisation médiévale* 48, 341–358.

Patzold, S. 2008. *Episcopus: Wissen über Bischöfe im Frankenreich des späten 8. bis frühen 10. Jahrhunderts* (Ostfildern: Jan Thorbecke).

Petrucci, A. 1995. *Writers and readers in medieval Italy*, trans. C.M. Radding (New Haven: Yale University Press).

Pfaff, R.W. 2009. *The liturgy in medieval England: A history* (Cambridge: Cambridge University Press).

Pratt, D. 2007. *The political thought of King Alfred the Great* (Cambridge: Cambridge University Press).

Prescott, A. 1987. 'The structure of English pre-Conquest benedictionals', *British Library Journal* 13, 118–158.

Reuter, T. 1994. '"Kirchenreform" und "Kirchenpolitik" im Zeitalter Karl Martells: Begriffe und Wirklichkeit', in *Karl Martell in seiner Zeit*, eds. J. Jarnut, U. Nonn & M. Richter (Sigmaringen: Jan Thorbecke), 35–59.

Reynolds, P.L. 2001. *Marriage in the Western church: The Christianization of marriage during the patristic and early medieval period* (Leiden: Brill).

Richter, M. ed. 1973. *Canterbury professions* (Torquay: The Canterbury and York Society).

Rollason, D. 2003. *Northumbria, 500–1100: Creation and destruction of a kingdom* (Cambridge: Cambridge University Press).

Roumy, F. 2006. 'L'origine et la diffusion de l'adage canonique *Necessitas non habet legem* (VIIIe–XIIIe s.)', in *Medieval church law and the origins of the Western legal tradition: A tribute to Kenneth Pennington*, eds. W.P. Müller & M.E. Sommar (Washington, D.C.: Catholic University of America Press), 301–319.

Ryan, M.J. 2011. 'That "dreary old question": The hide in early Anglo-Saxon England', in *Place-names, language, and the Anglo-Saxon landscape*, eds. N.J. Higham & M.J. Ryan (Woodbridge: Boydell), 207–224.

Ryan, M.J. 2012. 'Archbishop Ecgberht and his *Dialogus*', in *Leaders of the Anglo-Saxon church: From Bede to Stigand*, ed. A.A. Rumble (Woodbridge: Boydell), 41–60.

Ryan, M.J. 2016. 'To mistake gold for wealth: The Venerable Bede and the fate of Northumbria', in *Making early medieval societies: Conflict and belonging in the Latin West, 300–1200*, eds. K. Cooper & C. Leyser (Cambridge: Cambridge University Press), 80–103.

Ryan, M.J. forthcoming. 'Isidore amongst the islands: Reception and use in Britain and Ireland in the early Middle Ages', in *The Brill companion to Isidore of Seville*, eds. A. Fear & J. Wood (Leiden: Brill).

Saltet, L. 1907. *Les Réordinations: Étude sur le sacrement de l'ordre* (Paris: Gabalda).

Sauer, H. 2000. 'The transmission and structure of Archbishop Wulfstan's "commonplace book"', in *Old English prose: Basic readings*, ed. P. Szarmach (New York: Garland), 339–393.

Schoebe, G. 1962. 'The chapters of Archbishop Oda (942/6) and the canons of the Legatine councils of 786', *Bulletin of the Institute of Historical Research* 35, 75–83.

Smith, T. 1696. *Catalogus librorum manuscriptorum bibliothecae Cottoniae* (Oxford: E Theatro Sheldoniano).

Somerville, R. & B.C. Brasington, trans. 1998. *Prefaces to canon law books in Latin Christianity: Selected translations, 500–1245* (New Haven: Yale University Press).

Stancliffe, C. 2003. *Bede, Wilfrid, and the Irish* (Jarrow: Jarrow Parish Council).

Stancliffe, C. 2012. 'Disputed episcopacy: Bede, Acca, and the relationship between Stephen's *Life of St Wilfrid* and the early prose lives of St Cuthbert', *Anglo-Saxon England* 41, 7–39.

Story, J. 2003. *Carolingian connections: Anglo-Saxon England and Carolingian Francia, c. 750–870* (Aldershot: Ashgate).

Story, J. 2012. 'Bede, Willibrord, and the letters of Pope Honorius I on the genesis of the Archbishopric of York', *English Historical Review* 127, 783–818.

Swanson, R.N. 2016. 'Apostolic successors: Priests and priesthood, bishops, and episcopacy in medieval Western Europe', in *A companion to the priesthood and holy orders in the Middle Ages*, eds. G. Peters & C.C. Anderson (Leiden: Brill), 4–42.

Tangl, M. 1916a. 'Studien zur Neuausgabe der Bonifatius-Briefe, I', *Neues Archiv* 40, 641–790.

Tangl, M. ed. 1916b. *Die Briefe des heiligen Bonifatius und Lullus* (Berlin: Weidmann).

Thacker, A. 1983. 'Bede's ideal of reform', in *Ideal and reality in Frankish and Anglo-Saxon society*, ed. P. Wormald with D. Bullough & R. Collins (Oxford: Basil Blackwell), 130–153.

Thacker, A. 2008. 'Gallic or Greek? Archbishops in England from Theodore to Ecgberht', in *Frankland: The Franks and the world of the early Middle Ages. Essays in honour of Dame Jinty Nelson*, eds. P. Fouracre & D. Ganz (Manchester: Manchester University Press), 44–69.

Ubl, K. 2007. 'Der lange Schatten des Bonifatius: Die Responsa Stephans II aus dem Jahr 754 und das fränkische Kirchenrecht', *Deutsches Archiv für Erforschung des Mittelalters* 63, 403–449.

Ullmann, W. 1969. *The Carolingian renaissance and the idea of kingship: The Birkbeck Lectures, 1968–69* (London: Methuen).

Vita S. Gregorii Magni (Iohannes diaconus Hymonides), *PL* 75, 59–242.

Vollrath, H. 1986. *Die Synoden England bis 1066* (Paderborn: Ferdinand Schöningh).

Ware, J. ed. 1664. *Venerabilis Bedae epistolae duae, necnon vitae abbatum Wiremuthensium et Girwiensium accessit Egberti archiepiscopi Eboracensis Bedae aequalis dialogus, de ecclesiastica institutione* (Dublin: Johannes Crook).

Webber, T. 1992. *Scribes and scholars at Salisbury Cathedral, c. 1075—c. 1125* (Oxford: Clarendon Press).

Wemple, S.F. 1981. *Women in Frankish society: Marriage and the cloister, 500 to 900* (Philadelphia: University of Pennsylvania Press).

Wessel, S. 2008. *Leo the Great and the spiritual rebuilding of a universal Rome* (Leiden: Brill).

Wilcox, M. 2014. 'Confessing the faith in Anglo-Saxon England', *Journal of English and Germanic Philology* 113, 308–341.

Wirbelauer, E. 1993. 'Zum Umgang mit kanonistischer Tradition im frühen Mittelalter', in *Schriftlichkeit im frühen Mittelalter*, ed. U. Schaefer (Tübingen: Gunter Nar), 207–228.

Wood, I.N. 2013. 'The Continental journeys of Wilfrid and Biscop', in *Wilfrid: Abbot, bishop, saint. Papers from the 1300th anniversary conferences*, ed. N.J. Higham (Donington: Shaun Tyas), 200–211.

Wormald, P. 1999a. 'Wulfstan and the holiness of society', in *Legal culture in the early medieval West: Law as text, image, and experience* (London: Hambledon), 225–251.

Wormald, P. 1999b. *The making of English law: King Alfred to the twelfth century*: vol. 1. *Legislation and its limits* (Oxford: Blackwell), 218–219.

Bishops and pastoral obligations:

Ælfric's pastoral letters and preaching in the 11th and 12th centuries

Inka Moilanen

The production of homiletic writing increased in Anglo-Saxon England after *c.* 990 to such an extent that the genre began to dominate the corpus of vernacular prose material throughout the 11th century and beyond. Appreciation of adaptation, rewriting, and various contexts of copying, together with the recognition of the uses of the vernacular after the Conquest, has contributed to our understanding of this genre as a living and highly variable form of writing.[1] Still, or perhaps exactly because of the adaptable nature of sermons and homilies, the relationship between the written material and the practicalities of pastoral care remains difficult to determine. Indeed, of all episcopal activities, the mundane, everyday pastoral obligations and the bishop's role in their implementation are perhaps the most elusive, and their interpretation is necessarily complicated by our reliance on mostly liturgical and prescriptive sources. As Mary Giandrea pointedly notes in her study of bishops in the later Anglo-Saxon period, it is "more than a little ironic that the two chapters about cathedral culture and pastoral care are the shortest".[2] Before the onset of bishops' registers and other documents of ecclesiastical bureaucracy, our knowledge of the details of the bishops' pastoral activities is founded mostly on the more visible individuals such as the sainted Æthelwold (d. 984), Oswald (d. 992), or Wulfstan II (*c.* 1008–1095). We can be even less certain of the day-to-day activities of the lesser clergy and the bishops' role in the implementation of pastoral duties on a local level, though this aspect of ecclesiastical life has gained more scholarly attention in recent years.[3] The degree with which bishops were involved in the administration of parochial life must have varied

1 See e.g. Swan & Treharne 2000; Lionarons 2004; Kleist 2007; Treharne 2012. A valuable tool for the research of post-Conquest manuscripts is Da Rold *et al.* 2010. In the following I draw also on Gameson 1999; Gneuss 2001; Gneuss & Lapidge 2015; Ker 1957.

2 Giandrea 2007, 98.

3 See esp. Barrow 2015; and Thomas 2014.

and depended on the person.[4] The manner in which the *cura animarum*—baptism, hearing confession and assigning appropriate penance, the collection of church dues and tithes, preaching, the visitation of the sick, and burial—was being carried out on a local level probably depended also on the nature of the relationship the smaller churches had with their bishop on the one hand and with the older minster churches on the other, as well as on their dependence on bishops, lay aristocracy, or kings. This is an important issue when considering bishops and pastoral obligations in the 11th century; the increase in the number of rural and manorial churches, established often by members of the lay aristocracy, changed the situation so that these new churches with just one priest—instead of a community—emerged into the pastoral landscape to complement the pastoral care done by the older minster churches and reformed monasteries.[5] How much significance we are willing to assign to each of these parties has certain implications for our interpretations of pastoral care in the 11th and 12th centuries and the bishops' role in it.

In our attempts to understand how bishops and their clerics interacted with lay people and with each other in their dioceses, and to ascertain how the vast homiletic material was used in practice, it is therefore useful to consider the materiality of our sources. The written material that concerns day-to-day pastoral care is often limited and offers us only the views and injunctions of others than the lesser clergy themselves. Preaching, too, as an activity of instruction and edification, is discussed in our source material mostly on a general, prescriptive level. Homilies and sermons themselves provide us with an array of ideas concerning the contents of preaching, but they tell us much less about how preaching and teaching functioned in practice. The textual contexts of homiletic writing, however, give us a more nuanced picture: even though full homiliaries were produced with the intention of providing systematic disposition of preaching material for the whole church year, a number of homilies and sermons survive in largely different manuscript contexts, together with a mixture of other literary genres. Regarding these manuscripts as witnesses to their own contexts has potential to eliminate some of the elusiveness that shrouds the relationship between theory and practice.

In what follows, I discuss issues related to the evaluation of the practicalities of episcopal instruction concerning pastoral activities, especially preaching. I will approach the topic with the help of a series of pastoral letters, written by Ælfric of Eynsham (*c.* 950–*c.* 1010) for the use of Wulfsige, bishop of Sherborne (*c.* 993–1002), and Wulfstan, bishop of London (996–1002), of Worcester (996–1016), and also arch-

4 Giandrea 2007 gives bishops more credit as active participants in parochial life than does, for instance, John Blair, in whose view episcopal involvement in local issues was still minimal at the turn of the 10th and 11th centuries: see Blair 2005, 422, 495–497; and further, Tinti 2005.

5 On the growth and development of local churches, see Blair 2005, 368–407.

bishop of York (1002–1023).[6] My discussion focuses on the uses of these texts in the 11th and 12th centuries, thus giving more attention to their practical function than to the original intentions of Ælfric and his letters—an endeavour which has already been undertaken superbly by others.[7] I will first situate the letters, and then turn to evaluate their contexts of copying, paying particular attention to the role of these letters as they emerge in instances of episcopal instruction to the secular clergy on how to preach. The letters seem to have been used mostly, although not exclusively, in those episcopal environments which show a concern for the matters of the secular church through the lenses of the reformed monasticism, especially in monastic cathedral centres. Towards the end of this essay I will review some issues related to the interpretation of these letters in relation to sermons *ad populum* and *ad sacerdotes* as well as other texts concerning pastoral care with which they were copied.

Pastoral letters for the use of bishops

As far as we can tell, during his career Ælfric wrote five pastoral letters for the use of bishops.[8] The matters concerning the secular church in these texts are clearly influenced by issues familiar from Carolingian capitularies, penitentials and other material from the continent, which became available in England in the mid-10th century through the reform movement.[9] As such they are good examples of transmission of pastoral knowledge. Ælfric began instructing his ecclesiastical contemporaries while a monk and mass-priest at Cerne Abbas in Dorset, where he composed the bulk of his works, most notably the two series of *Catholic homilies* and the collection now known as the *Lives of saints*.[10] Among his early works is a pastoral letter on the clerical way

6 For later hostility to such episcopal pluralism, see Lauge Christensen in this volume.

7 Edited in Fehr 1966; the letter for Wulfsige and the first Old English letter for Wulfstan also in Whitelock *et al.* 1981, 191–226, 255–302. For a discussion on the purpose and effectiveness of the letters in their manuscript contexts see especially Hill 1992.

8 Fehr 1966: the letter for Wulfsige (*Brief* I), 1–34; the first Latin letter for Wulfstan (*Brief* 2), 35–57; the second Latin letter for Wulfstan (*Brief* 3), 58–67; the first Old English letter for Wulfstan (*Brief* II), 68–145; and the second Old English letter for Wulfstan (*Brief* III), 146–221.

9 Hill 1992, 108–109. Ælfric drew on a breadth of material, and it is not always possible to say whether he used a text directly or if he wrote from memory. Fehr discusses the sources in detail in Fehr 1966, lxxxiii–cxxvi. These include the Carolingian capitulary of Aachen (*c.* 802), known as *Iura quae sacerdotes debent habere*, the *Regularis concordia*, and several other texts, such as Isidore's *Etymologiae* and *De ecclesiasticis officiis*, Rufinus' *Historia ecclesiae* and homiletic material. Other sources may have been *De regula canonicorum* assigned to Amalarius of Metz and the capitularies of Theodore of Orleans, although it is uncertain whether Ælfric used them directly. See also Whitelock *et al.* 1981, 195.

10 For an outline of Ælfric's life and career, see Hill 2009.

of life, written *c.* 993x995, on behalf of Bishop Wulfsige III of Sherborne. Wulfsige was Ælfric's own bishop and in every way superior to him, which makes it difficult to imagine a situation in which he would have felt it necessary to ask advice on the matters of the secular church from an ordinary monk, as Malcolm Godden has remarked: Ælfric's criticizing tone in many of his works might have indeed contributed to the fact that he never made a career in the higher echelons of the church hierarchy.[11] About a decade later, probably shortly after he himself was appointed abbot of Eynsham, a newly established reformed monastery in Oxfordshire *c.* 1005, he composed two Latin letters on similar issues for the use of Wulfstan of York, by then already archbishop.[12] He subsequently translated and modified the Latin letters into Old English, presumably at Wulfstan's request, and Wulfstan also altered them according to his own needs.[13] It should also be noted that Archbishop Wulfstan used these letters as source material for his own canonical work. The vernacular letters are not direct translations, as fits the custom of the day, but differ in certain parts from the Latin ones. A notable addition in the second Old English letter is a lengthy passage on the liturgical practices of Holy Week that was not included in the Latin. The differences between the Latin and vernacular letters may indicate an awareness of different audiences for the letters written in the vernacular, perhaps consisting of priests who could not understand Latin.[14]

The letters pertain to various issues of pastoral care, including preaching and teaching, celebrating the mass, and administration of certain rites such as baptism or anointing the sick. Aside from giving practical guidelines for pastoral care, the letters function as reminders of what a good priest was expected to be like. In the spirit of the Benedictine reform movement, they also advocate clerical celibacy—a theme that dominates the beginning of the letter for Wulfsige and which occurs regularly in the first Latin and Old English letters for Wulfstan. As Joyce Hill points out, the pastoral letters should be read as representatives of the aspirations and interests of the reformed monasticism, and as such their testimonial value, when it concerns the secular church, is not always evident. Hill describes the letters as an attempt to bridge "a significant gap between the standards of the monastic and the secular churches",[15] but at the same time acknowledges that their effect is difficult to estimate. I will return to these issues later during this essay.

11 Godden 2004, 356–357.

12 The so-called "private letter" to Wulfstan (Fehr 1966, *Brief* 2a, 222–227) is not included in my discussion, because it addresses the archbishop directly and is written in a different style, not as a "model sermon" for the use of the archbishop.

13 These changes are most visible in a mid-11th-century manuscript, one of Wulfstan's "commonplace books" (Cambridge, Corpus Christi College, ms. 201, part B), in which several, most notably Latin, passages are omitted. Other modifications to the contents and rhetoric of the text are also clear, especially when it concerns matters of monastic life.

14 Hill 1992, 104.

15 Hill 1992, 105.

The letters are written in the first person as if spoken by the bishop, and their function is perhaps best understood if conceived as "model sermons" delivered by the bishop to his clergy. Initially they might have been intended to be read aloud at synodal meetings, when the clergy was gathered to the cathedral see. At least in later instances they were definitely understood as sermons, as they have been titled as such in many of the manuscripts in which they were copied.[16] Francesca Tinti has pointed out that the letters—the second letter for Wulfstan in particular—would have been especially suitable to be used on Maundy Thursday, when the priests were expected to fetch the holy oils from the cathedral see.[17] The letter situates itself on this particular day, and in most of the manuscripts it bears the title *Quando diuidis crismam*.[18] Joyce Hill, in turn, believes that the letters were at least intended to be circulated in a more modest written format, to be sent to parish priests as guidelines to their work on the field, but that "the nature of the surviving manuscripts is such that they do not generally allow us to see the pastoral letters being used in the circles for which they were intended".[19] As this sort of practical literature has rarely survived, there is no evidence of the kind of dissemination suggested by Hill, but there is no reason to reject the idea, either. Whether the texts should be termed "letters" or "sermons", therefore, depends on the way they are approached, and on what kind of context one decides they were employed. Regardless of how one categorizes the genre, estimations of the uses of written pastoral letters in an oral context must remain conjectural. Nevertheless, it should be noted that the list-like layout of the Latin letters in some of the manuscripts seems suitable to be used as written guidelines for the bishop himself while preparing to instruct his clergy or in connection with his own episcopal duties. In practice their function may have been more varied, of course, and one type of use would not exclude others.

The texts survive in ten manuscripts altogether, listed here in a rough chronological order of their production (fuller descriptions are provided in the appendix):

1. Cambridge, University Library, ms. Gg.3.28, *c.* 1000.
2. Copenhagen, Kongelige Bibliotek, Gl. Kgl. Sam. ms. 1595 (4°), 1002x1023.
3. Cambridge, Corpus Christi College, ms. 201, pp. 8–160, 167–176, s. xi^{i} or xi^{med}.

16 Malcolm Godden notes that the Latin letters are often titled *Sermo* instead of *Epistola*: Godden 2004, 358. This applies also to one of the Old English pastoral letters which is rubricated *To gehadedum mannum* (Cambridge, Corpus Christi College, ms. 201, p. 31), in a similar manner with other sermons in the collection.

17 Tinti 2010, 279–280.

18 "Forþon-þe we to-dæg sceolan dælan urne ele, on þreo wisan gehalgodne, swa-sa ús gewissað seo bóc: Id est oleum sanctum et oleum crismatis et oleum infirmorum; þæt is on englisc: halig ele, oþer is crisma and seoccra manna ele" (Fehr 1966, 146–147). The title is extant in Cambridge, Corpus Christi College, ms. 190, p. 336; Oxford, Bodleian Library, ms. Junius 121, fol. 111^{r}; Bodleian Library, ms. Bodley 343, fol. 137^{v}.

19 Hill 1992, 106, 115.

4. British Library, Cotton Tiberius, ms. A.iii, fols. 2–173, s. xi^{med}.
5. Cambridge, Corpus Christi College, ms. 190, pp. iii–xii, 1–294, 295–420, s. xi^{1}, additions s. xi^{2}.
6. Cambridge, Corpus Christi College, ms. 265, pp. 1–268 s. xi^{med}– xi$^{3/4}$, additions s. xi^{2}–xii^{in}.
7. Oxford, Bodleian Library, ms. Junius 121, s. xi^{2} (1060–1072), additions s. xi^{2}.
8. British Library, Cotton Vespasian, D.xiv, fols. 4–169, *c.* 1140–1160.
9. Oxford, Bodleian Library, ms. Bodley 343, s. xii^{2} (*c.* 1175).
10. Oxford, Bodleian Library, ms. Barlow 37, fols. 1–61, s. xii^{ex} (extracts only).

Even though Ælfric's letters are usually—as in this essay—considered as a group and discussed in similar terms, they were never copied together as a group. More commonly, but not consistently, the letters for Wulfstan appear in pairs, Latin and Old English letters copied consecutively in different manuscripts. The letter for Wulfsige appears once alone on spare leaves in the end of a vernacular homiletic collection that was probably supervised by Ælfric himself (Cambridge, University Library, ms. Gg.3.28), but since the manuscript has suffered material loss after copying, the letter is incomplete. It is twice copied in manuscripts that also contain Ælfric's other pastoral letters. There survives only one manuscript in which all five letters are present (Cambridge, Corpus Christi College, ms. 190), and even in this example they represent different layers of production and were not copied in the book at the same time. It could also be remarked that the letters are not isolated texts, but occur together with other tracts which could also be described as "pastoral letters", but which are occluded from one's sight when the focus falls exclusively on a known author and his texts. This has important implications for the following discussion. That the letters should be seen as a group with consistent intentions and aspirations applies only to the immediate context of Ælfric, Wulfsige and Wulfstan, but not necessarily to their use during the following century and a half. In turn, the later textual contexts cannot, in a strict sense, be seen as evidence of the initial intentions and aspirations of Ælfric for his letters. The meaning and meaningfulness of a text cannot be reduced to one instance or motive. It is by way of looking at each text beyond its original intentions that we may get a glimpse of "the Church's diversity on the ground",[20] of which little can be seen otherwise. The elusive role of the bishop in the establishment of parochial discipline in later Anglo-Saxon England may also become more visible thereby.

20 Cf. Giandrea 2007, 99.

Tools for preaching

As a pastoral activity preaching played an important part in the instruction of the laity, though the question of who was, first, authorized and, secondly, obliged to preach was ambiguous and variable before the ecclesiastical reforms of the 11th century and especially after the Fourth Lateran Council of 1215. Though an episcopal privilege in theory, preaching was soon assigned to ordained priests and also to deacons in the early medieval period. William of Malmesbury's account of a "foreign monk" ("transmarinae nationis monachus"), who disapproved of St. Wulfstan's preaching activities when only a prior at Worcester, is usually seen as an illustrative example that monastic communities also participated in preaching to the laity in Anglo-Saxon England. The foreign monk in William's narrative saw preaching as an inappropriate task for a prior, and thought it better, in fact exclusively, suited for bishops.[21] Texts from later Anglo-Saxon England, not least Ælfric's letters and homilies, also assume that priests were expected to preach. This part of pastoral care is generally taken for granted, which might explain the lack of precision in the instructions that concern it. The ambiguity of determining who was authorized and obliged to preach influences also the inconsistency in the terminology concerning priests, clerics and monks.[22] It is therefore helpful to keep in mind that categories that pertain to the clergy and pastoral care were not as clear in the 10th and 11th century as they would be afterwards, and that this period should be considered as a period of formation in this regard.

The most explicit advice that the letters give on preaching concerns the duty of priests to preach on Sundays and feast days: "the mass-priest must expound the meaning of the Gospel to the people in English on Sundays and on mass-days".[23] This advice resembles those given in Carolingian capitularies and, for instance, in the enlarged rule of Chrodegang, which state that priests should preach to the laity every other week (or even better, every week) in such a way that people understand them.[24] The enlarged rule of Chrodegang may indeed be what Ælfric is referring to in his letter when he says that "you [i.e. the secular clergy] also have a rule—if you would just read it—in which you can see what has been decreed about you".[25] Which specific rule Ælfric means is

21 William of Malmesbury, 'Vita Wulfstani', I.8, in Winterbottom & Thomson 2002, 36–37. On the participation of monks in pastoral care since from the 6th century, see Constable 1980.

22 Foot 1992.

23 "Se mæssepreost sceal secgan sunnandagum & mæssedagum þæs godspelles angyt on englisc þam folce" (Fehr 1966, 14).

24 Though, the rule does not specifically refer to using the vernacular: "et iuxta quod intelligere uulgus possit, ita predicandum est" and "& do ma þa larbodunge be þam þe þæt folc understandan mage" (cap. 42: Napier 1916, 49–50).

25 "Ge habbað eac regol, gyf ge hine rædan woldan, on þam ge magon geseon, hu hit geset is be eow" (Fehr 1966, 23).

not clear, though. Hill has noted that this sort of vagueness suggests certain familiarity with issues at hand: behind this obscurity lies an apparent assumption that the audience would know to which rule Ælfric is referring, and which was not expected to require further explanation.[26] Whatever rule Ælfric had in mind, at least in one instance the pastoral letters were used in a community following the rule of Chrodegang. This is Exeter, where the manuscript containing all five letters (Cambridge, Corpus Christi College, ms. 190) was compiled at the time of Bishop Leofric (1050–1072).

Similar vagueness seems to apply to the practicalities of preaching. Regulations on other pastoral obligations appear to be more clearly formulated, but when it comes to preaching, the instructions are more general in nature. This is not to say that preaching in itself is difficult to discern, on the contrary: the great number of sermons and homilies speaks for itself, and the interest in instruction of the laity is a pervasive theme in 11th-century sources, indicating an awareness and occupation with this kind of activity—and as such, with the education of the clergy.

The mass on Sundays must in any case be seen as the main context in which the laity came into contact with preaching. Mary Clayton has pointed out that Ælfric himself, when referring to the use of his own homilies, often associates them with the reading in the mass or *in ecclesia*.[27] Occasions like the consecration of a church, translations of relics, and other feast days were also good occasions to hear the clergy giving sermons, but apparently some kind of catechetical teaching was expected to happen in other instances, too, since the pastoral letters and their manuscript contexts seem to point to this sort of activity. As a follow-up to preaching on Sundays, the letters exhort priests to explain the Creed and the Paternoster to people as often as they can (*swa he oftost mage*),[28] giving no clear indication of the type of context in which this sort of teaching happened. Mary Giandrea has remarked that it is possible that also priests "learned the fundamentals of faith from the homilies and sermons of Ælfric and Wulfstan", instead of formal training.[29] In Ælfric's pastoral letters priests are encouraged to "preach the true faith to the people and tell them homilies" in a rather general manner.[30] Behind this generality may lie assumptions of an activity that is so self-evident that it does not warrant any further comment. One possible context could be confession, as some *ordines* instruct the confessor to sit with the penitent and to talk about vices and virtues prior to confession, and to exhort the penitent to pursue

26 Hill 1992, 109–110. Other possibilities are *De regula canonicorum* or the Capitulary of Aachen (*Iura quae sacerdotes debent habere*): Whitelock *et al.* 1981, 216.

27 Clayton 1985, 226, 231–232.

28 Fehr 1966, 15.

29 Giandrea 2007, 101.

30 "Se mæsse-preost sceal mannum bodian þone soþan geleafan and hym lár-spel secgan" (Fehr 1966, 130–131).

a virtuous life.[31] Notably, several manuscripts in which the letters survive contain not only handbooks for a confessor, but also a number of sermons that are thematically suitable for confessional use, as they touch upon the suffering of Christ, the coming of the Antichrist, the Last Judgement, and the fate of unrepentant sinners in Hell.[32]

A significant amount of sermons of which the priests could have made use, survives in miscellaneous or anthologizing collections instead of full homiliaries. To a degree, the use of full homiliaries would seem to be somewhat clearer to imagine than the use of collections with more miscellaneous material, but also their use was complex and varied. In addition to reading in the mass, they could be used in the monastic night Office or in private, devotional reading.[33] Full homiliaries, such as those Ælfric himself produced, would be more suitable to be used *in situ* when preaching in the mass than the anthologizing collections with a mixture of liturgical and non-liturgical material. To what extent do these large "reference collections" correlate to preaching, then? This is a more difficult question, which the imprecise advice to teach the laity at any available occasion does not make easier. As an example of these difficulties we can take a look at the manuscripts in which the pastoral letters have survived. They are mostly large collections that contain a wide array of miscellaneous material on matters of the secular church, canonical regulation, legislation, liturgy, and monastic life. They are hard to pin down into one category which in turn complicates the interpretation of their practical uses. There is a clear concentration of the letters in manuscripts that represent the so-called "Wulfstan's commonplace book" tradition. These "commonplace books" are a group of manuscripts containing miscellaneous material assembled by Wulfstan: sermons, letters, liturgical, penitential, and canonical texts.[34] So far, eleven manuscripts have been identified as belonging to this group.[35] Five of them contain one or more pastoral letters.

As David Dumville points out, it is often notoriously difficult to classify manuscripts that contain both liturgical and non-liturgical texts.[36] For instance, British Li-

31 "Deinde jubeat eum sacerdos sedere contra se, et colloqui cum eo de supradictis vitiis, sive exhortationibus divinis, ne forte pro verecundia aut ignavia, sive oblivione aliquid putridum in corde remaneat, per quod iterum diabolus eum ad vomitum peccati reducat" (*Liber de divinis officiis*, *PL* 101, 1196–1197).

32 Manuscripts with confessional material include Cambridge, Corpus Christi College, ms. 190, ms. 201 and ms. 265; Copenhagen, GKS, ms. 1595; London, British Library, ms. Cotton Tiberius A.iii; Oxford, Bodleian Library, ms. Junius 121.

33 Note that "the distinctions between these three different types of homiliaries were clearly not rigid, however, and texts could be used for purposes other than those for which they were originally written" (Clayton 1985, 216–217). See also Gatch 1977; and Wilcox 2005.

34 The term was coined in 1895 by Bateson. On all the manuscripts regarded as Wulfstan's handbooks, see Bethurum 1942; Sauer 2000; and Elliot 2012.

35 Sauer 2000, 340–342.

36 Dumville 1992, 136–138; see also Gneuss 1985, 93.

brary, ms. Cotton Tiberius, A.iii, which contains the second Old English letter for Wulfstan (on the consecration of the holy oils), has been labelled under wildly different categories. It has been seen as a book with special offices, as a pontifical, as a monastic consuetudinary and as a private prayer-book.[37] Dumville points out that even this list "does not exhaust its potential", referring to its contradictory material proportions: its heavy glosses—and contents—suggest use in a monastic classroom, but its decoration would "point to another direction".[38] Dumville sees similar problems with Cambridge, Corpus Christi College, ms. 265, which in turn contains the two Latin letters for Wulfstan.[39] Dumville describes the contents and their textual sources as "appallingly complex". This codex is one of Wulfstan's commonplace books, and has been identified as being used by Bishop Wulfstan II of Worcester, presumably as a companion volume to two homiletic collections by the same scribe (Oxford, Bodleian Library, mss. Hatton 113 and 114). Wulfstan II was apparently famous and popular as a preacher, which would make the homiletic collections appropriate for this sort of purpose. But what sort of practical function would the sermons in collections like Cambridge, Corpus Christi College, ms. 265 serve, then? When we encounter books that escape categories, especially if they have been produced in the same environment as those that are more easily labelled, it is not easy to find an answer to this simple question. As it is difficult to imagine this kind of book being used in a liturgical context, classifying it "as a reference-book would seem to be the least troublesome explanation".[40]

It seems as if the survival of the letters in collections like these has thus been seen as a hindrance to the elucidation of their original, practical uses. Describing a book as a reference collection with archival intentions is convenient when nothing else applies, but it may also convey a somewhat pejorative image of these books, implying that the "real" use of texts that they incorporate must have lain somewhere else. Therefore, as the letters in these large collections are obviously not "letters" in their original contexts of composition, but copies, their function must be sought from their relation to the other texts copied in the collections.

The required books: Demands and practices

One notable feature that deserves discussion concerns the letters' call for the "necessary weapons" every priest should have at their disposal. These "weapons" are an impressive array of liturgical books, repeated with some variation in each letter. *In toto* they include: a psalter, an epistolary, an evangeliary, a missal or a sacramentary, songbook(s), i.e. antiphonaries or graduals, a manual or a handbook for the occasional

37 See Gneuss 1985, 127, 132, 136, 138.
38 Dumville 1992, 137.
39 Cambridge, Corpus Christi College, ms. 265, consecutively on pp. 160–180.
40 Dumville 1992, 138.

rites priests would have to perform, a computus for the reckoning of time, a passional, a penitential and general reading book(s).[41] The letter for Wulfsige says that prior to his ordination, a priest should have obtained the following ten books: *"saltere & pistolboc, godspellboc & mæsseboc, sangboc & handboc, gerim & passionalem, penitentialem & rædingboc"*.[42] The list in the first Latin letter for Wulfstan, too, consists of ten books but in a different order.[43] Compared with these, the translated Old English letter mentions only eight of the ten books, omitting *godspellboc* and *passionalem*. Wulfstan's own modified version in Cambridge, Corpus Christi College, ms. 201, lists only seven books, further omitting *pistolboc*, but mentioning *rædingbec* in plural.[44]

These demands must be regarded as unrealistic. Even though there are examples of every type of book that has survived from this period—except for a "manual"[45]—it is unlikely that a parish priest in the backwaters would have owned an example of each of these books. As a way of comparison, we might get a picture of the scale when looking at numbers drawn from the surviving booklists from Anglo-Saxon England. It seems likely that even a well-equipped monastery library would have counted its books in tens rather than hundreds before the end of the 11th century. It is well known that when Bishop Leofric rose to the see of Exeter, he found there "only a handful of worn-out service-books".[46] By the end of his episcopacy in 1072 he was able to bequeath as many as 66 books to the cathedral, but most booklists are more modest in numbers: an inventory of the belongings of the church of Sherburn-in-Elmet in the mid-11th century lists nine books, for instance.[47] This inventory, which comes closest to the level of a parish church, is actually quite similar to the requirements presented in the pastoral letters. In this case, it has to be taken into account, however, that Sherburn-in-Elmet belonged to the estates of the archbishop of York.[48] Thus it might have had a somewhat better access to the more "desirable" books than churches outside the direct sphere of episcopal influence. Still, the inventory does not mention a manual, nor a computus, a passional, a penitential or a reading book, some of which would have been quite sizeable and expensive. And more notably, there is no mention of the church owning a homiliary, either.

41 See a more nuanced discussion of the terminology and its interpretation in Fehr 1966, lxxxvi-xcii; Gneuss 1985.

42 Fehr 1966, 13.

43 "Presbyter debet habere etiam spiritalia arma, id sunt diuinos libros, scilitet missalem, lectionarium, quod quidam uocant epistolarium, psalterium, nocturnalem, gradalem, manualem, passionalem, pęnitentialem, compotum, et librum cum lectionibus ad nocturnas" (Fehr 1966, 51).

44 Fehr 1966, 126.

45 Gneuss 1985, 134.

46 Lapidge 1985, 64. See further Treharne 2003.

47 Lapidge 1985, 56–57. The list of invetories in the "York Gospels", York, Minster Library, ms. Add. 1, fol. 161.

48 Gittos 2005, 66.

It has often been pointed out that Ælfric's high demands are at odds with his dismissive attitude towards the educational, and even intellectual, level of the secular clergy. Joyce Hill, for instance, comments that Ælfric's expectations towards the clergy disagrees with the picture his pastoral letters give of the educational and professional level of the secular clergy otherwise. Whilst, on the one hand, the clergy was expected to possess all these books and to be capable of using them, on the other hand they "needed to be told not to get drunk, not to let the reserved host go mouldy, not to cavort in church instead of keeping vigil, not to celebrate mass with a wooden or horn chalice, not to poach dead bodies from other parishes, and not to let mouse-droppings or dung lie on the altar".[49] On top of all that, they do not understand Latin. The derogatory attitude of Ælfric and other reform-minded authors, Byrhtferth of Ramsey in particular, towards the level of education of the secular clergy is apparent in many other texts, too. There is comparable discrepancy in Byrhtferth's *Enchiridion*, shown in the way he writes about (and seems to address) lazy secular canons, but does this in complex, hermeneutic Latin, which would not have been easily decipherable for an uneducated audience. Instead of reading this as a reflection of the low level of education among the secular clergy at the end of the 10th century, it would be better understood as a means of monastic self-identification, confirming the image of the Benedictine reformers to themselves.[50]

Ælfric laments the shortcomings of priests in several instances. In the second Latin letter for Wulfstan he devotes the end of the text to reprimand both contemporary bishops and priests, who were supposed to be "the pillars of the Church", but instead show negligence in their duties: they are ignorant of the word of God, do not teach well enough, and are prone to secular honour, greed, and avarice. Worse still, they provide bad examples for the laity. "They do not have courage to speak of justice, since they do not perform or value justice themselves," Ælfric compains.[51] Acting as a good example is a continuous theme in Ælfric's oeuvre of admonishing the clergy. In another instance, he writes that if the priest cannot teach the layman with words, at least he should show a good example with his deeds.[52] In a similar way to Byrhtferth's portrayal of the secular canons, Ælfric's complaints about the shortcomings of secular clerics

49 Hill 1992, 110.

50 On the self-definition of the Benedictine reformers through negative portrayal of secular clerics, see Stephenson 2009; and further, Stephenson 2015.

51 "Sed ualde dolendum est, quia his diebus tanta neglegentia est in sacerdotibus et episcopis, qui deberent esse columnę ęcclesię, ut non adtendant diuinam scripturam, nec docent discipulos qui sibi succedant, sicut legimus de sanctis uiris, qui multos perfectos discipulos successores sibi reliquerunt, sed honores sæculares et cupiditates uel auaritiam sectantes, plus quam laici mala exempla subditis praebentes. Non audent de iustitia loqui, quia iustitiam nec faciant nec diligunt" (Fehr 1966, 67).

52 Ælfric of Eynsham, 'In natale plurimorum apostolorum' (*Catholic homilies* II.36), in Godden 1979, 306.

together with the unrealistic demands of the books they should be able to acquire and use, might be seen as serving the purpose of the reformers. Especially if we think about the new local, rural churches which were emerging into the landscape, it is unlikely that they would have been as well-equipped with books as those which had access to the libraries of larger mother-churches or monasteries to which they were tied.[53] When creating the supposed standards for the secular clergy that only few could have lived up to, the reformers could call attention to the alleged incompetence of the secular (unreformed) clergy, and perhaps even use it as a justification for their replacement by members of the reform movement.[54] This can also be seen as a reflection of a time when the boundaries between monks and clerics were in a process of becoming clearer, and Ælfric takes a stance in positioning himself as a figure of authority in their definition.

As can be seen above, the list of required books changes and shortens with each occurrence of writing. None of the lists, however, include a homiliary. This is an odd omission from a man who himself spent so much time and effort in composing two comprehensive sets of homilies for the whole church year, and whose works overall show a particular interest in providing means for the clergy to engage in orthodox pastoral care. Since Ælfric emphasized the importance of vernacular teaching throughout his other works, it seems perplexing that he would have excluded homilies as necessary tools for secular priests. And finally, considering that Carolingian capitularies and other contemporary texts, such as Burchard of Worms's *Decretum* and the *Excerptiones pseudo-Ecgberhti* (also known as Wulfstan's *Canon law collection* and *Collectio canonum wigorniensis*), that contain similar booklists do include "homeliae per circulum anni", the absence becomes even more puzzling. It is notable, though, that none of these examples says that priests should *own* the books, but that they should learn their contents ("necessaria sunt ad discendum" or "ut discat ea quae ei necessaria sint").[55] Ælfric in turn is clearly referring to books as objects to have in possession (*debet habere* and *sceal habban*).

That Ælfric would have seen it unnecessary for a priest to obtain books for preach-

53 Wilcox 2005, 58–60.

54 Thanks to Aidan Conti for pointing this out.

55 E.g. Haito, 'Capitula ecclesiastica' states: "Sexto, quae ipsis sacerdotibus necessaria sunt ad discendum, id est sacramentarium, lectionarius, antifonarius, baptisterium, compotus, canon penitentialis, psalterium, homeliae per circulum anni dominicis diebus et singulis festiuitatibus aptae" (Haito, 'Capitula ecclesiastica', 363). Burchard's list is clearly related to the list in the prologue in the so-called *Excerptiones pseudo-Ecgberhti*, but the items are listed differently: "Nunc ergo, o fratres, qui uoluerit sacerdotis nomen habere, in primis propter deum cogitet, ut discat ea quae ei necessaria sint, antequam manus episcopi caput ejus tangat: id est, psalterium, lectionarium, cum evangeliis, sacramentorum librum, baptisterium: et computum, cum cyclo cum commendationibus animarum, martyrologium, homelias per circulum anni plebibus praedicandas" (Burchard of Worms, 'Libri decretorum', *PL* 140, 979C). See, further, Ryan in this volume, 12–50.

ing does not therefore seem plausible. One could, however, see this contradiction as a kind of mixture of idealistic hopes and pragmatic realities. Robert Upchurch has argued that Ælfric, however idealistic towards the reformative movement, was also practical. Upchurch states that his pastoral letters were meant from the beginning to the clergy in general, and questions their limited sphere of influence within the reformist circles. He demonstrates that Ælfric was very flexible in his terminology of what kind of priest he meant in his instructions (whether regular, secular, or mixed).[56] It is to some extent unclear, and a topic of constant re-evaluation, what the role of reformed monasteries was in pastoral care on the grassroots level, and how they influenced the overall pastoral landscape in the 10th and 11th centuries.[57] Given the scarce evidence we have of the influence of reformed monasteries on the pastoral landscape of later Anglo-Saxon England, it is possible that their impact was more limited than what Ælfric might have wished for. It would be tempting to see this sort of practicality in the instructions of the required books, too, and to see them as indications of the heterogeneity that prevailed on the field. As always, one can find a spectrum of different practicalities that do not conform to a neat mould.

The fact that Ælfric does not include homiliaries in his list does not thus necessarily mean he did not see sermons as essential. He might have realized or anticipated that homilies and sermons circulated also in smaller formats, especially in the context of the secular church—despite his equally often-noted insistence in the concluding prayer to his second series of *Catholic homilies* that they should be copied in that particular manner and not be mixed with any other texts.[58] When we look at all the manuscripts that contain the pastoral letters, we immediately see that they often do contain several sermons and homilies, but that they could not with good conscience be called "homiliaries". Only in two manuscripts homilies and sermons form the major part of their contents (Cambridge University Library, ms. Gg.3.28 and Oxford, Bodleian Library, ms. Bodley 343). Other manuscripts with pastoral letters incorporate homilies, too, but in addition to them they also have a wide selection of diverse material for the use of the secular church, and as such escape clear categories. The strikingly controversial requirements of the books for every priest to have could thus be seen as a sign of an anticipation of the practicalities of teaching and preaching, which could happen in instances outside the parchment pages. This pertains also to teaching and preaching to the clergy itself.

If one is to place homilies and sermons under one of the categories in Ælfric's lists of books, they would most comfortably sit together with "reading books". It is somewhat unclear what exactly is meant by this term, but Helmut Gneuss has interpreted

56 Upchurch 2012, esp. 69–73.

57 For a recent discussion, see Jones 2009, Tinti 2015.

58 Ælfric, 'Oratio', in Godden 1979, 345.

it as an office lectionary, which could include bible lessons for Nocturns, as well as sermons and homilies. He says the term in this particular case would be a translation of the Latin "librum cum lectionibus ad nocturnas". There are some uncertainties with the other terms, too, such as the appearance of *rædingboc* and *spelboc* (*sumer & wintres*) in other texts with apparently different meanings, as well as the translation of *godspellboc* or *godspeltraht* as homiliary in some other instances.[59] Preaching seems to be assumed to have worked without any specific book category: a full homiliary is still missing from the list. There are several reasons why this might be so. Firstly, it might reflect a more general assumption that sermons could be adapted orally from written texts. Secondly, it may be plausible to assume that individual homilies could be copied and borrowed in a smaller format, like booklets, and that this practice—which is acknowledged to have been common in later Anglo-Saxon England—was an anticipated course of action in pastoral care on the grassroots level.[60] Or thirdly, as it seems to be the case with several miscellaneous or anthologizing collections, homilies and sermons may have been expected to be scattered among other texts, forming no clear category other than a "reading book".

It is indeed noteworthy that the majority of the manuscripts in which the pastoral letters survive, are either composed of booklets (or "blocks") or have been written gradually over time, by adding new texts to the existing codex.[61] As an illustrative example, a Latin manuscript which contains two pastoral letters for Wulfstan, Copenhagen Kongelige Bibliotek, GKS ms. 1595, is composed of seven sections, which all have a somewhat consistent internal logic. The pastoral letters in this manuscript are positioned in a section that contains sermons for the laity and other texts on priestly pastoral functions.[62] The book as a whole is eminently suitable to be used in an episcopal context within the secular church. This sort of structuring of the book is an indication

59 The term *godspellboc* in the list is somewhat unclear. It occurs only in two texts in the whole Old English corpus. The *Dictionary of Old English* gives "a gospel-book, possibly an evangelistary, a lectionary containing the portions of the gospels that comprise part of the liturgy" (Cameron *et al*. 2016, s.v. *godspellboc*). This sort of book is elsewhere normally described as *Cristes-boc*, however, and the sense of "gospel-book" became dominant only in the Middle English period. It further complicates the matter that elsewhere Ælfric describes his own homiliaries as *spelbec*, and that *godspellboc* disappears from the list after its first occurrence. For terminology, see Gneuss 1985.

60 See esp. Robinson 1978; and Wilcox 2009.

61 Manuscripts that consist of booklets produced contemporaneously or have been added with booklets produced on a different occasion: Cambridge, Corpus Christi College, ms. 265; Copenhagen, GKS ms. 1595; London, British Library, ms. Cotton Vespasian D.xiv; Oxford, Bodleian Library, ms. Bodley 343. Oxford, Bodleian Library, ms. Junius 121; Manuscripts put together gradually with several layers of copying or compilation: Cambridge, Corpus Christi College, ms. 190; London, British Library, ms. Cotton Tiberius A.iii.

62 Copenhagen, GKS ms. 1595, section VII, quires ix and x, fols. 67^{r}–82^{v}.

of the process of production in which smaller booklets were produced separately and then assembled together in a varied manner—or they could be used independently before they were later bound together with other texts, as noted by Christopher Jones.[63] Michael Elliot's study of Wulfstan's commonplace manuscripts supports the idea that book production at Worcester and York at Wulfstan's time would have resembled the later *pecia*-system in that they were produced as booklets (hence the similar but heterogeneous thematic "blocks" in the commonplace books), which could be easily combined or stacked with other booklets according to current needs.[64] There are also examples of independent homiletic booklets in the manuscripts which contain pastoral letters,[65] suggesting that preaching was also practised in this way, with the help of small, very portable and lightweight units, and that this practice was most likely well-known and expected.

With the kinds of varied material characteristics that these mixed collections have, it is beneficial to think of the homiletic genre and the practice of preaching in much more fluid terms than what is hinted at by the systematic collections in full homiliaries. In the remaining pages of this essay I will chart out and discuss the possible practical contexts in which the manuscripts with pastoral letters could have been used.

The uses of pastoral letters from *c.* 1000 to *c.* 1175

The biggest proportion of the books in which Ælfric's pastoral letters are copied can with different degrees of certainty be situated in episcopal contexts throughout the 11th century. Not surprisingly, most of those five manuscripts that represent the tradition of Wulfstan's "commonplace books" are known to have been used by a bishop, or at least to have been produced for such intent. A notable number of these books originate from the cathedral community of Worcester. One of them was produced during Wulfstan's own episcopate (Copenhagen, GKS ms. 1595) and two under the episcopacy of Wulfstan II, around the time of the Norman Conquest (Cambridge, Corpus Christi College, ms. 265 and Oxford, Bodleian Library, ms. Junius 121). An additional two manuscripts (Cambridge, Corpus Christi College, ms. 201, part B, and the older part of Cambridge, Corpus Christi College, ms. 190) were probably produced at Worcester in the first half or in the middle of the 11th century, and afterwards augmented with further material elsewhere. A 12th-century homiletic manuscript with two Old

63 Jones 1998, 77–79.

64 Elliot 2012, 34–36.

65 Oxford, Bodleian Library, ms. Junius 121, fols. 138^{r}–60^{r}, contains a separate section with five homilies in different hands: Ælfric's 'Dominica prima de aduentu Domini' and 'Dominica secunda de aduentu Domini', an anonymous sermon for Easter Day ('De descensu Christi ad inferos' [title added later]), Ælfric's preface to the first series of *Catholic homilies* adapted as a homily, and his 'In assumptione Sanctę Marie uirginis'.

English letters for Wulfstan (Oxford, Bodleian Library, ms. Bodley 343)—not one of the "commonplace books"—has been estimated to have originated from somewhere nearby, though not necessarily from the Worcester Cathedral scriptorium itself.[66] On the one hand the concentration of these books in the Worcester area indicates certain continuity in textual production in the West Midlands, but on the other hand restricts the reading of these letters as evidence of a wider practice.

There are, however, examples of circulation of the pastoral letters also in other episcopal environments. One of them is the wholly Latin Copenhagen manuscript, which was at some point (perhaps as early as in the 11th century) taken to Denmark. The Latin sermons, canonical and liturgical tracts in this modest book would have provided a practical handbook for basic catechetical teaching of the laity, in addition to functioning as a guide for episcopal work. The sermons in this manuscript are stripped from complex theological discussion and they summarize the basic themes a prelate would need at his work. Their form and style suggest that they could have functioned as drafts for the preparation of preaching, for elaboration in either oral delivery or further adaptation in writing. But since the date of the manuscript's transfer to Denmark is unclear, it is difficult to estimate the scope of the uses of this book. James Cross and Jennifer Morrish Tunberg considered it unlikely that the manuscript would have left England during Wulfstan's time, because of its "frankly utilitarian" content and appearance. As such it would not have been an "obvious choice for presentation" for Cnut or someone connected with him.[67] This does not, of course, exclude the possibility that it was brought to Denmark around the same time on a less prestigious occasion. Johan Gerritsen, in turn, has argued that the book was, in fact, a gift for the newly appointed bishop of Roskilde, Gerbrand, who was consecrated at Canterbury by Archbishop Æthelnoth in 1022, and that the booklet-format with eight scribes points to a hurried production of a manuscript that was from its beginnings planned as a whole.[68] However, taking into account the practice of book production at Worcester at this time, this sort of structure does not necessarily implicate haste or an unusual, immediate need. On the contrary, these "blocks" could have been made with the intent of being on stock for later compilation, as Jones' and others' observations on book production at Worcester suggests.[69]

66 Irvine 1993, xix, liii.

67 Cross & Tunberg 1993, 60–61. Tunberg suggests the later context of Benedictine community of Evesham's establishment of a daughter house in Odense, *c.* 1095–1096. The contents of the book would, however, point to a direction of the secular church, bearing no indication of monastic interests.

68 Gerritsen 1998, 510.

69 Cf. Gerritsen 1998, 509–510, "In Wulfstan's day, copying was still definitely for a purpose. Copying for stock does not appear until, again, the fifteenth century. The fact that these ten quires now form one volume is therefore *prima facie* evidence that they were copied to make this very book."

Despite these uncertainties, the pastoral contents in the book form a coherent whole from which a bishop could draw general guidelines or inspiration in the composition of sermons in the vernacular. Relevant to my discussion is the thematic unity of booklets in Wulfstan's "commonplace" manuscripts. The section in which the pastoral letters occur in the Copenhagen manuscripts concerns solely and exclusively clerical instruction.[70] Furthermore, both letters in this manuscript are titled as sermons for the clergy: the first letter has a rubric *Sermo episcopi ad clericos*, and the second *Item sermo ad sacerdotes*, both added by Wulfstan himself. The other texts that surround the letters concern the practice of baptism, the blessing of the chrism, the preparation of the wine, bread and water for the mass, and short definitions of lower clerical grades (*hostiarius* and *lector*). The contents are wholly suitable for the use of the secular church, and taking into account the book's later Danish provenance, it would be tempting to see it as part of the practical establishment of ecclesiastical administration in Scandinavia. But since there are few signs of use, marginalia or annotations other than Wulfstan's own corrections, a small addition in an 11th-century continental hand,[71] and darkening of the lower corners, not much can be ascertained about its specific contexts of use.

Two further examples of circulation outside the Worcester area that can be placed in more specific episcopal sees include the homiliary that was most likely produced at Cerne and supervised by Ælfric containing the letter for Wulfsige (Cambridge University Library, ms. Gg.3.28). This manuscript is the sole example that contains both series of Ælfric's *Catholic homilies*, and therefore it is often seen in the context of the monastic reform. Hill describes it as a "file copy" to be kept at Cerne, but Upchurch has recently argued for a more secular context. The book's Durham provenance, Upchurch suggests, may date from a time soon after its production, as its contents and composition would have been especially suitable for the use of the community of secular priests, established at Durham by Bishop Aldhun in 995.[72] That the pastoral letter for Wulfsige was added to this manuscript after the homilies would confirm its use in a new episcopal environment. New contexts can also be seen in the way an early or mid-11th-century Latin "commonplace book" containing legislation, liturgy and sermons (Cambridge, Corpus Christi College, ms. 190) was augmented with penitential, canonical and homiletic material, mostly in the vernacular, together with some excerpts from the rule of Chrodegang and from the councils after the battle of Hastings. As mentioned above, the resulting book is the only example in which all the five pasto-

70 Copenhagen, GKS ms. 1595, section VII, quires ix and x, fols. 67^{r}–82^{v}.

71 Fol. 82 contains a Gloria and neumes in an 11th-century hand that belonged possibly to someone from Germany or eastern parts of Francia. This may either tell of the relationships between continental centres and England, or between the continent and Denmark. It is not possible to determine if the neumes were drawn on the margins in England, in Denmark, or on the continent. See Cross & Tunberg 1993.

72 Upchurch 2012, 57; Clemoes 1997, 147; cf. Hill 1992, 112.

ral letters are present, since the additions made at Exeter include not just the two Old English letters for Wulfstan, but also the letter for Wulfsige, which appears here with a title *Be preoste synode*.[73] The book has a very complex compilation, but at the same time it shows the flexibility of book (re)production and use: it has been transformed into a useful compilation for the use of the cathedral community of Exeter, and as such it reflects the interests of the community following the enlarged rule of Chrodegang, and probably even more those of Bishop Leofric himself. As a man educated on the continent, and having spent much time there, practical handbooks like these would probably have been very useful in dealing with pastoral care in an English context. Judging from its wear and tear and numerous additions and annotations, it seems to have been in active use, too.

These episcopal manuscripts are valuable when estimating the role of the bishop in the organization of pastoral care and preaching in the dioceses. Often the sermons and homilies that are copied in these collections do not form a separate part, but are scattered in a piecemeal fashion or in thematic groups among other texts: this sort of flexibility conforms well to the vagueness of the list of the required books and the absence of homiliary from it.

The sermons surrounding the pastoral letters are often addressed to the general public or to the clergy, but on the other hand they are not as strict as to indicate any specific audience, and could perhaps be adjusted according to the situation. It is worth noting that in several manuscripts the pastoral letters are situated near or in the immediate context of sermons that explain the necessity and meaning of baptism. Other issues closely related to pastoral care that appear together with the pastoral letters are the importance of confession, the visitation of the sick and the dying, and the payment of church dues.[74] All these issues indicate interest in the practicalities and organization of pastoral care, of which the letters were clearly part, and demonstrate that the survival of practical texts such as these letters only in large "reference collections" is not an impassable obstacle in our attempts to estimate their possible uses.

Administration of baptism is one of the subjects in the letters themselves, in the like manner of Wulfstan's other homilies. For instance, in one of the two manuscripts that were produced in the 12th century, Oxford, Bodleian Library, ms. Bodley 343, the two Old English letters are preceded with Wulfstan's *Sermo de baptismate*.[75] This large collection that contains both Latin and Old English homilies is more distinctly homiletic than most of the other manuscripts in which the pastoral letters are cop-

73 Cambridge, Corpus Christi College, ms. 190, p. 205.

74 The growing interest in the payment of tithes was most likely related to the changing relationships between lay landlords and the clergy, and the new organization and establishment of local churches by the lay magnate: Tinti 2010, 289.

75 Oxford, Bodleian Library, ms. Bodley 343, fols. 132^{r}–33^{r}, printed by Bethurum 1957, 175–184, as VIIIc, 'Sermo de baptismate'.

ied. The contents of this late manuscript are part of the vernacular preaching tradition which started before Ælfric's endeavours, and as such testify to the continued interest in the use of the vernacular well beyond the Norman Conquest.[76] The texts in the section in which the letters appear—though "with no apparent pattern in their arrangement"[77]—are generally suitable for episcopal and pastoral work. The section includes texts that concern the dedication of a church, clerical instruction, the blessing of the chrism, baptism and preaching, several by Wulfstan himself.[78] Its large size (in its current state with trimmed pages it measures up to *c.* 310 × 205 mm) makes it impractical for use in pastoral care in the field. It has been estimated to have been used for devotional reading or as a secondary resource for preaching,[79] though the idiosyncratic method of compilation of the manuscript would also point to an archival intent. Archiving "does not, it should be acknowledged, define an end unto itself", but can serve as a beginning for a range of other uses, such as instruction or preaching, as Aidan Conti remarks.[80]

The surrounding texts that were copied together with the letters, and in this way imply a certain degree of association, often give clues as to the intended uses of these texts. For instance, in one of Wulfstan's "commonplace books" (Cambridge, Corpus Christi College, ms. 201, part B), the first Old English pastoral letter is copied among several sermons that are addressed to the laity (*to folce*). Despite its mixed contents and complex compilation, the book has an internal logic: it starts with a homily on Adam and an outline of the history of the world and its six ages. It is quite common for homiletic manuscripts to situate preaching in a meaningful context of the faith with a beginning that deals with Christian cosmology and history. Then follows a number of sermons (or pastoral letters on archiepiscopal functions) addressed to the general public, "to eallum folce", which are in turn followed by a cluster of sermons and exhortations that pertain to the functions and obligations of priests. Then the sermons' address seems to change once again, as they discuss the matters of worldly rule and the sinfulness of evil rulers. These pieces are then followed by a group of sermons on the coming of the Antichrist and the end of the world.[81] Passages on legislation, regulation, and various pastoral functions fill the rest of the book, together with an Old English prose version of Apollonius of Tyre and a list of the resting places of assorted kings, saints, and bishops.

The letter itself is clearly regarded to function as a sermon, as well, and to be

76 Conti 2012, 262–263.

77 Irvine 1993, xlvi.

78 Oxford, Bodleian Library, ms. Bodley 343, fols. 129^{r}–154^{v}.

79 Irvine 1993, liv. On the circulation, uses and possible audiences, see Conti 2007.

80 Conti 2012, 271.

81 The sermons are centred roughly on pp. 8–87, though not all readings in this part are actual sermons.

preached to the clergy, evidently by the bishop himself. It has a rubric *To gehadedum mannum*, and is followed by two additional readings to men in orders from Wulfstan's *Institutes of polity* (*Be gehadedum mannum*, and *To gehadedum & læwedum mannum*), and an exhortation to "all Christian men". These exhortations are then followed by three pages of legal regulations for clerics from the *Northumbrian priests' law*.[82] In this manuscript the first Old English letter for Wulfstan is modified by him, and the sermons have a particular tone bearing his authority, as they often retain his name as an author. The book contains a number of his own pastoral letters, divided in three readings, all with a rubric *to folce*, in which the archbishop "greets friendly both thegns and people, mutually both clerical and lay", and asks them to heed to his moral exhortations.[83] These tracts can be seen as the most notable archiepiscopal authorization for the contents of the whole book, giving certain force to the role of the bishops in the pastoral landscape also after Wulfstan's own episcopate.

Similar association with sermons *ad populum* and *ad sacerdotes* is visible also in the mid-11th-century manuscript from Christ Church, Canterbury mentioned above (British Library, Cotton Tiberius, ms. A.iii), which otherwise is somewhat dissimilar to other manuscripts with the pastoral letters. Here the second pastoral letter for Wulfstan, which ends abruptly, is situated among confessional material together with sermons addressed to the general public and the clergy. The book, however, contains much more monastic material than those discussed above, such as the Rule of St. Benedict and Ælfric's *Colloquy*—both of which are thoroughly glossed—, and a tract on monastic sign language and several prognostics. Although not previously seen to have had a pastoral function, but described as a monastic book or a reference book for clerical instruction,[84] the mixture of monastic, clerical and archiepiscopal material in compilations like these highlights the various practices of pastoral care, especially in those cathedral environments that were proponents of the reformed monasticism, and in which both monks and clerics could have a pastoral role.[85] The sermons to the general public expound on the fleeting nature of human life on earth, they explain the meaning of Christ's death, and exhort to alms-giving, to the payment of tithes, and the renouncement of one's sins and wrongdoings—lest one perishes in the eternal fires of hell.[86] Topics such as these would certainly be suitable for the purposes of a monastic community that also engaged in pastoral activities in the surrounding areas.

82 Cambridge, Corpus Christi College, ms. 201, pp. 31–46.

83 Cambridge, Corpus Christi College, ms. 201, pp. 19–22.

84 E.g. Budny 1997, 631–632.

85 Especially the work by Tracey-Ann Cooper has shed new light on the long life of this manuscript and its functions in an environment of reformed monasticism that also included pastoral care by the archbishop. See Cooper 2005, and further, Cooper 2015; Tinti 2015, 242–243.

86 Cambridge, Corpus Christi College, ms. 201, pp. 19–25; British Library, ms. Cotton Tiberius, A.iii, fols. 88^{v}–92^{r}, printed as XIII, 'Sermo ad populum' by Bethurum 1957, 225–232.

Pastoral and episcopal work seems therefore to have been the main function of these letters, but at least in one instance the letters were used in a context completely removed from pastoral care. This is one of the two manuscripts that were produced in the 12th century, British Library, Cotton Vespasian ms. D.xiv, part I. This manuscript was compiled apparently at the cathedral priory of Christ Church, Canterbury, in 1140–1160. In the late 12th century the book was evidently used in a female community, or at least was read by a member of one, as there are additions in the beginning of the book by a scribe who identifies herself as an *ancilla*, perhaps from the nunnery of St Sepulchre in Canterbury.[87] The nature of the manuscript is quite different when compared to the rest of the books in which the pastoral letters survive, since it does not appear to indicate any liturgical or pastoral interest, but is a compilation of homiletic, hagiographic, educational and other material, many of them excerpted or abridged. Neither of the two pastoral letters for Wulfstan that the compiler used in this collection is complete. Only a selected passage has been copied from both letters: that on the Ten Commandments with a rubric *Decalogum Moysi*, and that on the visions of St John the Evangelist and Daniel on the ascendance of Christ. The latter excerpt is not rubricated, but it addresses an apparently monastic audience by its call for chastity that the holy servants of God ("halige þenas & halige þinena") are expected to keep.[88] The pastoral letters stand apart from each other, unlike in many previous instances of copying, and are situated among texts that deal with rather basic doctrinal edification, such as the Old English version of the *Disticha Catonis*, an excerpted homiletic passage on the Trinity and the nature of man,[89] and Ælfric's *De duodecim abusivis*.[90] The surrounding contents have no bearing on liturgy, the secular church or pastoral care, nor do the passages taken from the pastoral letters show any signs of their "original" intentions of educating the secular clergy.

In fact, as George Younge has pointed out, when selecting material for the collection the compiler of Vespasian D.xiv has throughout the book skilfully avoided material that pertains to the teaching of the ordinary laity, and selected material more exclusively applicable to monastic life. Younge states that characterizing the manuscript as "commonplace book", a "preaching manual", or a "teaching manual for young religious" does not fully explain the contents of the book. Instead, the choices within the collection point to the conclusion that it would have been especially suitable for private reading among an audience consisting of *conversi*, adult postulants to the monastic life, but Younge does not exclude the option that it might have found its way to

87 Treharne 2010.

88 London, British Library, ms. Cotton Vespasian D.xiv, fols. 13^{v}–15^{r} and 75^{r}–75^{v}.

89 Excerpted from Ælfric's 'Feria IIII de fide Catholica' (*Catholic homilies* I.20).

90 The parts in which the pastoral letters occur, described by Handley as "blocks" B and C, contain material more generally on the early church. The book as a whole forms a coherent series of thematic blocks, starting from the Creation to the early church, and to the Resurrection and the afterlife: Younge 2013, 2; Handley 1974.

pastoral care through the monks of Christ Church.[91] However, there is less evidence of the latter—unless the folded booklet that forms the beginning of the codex could be seen as an indication of pastoral activities outside the monastery before its inclusion to the rest of the book.[92] The modification of the pastoral letters from their more common function as episcopal sermons to the secular clergy to two selected passages on basic doctrinal issues that show no interest towards pastoral care or the secular church would in turn point to a use within the monastic walls. In mid-12th century, the letters were therefore used at least in two quite different contexts, one that resembles their original intention as aid in episcopal and pastoral work, and another that seems to be consciously removed from it. These differences are not indications of an evolutionary development of these texts, but show in a concrete way the diversity of the church's function on the ground.

Conclusion

In conclusion, as we do not have any other evidence of the circulation of the letters than what remains in large collections, they must first and foremost be seen as declarations of authority on the bishops' part to define the rules and obligations for standardized pastoral work in their own dioceses. The manuscript evidence shows that there was certain continuity in these episcopal aspirations in the Worcester diocese also after the Norman Conquest, shown most clearly during the episcopacy of Wulfstan II, whose own manuscript compilations are an interesting source of information on what was considered essential in the pastoral landscape in the diocese of Worcester. Despite the concentration of material to the West Midlands area the letters were evidently used also in other contexts, most notably as part of episcopal work in other sees such as Exeter and perhaps also in Durham. On a more cautious note, they may have played a part in the early stages of the establishment of pastoral work in a Danish context. Less clear is the use of the pastoral letters in monastic environments, except for monastic cathedrals, but they could also serve as sources for devotional reading in a situation stripped from the matters of the secular church.

The aspirations of the letters together with the varied manuscript contexts may be seen as an indication of certain flexibility in the production and communication of pastoral care. Acknowledging that the pastoral letters survive only in miscellaneous, commonplace, or reference books does not do justice to the living practices of pastoral care. Large collections with miscellaneous or anthologizing material like these

91 Younge 2013, esp. 5–7, 16–17.

92 British Library, ms. Cotton Vespasian, D.xiv, fols. 4^{v}–6^{v}, which contains an excerpted account of the creation of the world, adapted from a homily by Ælfric, and has a horizontal folding mark across the leaves.

did not have only an archival function, but could be used in further copying of individual items, and then used in dioceses separately, or as material for the preparation of preaching. The bishop himself could use this material when preaching to his clergy, who would then rely on their memory of his teachings in the delivery of pastoral care in practice. Estimations of uses like these are necessarily conjectural, but nonetheless appealing in light of the living nature of homiletic writing and pastoral letters in their varying contexts. It is perhaps useful to imagine not a single purpose for these letters, but a range of wider contexts that we can only approach indirectly, with the help of the expectations towards clerical instruction, the production of booklets to be used for preaching or later compilation, and the varying textual contexts and associations with other texts. Even though we must always be wary of the limitations of manuscript evidence, and to avoid making too broad generalizations based on such fragmentary evidence, there is sufficient reason to consider the possibility that the admonitions in these letters were indeed taught and preached in practice, too.

APPENDIX:

Manuscripts that contain Ælfric's pastoral letters, listed in a rough chronological order of production

K = Ker 1957, G = Gneuss 2001

Cambridge, University Library, ms. Gg.3.28
K 15, G 11
Date: *c.* 1000
Contents in brief: Ælfric's *Catholic homilies* I & II
Contains pastoral letters: Letter for Wulfsige (incomplete, fols. 264^{r}–266^{v})
Origin/Provenance: Cerne? prov. Durham

Copenhagen, Kongelige Bibliotek, Gl. Kgl. Sam., ms. 1595 4°
K —, G 814
Date: *c.* 1002–1023
Contents in brief: Wulfstan's commonplace book (Latin)
Contains pastoral letters: First and Second Latin letters for Wulfstan (fols. 67^{r}–74^{r}, 74^{r}–77^{v})
Origin/Provenance: Worcester; prov. Denmark (Odense?)

Cambridge, Corpus Christi College, ms. 201, pp. 8–160, 167–176
K 49B, G 65.5
Date: s. xi[1] or xi[med]
Contents in brief: Homiletic, canonical, legal and miscellaneous material
Contains pastoral letters: First Old English letter for Wulfstan (modified, pp. 31–46)
Origin/Provenance: Winchester, New Minster?; prov. Worcester?

British Library, ms. Cotton Tiberius, A.iii, fols. 2[r]–173[v]
K 186, G 363
Date: s. xi[med]
Contents in brief: Miscellaneous monastic, confessional, scientific and homiletic material
Contains pastoral letters: Second Old English letter for Wulfstan (ends abruptly; fols. 106[r]–7[r])
Origin/Provenance: Canterbury, Christ Church

Cambridge, Corpus Christi College, ms. 190, pp. iii–xii, 1–294, 295–420
K 186, G 363
Date: s. xi[1]; additions s. xi[2]
Contents in brief: Wulfstan's commonplace book (Latin), added with canonical, penitential and other ecclesiastical material mostly in the vernacular
Contains pastoral letters: First and Second Latin letters for Wulfstan (pp. 151–159, 188–201); Letter for Wulfsige (pp. 295–308); First and Second Old English letters for Wulfstan (pp. 320–336, 336–349)
Origin/Provenance: Worcester? Added to at Exeter, prov. Exeter (whole ms.)

Cambridge, Corpus Christi College, ms. 265, pp. 1–268
K 53, G 73
Date: s. xi[med]– xi[3/4]; additions s. xi[2]—xii[in]
Contents in brief: Wulfstan's commonplace book (Latin)
Contains pastoral letters: First and second Latin letters for Wulfstan (pp. 160–173, 174–180)
Origin/Provenance: Worcester

Oxford, Bodleian Library, ms. Junius 121
K 338, G 644
Date: s. xi[2] (1060–1072); additions s. xi[2]
Contents in brief: Wulfstan's commonplace book
Contains pastoral letters: Letter for Wulfsige (fols. 101[v]–10[v]); Second Old English letter for Wulfstan (fols. 111[r]–24[r])
Origin/Provenance: Worcester

British Library, ms. Cotton Vespasian, D.xiv, fols. 4–169
K 209, G —
Date: 1140–1160
Contents in brief: Homiletic, educational and miscellaneous material
Contains pastoral letters: Extracts from the first and second Old English letters for Wulfstan (fols. 13^{v}–15^{r}, 75^{r}–^{v})
Origin/Provenance: Canterbury, Christ Church

Oxford, Bodleian Library, ms. Bodley 343
K 310, G —
Date: s. xii^{2} (*c.* 1175)
Contents in brief: Homilies and saints' Lives
Contains pastoral letters: First and second Old English letters for Wulfstan (fols. 133^{r}–37^{v}, 137^{v}–40^{r})
Origin/Provenance: Unknown, south-west Midlands?

Oxford, Bodleian Library, Barlow 37, fols. 1–61
K —, G —
Date: s. xii^{ex}
Contents in brief: Wulfstan's commonplace book (Latin)
Contains pastoral letters: Extracts from the first and second Latin letters for Wulfstan (41v–42v, 44r–45v)
Provenance: Unknown

BIBLIOGRAPHY

Manuscripts

Cambridge, Corpus Christi College, ms. 190.
Cambridge, Corpus Christi College, ms. 201.
Cambridge, Corpus Christi College, ms. 265.
Cambridge, University Library, ms. Gg.3.28.
Copenhagen, Kongelige Bibliotek, Gl. Kgl. Sam., ms. 1595.
London, British Library, ms. Cotton Tiberius A.iii.
London, British Library, ms. Cotton Vespasian D.xiv.
Oxford, Bodleian Library, ms. Bodley 343.
Oxford, Bodleian Library, ms. Junius 121.

Printed works

[pseudo-Alcuin], *Liber de divinis officiis*, *PL* 101, 1173–1286.

Barrow, J. 2015. *The clergy in the medieval world: Secular clerics, their families and careers in North-Western Europe, c. 800–c. 1200* (Cambridge: Cambridge University Press).

Bateson, M. 1895. 'A Worcester Cathedral book of ecclesiastical collections, made *c.* 1000 A.D.', *The English Historical Review* 10, 712–731.

Bethurum, D. 1942. 'Archbishop Wulfstan's commonplace book,' *PMLA* 57, 916–929.

Bethurum, D. ed. 1957. *The homilies of Wulfstan* (Oxford: Clarendon Press).

Blair, J. 2005. *The church in Anglo-Saxon society* (Oxford: Oxford University Press).

Budny, M. 1997. *Insular, Anglo-Saxon, and early Anglo-Norman manuscript art at Corpus Christi College, Cambridge: An illustrated catalogue*, Vol. 1 (Kalamazoo: Medieval Institute Publications).

Burchard of Worms, *Libri decretorum*, *PL* 140, 537–1057.

Cameron, A., A.C. Amos & A. Healey *et al.* eds. 2016. *Dictionary of Old English: A to H online* (Toronto: Dictionary of Old English Project), https://www.doe.utoronto.ca [accessed 22 December 2016].

Clayton, M. 1985. 'Homiliaries and preaching in Anglo-Saxon England', *Peritia* 4, 207–242.

Clemoes, P. ed. 1997. *Ælfric's Catholic homilies. The first series: Text*, EETS, S.S. 17 (Oxford: Oxford University Press).

Constable, G. 1980. 'Monasteries, rural churches, and the *cura animarum* in the early Middle Ages', in *Cristianizzazione ed organizzazione ecclesiastica delle campagne nell'alto medioevo. Espansione e resistenze* (Spoleto: Settimane di studio del centro italiano di studi sull'alto medioevo), 349–395.

Conti, A. 2007. 'The circulation of the Old English homily in the twelfth century: New evidence from Oxford, Bodleian Library, ms Bodley 343', in *The Old English homily: Precedent, practice, and appropriation*, ed. A.J. Kleist (Turnhout: Brepols), 365–402.

Conti, A. 2012. 'Individual practice, common endeavour: Making a manuscript and community in the second half of the twelfth century,' in *Producing and using English manuscripts in the post-Conquest period*, eds. W. Scase, R. Copeland & D. Lawton (Turnhout: Brepols), 253–272.

Cooper, T.-A. 2006. 'The homilies of a pragmatic archbishop's handbook in context: Cotton Tiberius A. iii', *Anglo-Norman Studies* 28, 47–65.

Cooper, T.-A. 2015. *Monk-bishops and the English Benedictine reform movement: Reading London, BL, Cotton Tiberius A. III in its manuscript context* (Toronto: Pontifical Institute of Mediaeval Studies).

Cross, J.E. & J.M. Tunberg, eds. 1993. *The Copenhagen Wulfstan collection: Copenhagen Kongelige Bibliotek Gl. Kgl. Sam. 1595* (Copenhagen: Rosenkilde and Bagger).

Da Rold, O., T. Kato, M. Swan & E. Treharne, eds. 2010. *The production and use of English manuscripts 1060 to 1220* (University of Leicester, [last update 2013]): http://www.le.ac.uk/ee/em1060to1220 [accessed 22 December 2016].

Dumville, D.N. 1992. *Liturgy and the ecclesiastical history of late Anglo-Saxon England: Four studies* (Woodbridge: Boydell).

Elliot, M.D. 2012. 'Wulfstan's commonplace book revised: The structure and development of "Block 7", on pastoral privilege and responsibility', *The Journal of Medieval Latin* 22, 1–48.

Fehr, B. ed. 1966. *Die Hirtenbriefe Ælfrics: In Altenglischer und Lateinischer Fassung*, repr. with a supplement to the introduction by P. Clemoes (Darmstadt: Wissenschaftliche Buchgesellschaft).

Foot, S. 1992. 'Anglo-Saxon minsters: A review of terminology', in *Pastoral care before the parish*, eds. J. Blair & R. Sharpe (Leicester: Leicester University Press), 212–225.

Gameson, R. 1999. *The manuscripts of early Norman England c. 1066–1130* (Oxford: Oxford University Press).

Gatch, M.McC. 1977. *Preaching and theology in Anglo-Saxon England: Aelfric and Wulfstan* (Toronto: University of Toronto Press).

Gerritsen, J. 1998. 'The Copenhagen Wulfstan manuscript: A codicological study', *English Studies* 79, 501–511.

Giandrea, M.F. 2007. *Episcopal culture in late Anglo-Saxon England* (Woodbridge: The Boydell Press).

Gittos, H. 2005. 'Is there any evidence for the liturgy of parish churches in late Anglo-Saxon England? *The Red Book of Darley* and the status of Old English', in *Pastoral care in late Anglo-Saxon England*, ed. F. Tinti (Woodbridge: Boydell), 63–82.

Gneuss, H. 1985. 'Liturgical books in Anglo-Saxon England and their Old English terminology', in *Learning and literature in Anglo-Saxon England*, eds. M. Lapidge & H. Gneuss (Cambridge: Cambridge University Press), 91–141.

Gneuss, H. 2001. *Handlist of Anglo-Saxon manuscripts: A list of manuscripts and manuscript fragments written or owned in England up to 1100* (Tempe: Arizona Center for Medieval and Renaissance Studies).

Gneuss, H. & M. Lapidge, 2015. *Anglo-Saxon manuscripts: A bibliographical handlist of manuscripts and manuscript fragments written or owned in England up to 1100* (Toronto: University of Toronto Press).

Godden, M. ed. 1979. *Ælfric's Catholic homilies: The second series*: *Text*, EETS, S.S. 5 (London: Oxford University Press).

Godden, M. 2004. 'The relations of Wulfstan and Ælfric: A reassessment', in *Wulfstan, archbishop of York: The proceedings of the Second Alcuin Conference*, ed. M. Townend (Turnhout: Brepols), 353–374.

Haito. 'Capitula ecclesiastica', ed. A. Boretius, in *Monumenta Germaniae Historica*, *Leges* II: *Capitularia Regum Francorum* I (Hanover, 1883), 363–366.

Handley, R. 1974. 'British Museum ms. Cotton Vespasian D. xiv', *Notes and Queries* 21, 243–250.

Hill, J. 1992. 'Monastic reform and the secular church: Ælfric's pastoral letters in context', in *England in the eleventh century: Proceedings of the 1990 Harlaxton Symposium*, ed. C. Hicks (Stamford: Paul Watkins), 103–117.

Hill, J. 2009. 'Ælfric: His life and works', in *A companion to Ælfric*, eds. H. Magennis & M. Swan (Leiden: Brill), 35–65.

Irvine, S. ed. 1993. *Old English homilies from Bodley 343*, EETS, O.S., 302 (Oxford: Oxford University Press).

Jones, C.A. 1998. *Aelfric's letter to the monks of Eynsham* (Cambridge: Cambridge University Press).

Jones, C.A. 2009. 'Ælfric and the limits of "Benedictine Reform"', in *A companion to Ælfric*, eds. H. Magennis & M. Swan (Leiden: Brill), 67–109.

Ker, N.R. 1957. *Catalogue of manuscripts containing Anglo-Saxon* (Oxford: Clarendon Press).

Kleist, A.J. ed. 2007. *The Old English homily: Precedent, practice, and appropriation* (Turnhout: Brepols).

Lapidge, M. 1985. 'Surviving booklists from Anglo-Saxon England', in *Learning and literature in Anglo-Saxon England*, eds. M. Lapidge & H. Gneuss (Cambridge: Cambridge University Press), 33–89.

Lionarons, J.T. ed. 2004. *Old English literature in its manuscript contexts* (Morgantown: West Virginia University Press).

Napier, A.S. ed. 1916. *The Old English version of the enlarged rule of Chrodegang together with the Latin original*, EETS, O.S., 150(London: Early English Text Society).

Robinson, P.R. 1978. 'Self-contained units in composite manuscripts of the Anglo-Saxon period', *Anglo-Saxon England* 7, 231–238.

Sauer, H. 2000. 'The transmission and structure of Archbishop Wulfstan's "commonplace book"', in *Old English prose: Basic readings* ed. P. Szarmach (New York: Garland), 339–393.

Stephenson, R. 2009. 'Scapegoating the secular clergy: The hermeneutic style as a form of monastic self-definition', *Anglo-Saxon England* 38, 101–135.

Stephenson, R. 2015. *The politics of language: Byrhtferth, Ælfric, and the multilingual identity of the Benedictine reform* (Toronto: University of Toronto Press).

Swan, M. & E. Treharne, eds. 2000. *Rewriting Old English in the twelfth century* (Cambridge: Cambridge University Press).

Thomas, H.M. 2014. *The secular clergy in England, 1066–1216* (Oxford: Oxford University Press).

Tinti, F. 2010. *Sustaining belief: The Church of Worcester from c. 870 to c. 1100* (Farnham: Ashgate).

Tinti, F. 2015. 'Benedictine reform and pastoral care in late Anglo-Saxon England', *Early Medieval Europe* 23:2, 229–251.

Tinti, F., ed. 2005. *Pastoral care in late Anglo-Saxon England* (Woodbridge: Boydell).

Treharne, E.M. 2003. 'Producing a library in late Anglo-Saxon England: Exeter, 1050–1072', *The Review of English Studies* 54:214, 155–172.

Treharne, E.M. 2010. 'London, British Library, Cotton Vespasian D.xiv", in *The production and use of English manuscripts 1060 to 1220*, eds. O. Da Rold, T. Kato, M. Swan & E. Treharne (University of Leicester, [last update 2013]): https://www.le.ac.uk/english/em1060to1220/mss/EM.BL.Vesp. D.xiv.htm.

Treharne, E.M. 2012. *Living through conquest: The politics of Early English, 1020–1220* (Oxford: Oxford University Press).

Upchurch, R.K. 2012. 'Shepherding the shepherds in the ways of pastoral care: Ælfric and Cambridge University Library, ms Gg.3.28', in *Saints and scholars: New perspectives on Anglo-Saxon literature and culture in honour of Hugh Magennis*, ed. S. McWilliams (Cambridge: D.S. Brewer), 54–74.

Whitelock, D., M. Brett & C.N.L. Brooke, eds. 1981. *Councils and synods with other documents relating to the English church*, I, A.D. 871–1204, vol. 1: 871–1066 (Oxford: Clarendon Press).

Wilcox, J. 2005. 'Ælfric in Dorset and the landscape of pastoral care', in *Pastoral care in late Anglo-Saxon England*, ed. F. Tinti (Woodbridge: Boydell), 52–62.

Wilcox, J. 2009. 'The use of Ælfric's homilies: Mss Oxford, Bodleian Library, Junius 85 and 86 in the field', in *A companion to Ælfric*, eds. H. Magennis & M. Swan (Leiden: Brill), 345–368.

Winterbottom, M. & R.M. Thomson, eds. 2002. *William of Malmesbury: Saints' lives* (Oxford: Oxford University Press).

Younge, G. 2013. 'An Old English compiler and his audience: London, British Library ms Cotton Vespasian D. xiv, fols. 4–169', *English Manuscript Studies* 17, 1–25.

Bishops on crusade

Kurt Villads Jensen

Centrally placed on one of the main squares in Copenhagen, Archbishop Absalon in full armour, axe in hand, rides his valiant war horse: the horse faces the parliament built atop the bishop's medieval castle, whilst Absalon himself gazes towards the city hall whose council had decided to accept a lavish private donation and commemorate him suitably. The equestrian statue is one of the masterpieces of the sculptor and professor of the Academy, Vilhelm Bissen, and was unveiled in 1902, 701 years after the death of the famous bishop-founder of Copenhagen. Since then, it has been used in numerous school books and articles to illustrate both Absalon's heroic and belligerent nature and also that medieval bishops were not much concerned with piety and religion, instead preferring warfare and slaughter.

This is a simplified interpretation of a complex reality. The aim of the present article is to discuss the role of bishops in warfare, and especially in crusading. The field is enormous, and the selection of examples and sources therefore eclectic.

Bishops in wars—theories

There were no wars of any significance in the Middle Ages without bishops. The reason for this was that bishops combined the spiritual and practical care for their flock, that is not only for their diocese but also for Christianity as such, and therefore they had to be involved in matters as serious as the systematic killing of human individuals. They had to consider the spiritual implications of warfare, for the soldiers participating but also for the enemies or the targets of warfare. At the same time, bishops were concerned with the practicalities and had to consider how war could be done most effectively to reach a goal that was ultimately spiritual, and so that warfare did not become a cause for scandal and dissidence among the believers.

The bishop's balancing between his spiritual and his practical office was difficult and a recurrent theme for concern since the early church,[1] and the summary of earlier opinions in Gregory the Great's *Regula pastoralis* in the 590s spread widely, even gaining an Anglo-Saxon translation. Gregory stated that bishops should care for their flock, but also ensure sufficient time for themselves to retreat from the active life and enter into contemplation to care for their own spiritual life. The individual bishop might be hesitant or even afraid of taking upon his shoulders the practical leadership of his people, which would only be natural. The contrary would have been a sign of arrogance.[2] Nevertheless, he would have to be a leader, because it is an obligation put upon him by the Lord, Gregory stated.[3] Leadership is impossible without spirituality, but spirituality is void and empty if not resulting in action. The relation is as between man and woman: each must give to the other.

In the 12th century, Bernard of Clairvaux forcefully stressed that although the practical side of the episcopal office was a service not only to God but also to the common believers, it should never become an aim in itself. He flatly rejected that bishops could rule over men. Work and care, not riches and glory, are the content of episcopal life, or in a different formulation, a bishop's life is to serve and not to rule.[4] Bernard also strongly warned his protégé and pope, Eugene III, that no poison and no sword could be as dangerous as the lust to lead—the *libido dominandi*.[5] Bishops should by all means avoid becoming a *persona mixta,* a person who was cleric and lay at the same time.

On the other hand, Bernard continued, a bishop should be pure of heart, and this purity consisted of two things: seeking the glory of God, and being useful to one's neighbour. A bishop is a bridge-builder, a *pontifex*, between God and his neighbour, as Bernard stated in a letter to the newly appointed Archbishop Henry of Sens.[6] This

1 As discussed by Rapp 2005.

2 For further hostility to ambition and arrogance, see Lauge Christensen in this volume.

3 *Regula pastoralis* I.i.7: "Superbus enim fortasse esset, si ducatum plebis innumerae sine trepidatione susciperet"—about Moyses, but for bishops in general. II.i.7: "Uxori vir debitum reddat; similiter autem et uxor viro", Gregory citing from I Cor. 7:2. "Coelum contemplatione transcendit, nec tamen stratum carnalium sollicitudine deserit, quia compage charitatis summis simul, et infimis junctus, et in semetipso virtute spiritus ad alta valenter rapitur, et pietate in aliis aequanimiter infirmatur."

4 *De consideratione* II.vi.10: "[...] curam potius haereditabis et operam, quam gloriam et divitias. Blanditur cathedra? Specula est. Inde denique superintendis, sonans tibi episcopi nomine non dominium, sed officium."

5 *De consideratione* III.i.2: "[...] nullum tibi venenum, nullum gladium plus formido, quam libidinem dominandi."

6 *Ad Henricum*, ep. 42,10: "Porro puritas cordis in duobus consistit: in quaerenda gloria Dei, et utilitate proximi; ut in omnibus videlicet actis vel dictis suis nihil suum quaerat episcopus, sed tantum aut Dei honorem, aut salutem proximorum, aut utrumque. Hoc enim agens implebit non solum pontificis officium, sed et etymologiam nominis, pontem utique se ipsum faciens inter Deum et proximum."

provides the background for Bernard's clarification later in the letter, of how ecclesiastical and lay power should relate to each other.

Christ is the creator of Caesar, but did not hesitate to pay tax to Caesar, Bernard explained. Likewise, the bishop should render service to the successor of Caesar, that is to the king, and "be diligent in the king's courts and present at his councils, negotiations, and armies". Immediately following this unconditional statement, Bernard explains that there is no shame in obeying power, and that it is therefore appropriate for the bishop to use the soldiers he has at his command.[7] "Soldiers" could in other circumstances perhaps be given a spiritual interpretation, but the entire context in this part of Bernard's letter is unambiguously military. Compared to Pope Gregory the Great, Bernard of Clairvaux had a much more direct understanding of the content of the bishop's practical office. It consisted in working in the world to protect the Christians, including participating with one's own soldiers in the king's wars.

Discussions about the bishops' duty to provide military service to lay rulers continued during the 12th and 13th centuries among theologians and canon lawyers. Most commentators silently ignored the statement in Gratian's *Decretum* from around 1150 that such military service was licit solely after having attained papal consent.[8] Probably such an attitude would have been totally untenable in day-to-day reality. Perhaps the distinction between secular and spiritual became rather more blurred over time. The *homagium*—oath of allegiance—offered by a bishop-elect to the king in return for taking control over former royal land donated to the church became constitutive for being installed as bishop, and therefore the matter of military service became increasingly considered a juridical, rather than a theological, issue.

This expectation occasioned, subsequently, a discussion as to whether a bishop with no royal land or allegiance could begin a war? No clear conclusion was reached, but most canonists agreed that a bishop could command and exhort troops and remain at their front, until battle was joined, when he was obliged to retreat and pray.[9] Some were stricter and ruled that clerics could preach a just war at home, but should not be on the battlefield except for making peace or for administering penance. Others were much more lenient, but even when such an influential figure as Ramon de Penyafort conceded that clerics could participate and even fight in a war, albeit only when for a just cause and absolutely necessary, his opinion remained an unusual exception.[10]

---

7 *Ad Henricum*, ep. 42,31: "Porro vos, si Caesaris successori, id est regi, sedulus in suis curiis, consiliis, negotiis, exercitibusque adestis ..."; ep. 42,32: "Agnoscis [...] jam et te sub te habere milites profitere securus. Revera quia non confusus est de subjectione, jure ex praelatione meruit honorari. Non erubuit super se potestatem, et ideo dignus qui haberet et sub se milites."

8 Russell 1975, 109–110.

9 Russell 1975, 117–118.

10 Ramon de Penyafort, cf. Russell 1975, 187; and 128, n. 5: "est prohibitum ... nisi in necessitate inevitabili."

There were a number of reasons for bishops not to be involved in actual fighting and killing. With his usual sense for hierarchical ordering, Thomas Aquinas explained that some occupations are of higher importance than others, and those engaged in higher pursuits should not be involved in the lower: soldiers were prohibited from trading, for war is more important than business; bishops from waging war, for divine service and prayer are more important than military engagement.[11] The first argument *pro* is that war is a disturbing and uncertain affair loaded with *inquietudines*—worries and concerns—which may distract the bishop from concentrating upon his ecclesiastical duties. The second argument is that, because the passion of Christ is represented in the eucharist, the hand which administers the sacrament may not have shed blood. Bishops should therefore be ready to shed their own blood for Christ and imitate him, but never shed the blood of others. Thomas then neatly summarized the whole discussion by concluding that although just warfare is meritorious (an opinion which must have been a reassurance for the crusaders of his time to know) it is still prohibited for ecclesiastics because they are destined for an even more meritorious work. It is as with sex, he wrote: it is a good thing in marriage, but damaging for those who have chosen the higher good of celibacy.[12]

The discussion continued among theologians as to what extent bishops and other ecclesiastics could use weapons to defend themselves: whether they could use sharp weapons to deter their aggressors, or only wield blunt ones; whether they could throw stones as long as these did not actually kill people; and so forth. In a crusading context, a representative example is the formulation of Huggucio, decretist and later bishop of Ferrara and teacher to the crusading pope Innocent III, in his commentary to Gratian:

> Item ierosolomitanos clericos inculpate credimus in armis cum induti loricis crucem dominicam portant, cum hoc non faciant ad pugnandum sed ad terrendum et ne ledantur a sagittis volantibus eos, autem qui arma portant ut pugnent non credimus excusari, nec auctoritate Romani pontificis. Non credo posset etiam dominus papa constituere quod clerici ferent arma.
>
> Crusading clerics armed with weapons and in full armour and signed with the crusader cross are not sinning, as long as they do all this not for fighting, but to frighten the enemy and protect themselves from being hurt by the arrows shot at them. But if they carry arms to fight, they cannot be excused, not even by the Roman pope. I do not think that even the lord pope can decide that clerics should carry arms.[13]

11 *Summa theologiae* II, II, q. 40, a. 2: "Et ideo illis qui maioribus deputantur prohibentur minora, sicut secundum leges humanas militibus, qui deputantur ad exercitia bellica, negotiationes interdicuntur. Bellica autem exercitia maxime repugnant illis officiis quibus episcopi et clerici deputantur, propter duo."

12 *Summa theologiae* II, II, q. 40, a. 2: "licet exercere bella iusta sit meritorium, tamen illicitum redditur clericis propter hoc quod sunt ad opera magis meritoria deputati. Sicut matrimonialis actus potest esse meritorius, et tamen virginitatem voventibus damnabilis redditur, propter obligationem eorum ad maius bonum."

13 Huguccio's *Summa*, C. 23 q. 8, quoted from Russell 1975, 108–109.

This is beautifully illustrated in the Bayeux Tapestry on which Bishop Odo is riding together with the other warriors of his half-brother William the Conqueror. Odo is in full chain mail, but with a solid club in his hand instead of a sword: he may defend himself, he may if necessary knock out an enemy, but he will draw no blood, and the inscription on the tapestry tells us that his main function was to encourage the fighting men.[14] The conquest of England in 1066 had papal blessing and can be considered a kind of proto-crusade; in fact, Odo joined the First Crusade towards Jerusalem but died en route in Sicily in 1097.[15]

Bishops and crusade theories

The Crusades were made by bishops. Not long after crusading had begun and become popular, it attracted the attention of theologians from monastic circles, from cathedral schools, and later from universities; however the reformulation of Latin Christian theology in the second half of the 11th century which made the Crusades possible was initiated and developed by bishops. When Pope Urban II preached the First Crusade in Clermont in November 1095 and promised spiritual benefits and the reward of martyrdom to those who took the cross, he was building upon discussions within the reform papacy by the episcopal circles around Pope Gregory VII—discussions which developed a new theology of coercion and of the sacrificial, utter destruction of enemies.[16]

Peter Damian († 1072), hermit and later cardinal bishop, introduced a theology of strong emotions in his letters and treatises. It served a function in his fight against sexual incontinence among clerics,[17] but it opened for a more general use of violence in the service of the church in order to promote a higher good. Peter referred to the Old Testament Pinehas, a main figure during the 40 years' exodus of the Israelites through the desert when the sons of Israel were at times tempted to venerate pagan gods, or to fraternize with the idolaters. When an Israelite openly brought a Midianite woman into his tent in the middle of the Israelite camp for obvious sexual purposes, Pinehas became outraged and ran to the tent, thrust his spear through the whoring man and into the belly of the woman, and killed them both. Because of Pinehas's zeal, God's wrath was turned away from Israel (Num 25:8–10).

Pinehas became high priest and thus a precursor or model for medieval bishops:

14 "Hic Odo ep[iscopu]s baculum tenens confortat pueros."

15 See Bates 1975.

16 For this theological turn, see Althoff 2013; and Bysted 2015. For its application in a crusading and martyr context, see Cowdrey 2014.

17 For example when he (in an oft-quoted passage to Pope Nicholas II) suggested placing clothes pegs on the testicles of incontinent bishops, "temptavi genitialibus sacerdotum, ut ita loquar, continentiae fibulas adhibere": *Epistola* 61, 2, 207.

"sacerdotale officium gerere perspicue reperitur", in Peter Damian's formulation.[18] He also identified Pinehas with Elijah who did not die, but was lifted by a whirlwind into a chariot of fire driven by horses of fire and went directly to heaven, fittingly precisely because he burnt with the zeal for God. Such highly emotional language could be deployed to persuade bishops of their duty to fight against idolaters, and expound the reward they could hope to gain from this.

Peter Damian produced more references to the divine obligation to use violence, such as the words of the Lord to Jeremiah: "Cursed be the one who does the Lord's work negligently, and cursed be the one who restrains his sword from blood" (Jer 48:10). He concluded that God, through their ecclesiastical office, has given the bishops an arm of strength to fight against the enemies of God, and should the bishops hold it back from taking revenge on these enemies, God shall cut off this arm again.[19] The bishop's obligation was, then, to use violence against the enemies of God, should it be necessary.

Other bishops followed Peter Damian's line of thinking and scrutinized the Old Testament and other authorities in search for God-commanded wars and coercion. Bonizo of Sutri († *c.* 1095) referred to Augustine's commentary on the Sermon on the Mount, that not only those suffering persecution were blessed, but also those who persecuted, if they do so for justice.[20] This is stretching authorities to a considerable extent. In some context, Augustine used the phrase "justa persecutio" which he thought could be applied against the enemies of the church, but he never connected it to actually blessing the persecutors. This did not make the argument less convincing when Bonizo stated so around 1090.

Bonizo also discussed the continuous war between the two sons of Abraham, namely Isaac whom Abraham begat with his legal wife Sarah and Ishmael with the slave woman Hagar. Descendants of Isaac—the Christians—are the true heirs and are therefore justified in their struggles and use of violence against the imposters, the Ishmaelites. Bonizo followed tradition and identified Ishmaelites with heretics, but after the Crusades began, Ishmaelites and Hagarenes became standard designations for Muslims.

Several of the Gregorian reform movement's statements on bishops and warfare were incorporated into Gratian's *Decretum* from around 1150 in Causa XXIII, questio

18 *Epistola* 61, 210, 213: "Ponamus plane, quod Ophni et Finees episcopi sunt."

19 *Epistola* 61, 213: "Quia ego per pastoralis officii dignitatem contra inimicos meos brachium tibi fortitudinis contuli, sed tu ad eorum ultionem illud exerere noluisti, iam brachium a te precidam, id est vigorem tibi sacerdotalis culminis auferam [...]"

20 "Idem de sermone Dei habito in monte, cum de beatudinibus loqueretur et venisset ad Beati qui persecutionem paciuntur propter iustitiam, equaliter dixit [Augustinus] beatos eos, qui persecutionem inferunt propter iustitiam, acsi qui persecutionem paciuntur propter iustitiam." Quoted from Althoff 2013, 11.

VIII. It included some arguments against warfare, such as the word of Christ to Peter: "Put your sword back in its place", or Ambrose's statement that "The weapon of bishops are tears and prayers."[21] Most of the ensuing discussion, however, consists in clear approval of use of violence and warfare, if necessary, while bishops are prohibited from personally shedding blood.

Bishops in war—practice

Crusade preaching

The First Crusade was set in motion by the bishop of Rome, Pope Urban II, with his sermon in conclusion of a general church meeting in Clermont on 27 November 1095. It is known in various versions transmitted directly or indirectly from persons who heard the sermon. One of these was Bishop Baldric of Bourgueil,[22] who had Urban stress the importance of bishops to bring on the message to all Christians: turning to the bishops:

> Vos, inquit, fratres et coepiscopi, vos consacerdotes et cohæredes Christi, per ecclesias vobis commissas id ipsum annuntiate. et viam in Jerusalem toto ore viriliter prædicate. Confessis peccatorum suorum ignominiam, securi de Christo celerem paciscimini veniam. Vos autem qui ituri estis, habetis nos pro vobis oratores; nos habeamus vos pro populo Dei pugnatores. Nostrum est orare, vestrum sit contra Amalechitas pugnare. Nos extendemus cum Moyse manus indefessas, orantes in cælum; vos exerite et vibrate intrepidi præliatores in Amalech gladium.
>
> He [Urban] said, "You, brothers and fellow bishops; you, fellow priests and sharers with us in Christ, make this same announcement through the churches committed to you, and with your whole soul vigorously preach the journey to Jerusalem. When they have confessed the disgrace of their sins, do you, secure in Christ, grant them speedy pardon. Moreover, you who are to go shall have us praying for you; we shall have you fighting for God's people. It is our duty to pray, yours to fight against the Amalekites. With Moses, we shall extend unwearied hands in prayer to Heaven, while you go forth and brandish the sword, like dauntless warriors, against Amalek."[23]

Pope Urban's exhortation worked. Bishops' crusade preaching became common and not only an obligation, but also a privilege which they jealously guarded. In 1198, Archbishop Absalon complained to Innocent III about the Hospitallers in Denmark who had become so popular in preaching crusade that they could only meet the demand by hiring unskilled and uneducated laymen and priests of dubious reputation due to

21 "Arma episcopi lacrymae sunt et orationes."

22 Baldric's history of the First Crusade was written in 1105 when he was still an abbot, but revised in 1107 when he became bishop of Dol-en-Bretagne.

23 Baldric, *Historia Ierosolimitana* I,iv.

their drunkenness and fornication. In the end, a brawl in a church during this kind of deplorable preaching had resulted in the shedding of blood and the desecration of the church. The archbishop received permission to excommunicate the persons involved, together with the privilege of a monopoly on crusade preaching.[24]

We get a fascinating glimpse of how preaching bishops functioned during crusades through the contemporary report describing the conquest of Lisbon in 1147. A crusader army sailed out from the north and combined with forces from Northern Germany and the British Isles, reaching Oporto where they were received by the local bishop, Pedro. He had been commissioned by the Portuguese king to meet the crusaders and escort them to Lisbon. Pedro began with a welcome sermon to these warriors "from the ultimate edges of the world" and promised them booty if they joined the war against the Muslims in Portugal adding spiritual benefits that would equal those they would gain by continuing to Jerusalem. He praised them for having left their homes and estates and the embraces of wives to follow Christ. Then followed a short historical resumé of the deplorable state of affairs in the Iberian Peninsula under the control of Moabites and Moors, and he called on them to provide both defence and resistence: "The mother church calls upon you, with truncated arms and disfigured face, and demands the blood of its children and revenge by your hands. She cries and cries out loudly: take revenge over the pagans, punish the gentiles."[25]

Do not rush to Jerusalem, Pedro continued, for what is laudable is not to have been in Jerusalem, but rather to have lived rightly on one's way towards Jerusalem. Jesus had said "Put up again thy sword into his place: for all they that take the sword shall perish with the sword" (Matt 26:52), but this is only directed towards those who take the sword without the permission of a proper authority. The crusaders, in contrast, carried with the permission of God the sword of justice, by which murders and robbers and fornicators shall be punished, and the impious shall perish. When the crusaders wield this sword, they shall not be blamed or accused of murder: "Verily, it is not cruelty, but piety towards God."

Bishops' crusade sermons, to mobilize warriors or to encourage them in battle, can be found everywhere from the beginning of the 12th century and were stretched out to cover more and more ground, in terms of enemies and chronologically. To the east, the patriarch of Jerusalem preached to the crusaders against the Muslims on several occasions, e.g. in 1119. In the west, Archbishop Asser of Lund preached in crusading terms to the troops of the Danish king Erik Emune before the decisive battle at Fotevik against another Danish king, Niels, in 1134. Bishop Ralph of Orkney preached to the English and promised them indulgence before the Battle of the Standard against the Scots in 1138. According to Geoffrey of Monmouth writing in the mid-12th cen-

24 *DD* I:3, no. 245.

25 *De expugnatione Lyxbonensi*, cap. 78.

tury, the 6th-century Welsh archbishop Dubricius preached a kind of crusade to King Arthur's knights of the round table and promised them indulgence if they died in the defence of their fatherland, their *patria*.[26]

Preaching, praying, and strategic planning often went hand in hand. In Livonia in the early 13th century, the bishop of Riga summoned the army before large battles to the usual "place of prayer and discussions of the army".[27] The spiritual and the practical preparations for warfare were equally important; they seem to have taken place in the same, designated areas, and the bishops seem to have been the leaders of these meetings, or at least to have played a decisive role there.

Heads on poles and hands towards heaven

Bishops had a commanding function in military matters, which in a crusading context often blended in with their ecclesiastical function. During the First Crusade's siege of Antioch in 1097, the papal legate and spiritual leader of the army, Adhemar, bishop of Le Puy, paid the crusaders twelve denars for each Muslim head they brought to him. He had the heads affixed to long poles and put on display below the city wall to the outrage of the Muslim defenders.[28]

When the situation later changed after the crusaders had conquered the city, and they then had become the besieged ones, Adhemar rode out against the Muslims in front of the army followed by a knight with the lance that had pierced the side of Christ on the cross, and had been miraculously found in the cathedral in Antioch. The lance was not directly used to kill any enemy, but was a token of divine help and was credited with securing victory against the numerically much larger enemy army. The story developed immediately, and in Western Europe it was believed that Adhemar had carried the lance himself, and therefore attested to its authenticity, and that this bishop cardinal was the real and natural leader of the Crusade.[29]

Adhemar as active leader in war was imitated by other crusading bishops, for example Archbishop Absalon. When he had fortified Copenhagen in the 1160s, he established a special corps of mariners that patrolled the waters around the city and stopped pagan ships, beheaded the crew, and put the heads on poles on the beach outside Copenhagen, as a general warning to other heathens.[30]

When the siege of Lisbon began in 1147, Bishop Pedro of Porto continued to play an important role both in terms of the practicalities of the seige and providing encouragement to the crusaders, and also in preparing the military equipment. He negotiated

26 Jensen 2013, 98–99; Purkis 2008, 165, 208.
27 Henry of Livonia, XXI.2; XXII.2; XXIII.9; XXVII.2.
28 Guibert de Nogent, *Dei gesta*, 7, 23.
29 Riley-Smith 1986, 96.
30 Saxo, 14.49.4.

with the Muslim defenders on the city wall and explained why they were unjust blasphemers. He protected the wooden siege towers by sprinkling them with holy water and preached again to the army, with a fragment of the true Cross raised in his hands. All men have a personal guardian angel, he claimed, and if you turn away from it, you can only come back by doing good works—such as fight in a crusade for our *patria,* our true fatherland.

The main activity of the bishops during battles should in principle be to pray, according to Urban II and to the discussions among canon lawyers and canonists. Concrete examples of imitating the act of Moses, as Pope Urban had demanded, were, however, relatively few. One stems from a lost narrative about the Danish Crusade against Estonia and the conquest of Tallinn in 1219. It is known only in a Danish translation from *c.* 1600 as printed in a work by the Danish court historian, Huitfeldt, who had access to numerous sources now lost, so there is no good reason to question its medieval origin.

The Danes outside Tallinn had done penitence, promised to fast one whole day every week as long as they lived should they win, and so began the battle. Huitfeldt relates regarding Archbishop Andreas Sunesen:

> Det skriffuis lige om hannem
> som om Moyse
> enten det er sanden eller ey
> maa Gud vide
> At Biscop Andreas skulde haffue staaet paa sine Knæ
> paa Bierget giørendis Bøn til Gud
> Oc all den stund hand racte sine Hender op til Himmelen
> vunde de Danske
> Men strax hans Hender sinckede neder
> for hans Alderdoms skyld
> finge de Wchristne offuerhaand
> Derfaare støttet de andre Bisper oc Prester hans Arme
> saa lenge Striden paastod
> oc met Gudelig andact bad
> at Gud vilde de Christne Seyer giffue
> Oc omuende de Hedninge til Guds bekiendelse.[31]

> It is written about him, as about Moses—whether it is true or not, God only knows—that Bishop Andreas kneeled on the mountain and prayed to God, and whenever he raised his hands towards heaven, the Danes won, but when his hands sank down because of his age, the non-Christians got the upper hand. Therefore the other bishops and the priests supported his arms, as long as the battle endured, and they prayed devotedly that God would grant victory to the Christians, and convert the heathens.

31 Huitfeldt 1600, 106.

Bloody sacrifices

Did bishops kill with their own hands, in spite of all the theories? Probably not, but the question becomes complicated, because they are depicted as doing so in a genre of texts closely connected to crusading milieux, the *chansons de geste.*

The earliest known of these is the *Chanson de Roland*, which is difficult to date precisely, but contains themes that became popular with the First Crusade, and it probably stems from the late 11th century. One of the main figures in the song is the archbishop, Turpin. He begins his engagement in Charlemagne's wars against the Spanish Muslims with a perfectly acceptable crusading sermon to the warriors:

> D'altre part est li arcevesques Turpin,
> Sun cheval broche e muntet un lariz,
> Franceis apelet, un sermun lur ad dit:
> «Seignurs baruns, Carles nus laissat ci;
> Pur nostre rei devum nus ben murir.
> Chrestientet aidez a sustenir!
> Bataille avrez, vos en estes tuz fiz,
> Kar a voz oilz veez les Sarrazins.
> Clamez vos culpes, si preiez Deu mercit!
> Asoldrai vos pur voz anmes guarir.
> Se vos murez, esterez seinz martirs,
> Sieges avrez el greignor pareïs.»
> Franceis de[s]cendent, a tere se sunt mis,
> E l'arcevesque de Deu les beneïst:
> Par penitence les cumandet a ferir.
> Franceis se drecent, si se metent sur piez.
> Ben sunt asols e quites de lur pecchez,
> E l'arcevesque de Deu les ad seignez.
>
> From the other part is the Archbishop Turpin,/He pricks his horse and mounts upon a hill;/Calling the Franks, sermon to them begins:/"My lords barons, Charles left us here for this;/He is our king, well may we die for him:/To Christendom good service offering./Battle you'll have, you all are bound to it,/For with your eyes you see the Sarrazins./Pray for God's grace, confessing Him your sins!/For your souls' health, I'll absolution give/So, though you die, blest martyrs shall you live,/Thrones you shall win in the great paradise."/The Franks dismount, upon the ground are lit./That archbishop God's benediction gives,/For their penance, good blows to strike he bids./The Franks arise, and stand upon their feet,/They're well absolved, and from their sins made clean,/And the archbishop has signed them with God's seal.[32]

A little later in the *Chanson*, however, the archbishop takes a much more active and personal role in the fighting. First he takes revenge upon a Muslim who had killed one

32 *La Chanson de Roland*, laisses LXXXIX–XC. Translations from Moncrieff 1919.

of his comrades—"One thou hast slain for whom my heart is sad"—and fights him, until he flings him dead on the green grass.[33] Later, fighting is resumed and Turpin mounts his noble and swift horse that he had taken from Grossaille, the Danish king whom he had slain. No further details are provided about how and why he killed a king from such a noble country, but the horse is splendid. Turpin attacks a Muslim warrior with a precious shield ornate with amethysts and topazes and fights him mercilessly, until with a mighty blow he cuts the enemy in two halves, rib from rib away. The Franks are amazed and utter, that with such an archbishop, the cross is safe. He is a right good chevalier.[34] In the end, Turpin is killed by four spear wounds. But suddenly he jumps to his feet and continues fighting, for "while life remains, no good vassal gives up". When he is finally dead, with his bowels and brain scattered around him, the poem summarizes: "Dead is Turpin, the warrior of Charlon,/in battles great and very rare sermons/against pagans ever a champion./God grant him now His benediction."[35]

Other chansons present us with other belligerent bishops. One appears in an unambiguously crusading context, Bishop Jerome of Valencia in the *Song of the Cid.* After having said mass, Jerome comes to the camp of the war leader and crusader, el Cid, because of his "longing to kill some Moors". He is well received and allowed to join in the battle. Jerome spurs his horse and attacks the enemies, and immediately kills two Muslims with his lance, before it breaks. Then he takes to the sword and cuts down another five Muslims.[36]

Turpin and Jerome are figures of fiction in the sense that bishops did not actually do bloody killing with their own hands, but they reflect an understanding of the washing away of sin and evil with blood. They express a combination of knightly and episcopal ideals in which the physical killing becomes a sacred act in defence of the Holy Cross. The bloody sacrifice conflates with the sacrifice of the eucharist.

When the Danish crusader army waited on the ships for a pagan attack on Rügen in the 1180s, the warriors were informed that the enemy fleet had given up and returned back home. Archbishop Absalon therefore disembarked on shore and prepared to celebrate mass. Suddenly the news came that the enemies had used the heavy fog to sneak back and were about to attack. Absalon commanded his followers swiftly to collect all the vessels for communion, rushed to the boat and took command over the fleet, for "now he would bring God a sacrifice with weapons and not with prayers.

33 *La Chanson de Roland*, laisse XCIC.

34 *La Chanson de Roland*, laisse CXXVI.

35 *La Chanson de Roland*, laisses CLIV–CLV; CLXVI.

36 *Cantar de mio Cid*, fol. 48ᵛ: "Oy uos dix la missa de Sancta Trinidade/Por esso sali de mi tierra e vin uos buscar/Por sabor que auia de algun moro matar/Mi orden e mis manos querria las ondrar. [...] Alos primeros colpes dos moros mataua dela lança/El astil a quebrado y metio mano al espada/Ensayauas el obispo dios que bien lidiaua/Dos mato con lança e .v. con el espada."

And what sacrifice could be more pleasing to the Almighty than the death of the evildoer?"[37] Warfare is here taking over the function of communion, or became an alternative way of celebrating the mass.

In a comparable situation, the priest and missionary Henry was in the middle of baptizing some defeated pagans in 1219 in Livonia when suddenly it was rumoured that the pagans had attacked. Henry interrupted the ceremony and packed away the oil of chrism and the other liturgical items, and "rushed to the ministry of shield and sword and ran to the camp, where we organized the troops ...".[38] The ministry of shield and sword is here in practice compared to the sacrament of baptism.

Criticism of crusading bishops?

The theology of utter destruction that became so strong in the latter half of the 11th century attracted criticism from other theologians. Some argued that this was not what the church was wont to do, and was met with Gregory VII's explanation that Jesus had claimed to be truth and life, not tradition and life.[39] Others remarked that the Lord had forbidden King David to build a temple for the Ark of Covenant, because David was a *vir sanguinum,* a warrior stained by blood (1 Par 28,3). Others simply referred to Jesus's words of turning the other cheek.[40] These critical voices, however, were silenced over the 12th century. There was little opposition to bishops following warriors onto the battlefield, and criticism of crusading as such was almost non-existent—at least until the Middle Eastern crusades had proven insufficient to secure the Holy Sepulchre for Latin Christianity after the loss of the last Latin stronghold in the Holy Land, the city of Acre in 1291.[41]

Exceptions occurred, for example after the outcome of the so-called Fifth Crusade to Egypt in 1221, which ended as a military catastrophe. Some attributed this to the leadership of Cardinal Pelagius who seems to have been neither militarily nor diplomatically gifted.[42] He turned down a peace proposal from the Egyptian Sultan Kamil

37 Saxo, 16.5.1, "Quod enim sacrificii genus scelestorum nece divinae potentiae iucundius existimemus?".

38 Henry of Livonia, XXIII.7, "Unde nos confestim proiecto sacrosancto crismate ceterisque sacramentis ad clypeorum gladiorumque ministeria cucurrimus et festinavimus in campum, ordinantes acies nostras contra adversarios nostros [...]".

39 *Epistolae vagantes* no. 67 (Gregory VII 1972, 151): "Si consuetudinem fortassis opponas, aduertendum fuerit quod Dominus dicit: *Ego sum ueritas et uita*. Non ait: *Ego sum consuetudo*, sed *ueritas*. Et certe, ut beati Cypriani utamur sententia, quaelibet consuetudo, quantumuis uetusta, quantumuis uulgata, ueritati est omnino postponenda et usus qui ueritati est contrarius abolendus."

40 For this criticism, see Althoff 2013.

41 On criticism of crusading, see Kedar 1984; Siberry 1985.

42 Donovan 1950.

at a time when it would actually have benefited the crusaders, and he lacked the proper authority to unite the crusader forces and make them work effectively together. He was criticized less by ecclesiastical colleagues as by the troubadours, for example by Guillaume le Clerc from Normandy: "It is against religion if a cleric is leading knights. He shall read Bible and Psalms, and then he shall leave to the knights to fight war."[43]

It falls outside the scope of this article to follow the theme of bishops on crusades into the later Middle Ages, after the formative crusading period of the 12th and 13th centuries. The general discussions about bishops and wars continued along the same lines that were laid out around 1100. It may be that the criticism of bishops for becoming too eagerly involved in actual battles became more pronounced in the later period. One single example must suffice to illustrate this criticism, but also the continuity of themes and arguments.

The treatise on the seven sacraments from Vadstena monastery in Sweden was written in the early 15th century and is a standard example of an educational manual for priests and confessors that can be found from anywhere in the Latin Christian world at that time. During the section on the mass and on communion, this treatise explains that one who has shed the blood of a neighbour is not worthy to deal with the body of Christ. The person whose hands are stained with blood belongs to those who crucified Christ. Therefore, it is forbidden by church law for a murderer to celebrate mass.

The text then continues, in order to address directly the matter of bishops and war:

> Quidam episcopi modernis temporibus portauerunt arma, putantes se per hoc defendere Ecclesiam, et hac occasione dimissis ecclesiis habitant in castris, et plus delectantur in armis quam in dei seruicio vel scripturis. Tales non sunt veri defensatores Ecclesie sed oppressores pauperum et depredatores iudicandi sicut veri latrones coram Deo, nisi se emendent. Quamuis autem deus promisit—ad tempus—tales preesse in Ecclesia, sicut Cayphas et Annas regnauerunt ad tempus ad suam propriam dampnacionem.
>
> Many bishops in modern times carry arms and believe that they can thereby defend the church, and they abandon their churches to live in castles, and they have more joy in arms than in the service of God or in Scripture. They are not the true defenders of the church, but they oppress the poor and rob them, and they will be judged before God as thieves and robbers if they do not amend their ways. God sometimes allow such types to lead the church, as Caiphas and Annas ruled for a time, but to their own damnation.[44]

43 *Le Besant de Dieu*, ll. 2550–62, "Perdimes nus cele cite [i.e. Damietta]/E par folie e par pecchie/Bien nus dit estre reprochie/Car puis que clerc a la mestrie/De conduire chevalerie/Certes ceo est contre dreiture/Mes alt li clers a s'escripture/E a ses psaumes verseiller/E lest aler le chevaler/A ses granz batailles champels/Et is seit devant ses autels/E prit por les combateors/E asouille les peccheors." Cf. Throop 1938.

44 *De septem sacramentis*, VI.8.

The text continues explaining that it is the will of God that bishops shall fight not with arms, but with virtues. The example is again Moses praying during the battle against the Amalekites and Hur and Aaron supporting Moses and holding up his arms. The section concludes in this manner:

> Ex hiis patet, quod sacerdotes debent orare et milites pugnare. Nam si sacerdotes cessant orare deuote et debite, tunc dyabolus preualet ad flagellandum populum dei spiritualiter et corporaliter. Si autem ipsi cum claustralibus in oracionibus deuotis perseuerarent, tunc populus haberet meliorem pacem. Quamuis eciam sacri canones permittunt clericis vim vi repellere, tamen honorabilius et perfeccius est iniurias sustinere et non repercutere, sicut dicitur in ewangelio: Si quis te percusserit in dextram maxillam, prebe ei et alteram.
>
> Priests should pray, and soldiers fight. For if priests stop praying devotedly as they should, then the devil succeeds in flogging the people of God, both spiritually and literally. But as long as they devotedly continue in their praying together with monks and nuns, the people will have a better peace. Although church law permits ecclesiastics to resist force with force, it is more honourable and better to endure grievances and not pay back, as it is said in the Gospel: "If someone slaps you on one cheek, turn to them the other cheek too".[45]

Archbishop Absalon in the 12th century and most of his bishop colleagues living in those centuries of intensive crusading activities would not have agreed. As long as they did not shed blood with their own hands, they did nothing wrong; and crusading bishops would not have accepted the sharp dichotomy between praying and fighting. These were two sides of the same coin, complementary activities in bishops' sacramental fight against evil.

BIBLIOGRAPHY

Sources

Baldric of Bourgueil. 2014. *The Historia Ierosolimitana of Baldric of Bourgueil*, ed. S. Biddlecombe (Woodbridge: Ashgate).

Bernardus Claravallensis, *De consideratione libri quinque ad Eugenium tertium*, *PL* 184, 727–808.

Bernardus Claravallensis, *Epistola* XLII: *Ad Henricum archiepiscopum senonensem*, *PL* 182, 807–832.

Cantar de mio Cid, BN-Madrid MS Va 7–17, ed. digital de Pablo Pastrana-Pérez, http://homepages.wmich.edu/~ppastran/etexts/Cid/CIDb.pdf [accessed 20 April 2016].

De Expugnatione Lyxbonensi / The conquest of Lisbon. 2001. Ed. and transl. C.W. David [1936]; re-ed. J. Phillips (New York: Columbia University Press).

De septem sacramentis: en sakramentsutläggning från Vadstena kloster ca 1400. Ed. C.-G. Andrén (Lund, 1963).

45 *De septem sacramentis*, VI.8.

Gregory VII. 1972. *Epistolae vagantes*, ed. H.E.J. Cowdrey, *The Epistolae vagantes of Pope Gregory VII* (Oxford: Clarendon Press).
Guibert de Nogent. 1996. *Dei gesta per Francos et cinq autres textes*, ed. R.B.C. Huygen (Turnholt: Brepols).
Guillaume le Clerc de Normandie. 1869. *Le Besant de Dieu,* ed. E. Martin (Halle: Waisenhaus).
Henry of Livonia. 1959. *Heinrici Chronicon Livoniae*, ed. L. Arbusow & A. Bauer; re-ed. A. Bauer (Darmstadt).
Huitfeldt, Arild. 1600. *En Kaart Chronologia, forfølge oc Continuatz*: 1. Part. *Som indeholder Canuti VI. historia* ... (Copenhagen).
Petrus Damiani. 1983–1993. *Epistolae, Die Briefe des Petrus Damiani*, ed. K. Reindel, vols. 1–4 (München).
Regula pastoralis, *PL* 77, 13–125.
La Chanson de Roland. 1940. Ed. R. Mortier (Oxford: Clarendon Press).
La Chanson de Roland. 1919. Trans. C.K. Moncreiff (London).
Saxo. *The history of the Danes.* Books I–IX, transl. and comm. P. Fisher & H.E. Davidson (Cambridge: Cambridge University Press, 1979–1980).
Saxo. *Danorum regum heroumque historia. Books X–XVI* (the text of the first edition with transl. and commentary by E. Christiansen; Oxford: Oxford University Press, 1980–1981.).
Saxo Grammaticus. *Gesta danorum* 1–2, ed. K. Friis-Jensen, trans. P. Zeeberg (Copenhagen, 2005).
Thomas Aquinas. *Summa theologiae,* vols. 1–4, ed. P. Caramello (Rome, 1948).

Secondary literature

Althoff, G. 2013. *Selig sind, die Verfolgung ausübt. Päpste und Gewalt im Hochmittelalter* (Darmstadt: Konrad Theiss).
Bates, D.R. 1975. 'The character and career of Odo, bishop of Bayeux (1049/50–1097)', *Speculum* 50, 1–20.
Bysted, A.L. 2015. *The Crusade indulgence: Spiritual rewards and the theology of the Crusades, c. 1095–1216* (Leiden: Brill).
Cowdrey, H.E.J. 2014. 'New dimensions of reform: War as a path to salvation', in *Jerusalem the Golden: The origins and impact of the First Crusade*, eds. S.B. Edgington & L. García-Guijarro, (Turnhout: Brepols), 11–24.
Donovan, J.P. 1950. *Pelagius and the Fifth Crusade* (Philadelphia: University of Pennsylvania Press).
Jensen, J.M. 2013. 'King Erik Emune (1134–1137) and the Crusades: The impact of crusading ideology on early twelfth-century Denmark', in *Cultural encounters during the Crusades*, eds. K.V. Jensen, K. Salonen & H. Vogt (Odense: Ringsted), 91–104.

Kedar, B.Z. 1984. *Crusade and mission: European approaches toward the Muslims* (Princeton: Princeton University Press).

Purkis, W. 2008. *Crusading spirituality in the Holy Land and Iberia* (Woodbridge: Ashgate).

Rapp, C. 2005. *Holy bishops in Late Antiquity: The nature of Christian leadership in an age of transition* (Berkeley: University of California Press).

Riley-Smith, J. 1986. *The First Crusade and the idea of crusading* (Philadelphia–London: University of Pennsylvania Press).

Russell, F.H. 1975. *The just war in the Middle Ages* (Cambridge: Cambridge University Press).

Siberry, E. 1985. *Criticism of crusading 1095–1274* (Oxford: Oxford University Press).

Throop, P.A. 1938. 'Criticism of papal crusade policy in Old French and Provençal', *Speculum* 13, 379–412.

Justifying episcopal pluralism:

The negotiation between suitability and legitimacy in the narrative of Saxo Grammaticus

Emil Lauge Christensen

This study examines the chronicler Saxo Grammaticus' justification for Archbishop Absalon's pluralism, as Absalon kept control of his former see, Roskilde, when he was translated to the archbishopric of Lund in 1177 (and consecrated in 1178). Saxo's account merits special attention, since it is unsurpassed in its vivid details of the election of Absalon as archbishop and the events surrounding the election. The details are not accidental, but narrative strategies designed to negotiate contemporary law and norms surrounding the practice of episcopal translation and episcopal pluribenificality.

I will thus show how Saxo embedded canon law into two ritualized scenes in order to navigate the operative norms regarding episcopal election, translation, and pluralism. Furthermore, utilizing this result, it will be possible to suggest why episcopal pluralism, contrary to other forms of ecclesiastical pluralism, appears to have been very rare.

Absalon's pluralism in Danish historiography

Bishop Absalon's pluralism is well-known in Danish historiography. His position in both Denmark and Rome is often highlighted in order to explain how he acquired two bishoprics. Absalon was wealthy and powerful, and he was one of King Valdemar I's loyal supporters. Accordingly, the king was an advocate of Absalon's candidacy, while Pope Alexander III, himself in need of allies, was sympathetic towards Absalon and King Valdemar. There is no reason to doubt these explanations. However, the principal textual source for Absalon's election as archbishop and the events surrounding it (including the elimination of hostile noble factions and subsequent revolt), the chronicler Saxo Grammaticus' *Gesta danorum* (either *History*, or *Deeds, of the Danes*), is a contentious source. Nevertheless, the paucity of Danish sources renders the *Gesta*

unavoidable despite its evident problems. Not only is Saxo's information often impossible to corroborate, his employer and main protagonist was Absalon, whose exploits were highly praised in the *Gesta*. It is no surprise, then, that the veracity of Saxo's account has been the subject of much controversy: to what extent did Saxo change and manipulate in order to present a flattering portrait of his employer? Accordingly, when dealing with Absalon's pluralism, scholars have mainly endeavoured to assess the veracity of the source.[1] This is an essential aspect, which will be given due consideration in course of the article. However, in this study, the chief purpose of this is to contrast it with Saxo's tale, thus highlighting the deliberations behind the narrative structure.

Saxo and the *Gesta danorum*

Saxo, despite his importance to Danish history, is a shadowy figure. Neither the dates of his birth nor death can be established beyond guesswork. Saxo seemingly descended from the minor nobility of the Danish warrior aristocracy, but chose the path of a cleric. He was Absalon's secretary (*clericus*), a canon of the cathedral chapter of Lund, and held the title of *magister*, indicating some scholarly training.[2] The *Gesta danorum*, Saxo's only known work, was first written under the patronage of Absalon (bishop of Roskilde 1158–1191, archbishop of Lund 1178–1201) and the contemporary parts of the work are almost completely limited to an account of Absalon's exploits. Saxo made him his protagonist. After Absalon's death, Saxo continued writing under Absalon's kinsman, Archbishop Anders Sunesen (r. 1201–1222), to whom the *Gesta* was eventually dedicated.

The years over which the *Gesta* was composed may only be established hypothetically. Inconclusive evidence indicates a composition approximately spanning the years from 1185 to 1208, even if the *terminus ante quem* must be 1219 and the *terminus post quem* remains uncertain.[3] The work was presumably around 20 or 25 years (if not more) in the making.

The *Gesta* is a complicated text, whose organizing principles have been subject to much scholarly contention.[4] It is written in a classicizing silver age Latin, with Saxo habitually rendering titles in ancient Roman terminology, for instance. It was an unpopular text, probably being too long and difficult, and it never reached the inter-

1 See C. Weibull 1915, 259–274; Helgesson 1923; Arup 1925, 254–255, Steenstrup 1927, 105–107; Koch 1933–1935; L. Weibull 1940; 1953; J.O. Andersen 1956; L. Weibull 1956; Skyum-Nielsen 1971, 200–201; Christensen 1977, 347–350; C. Weibull 1981; Skovgaard-Petersen 1987, 106–130; and Münster-Swendsen 2016.

2 Saxo Grammaticus, ed. Friis-Jensen 2015, xxix–xxxv.

3 Friis-Jensen 2012.

4 For a recent survey of the scholarship, see Leegaard-Knudsen 2012. See also Saxo Grammaticus, ed. Friis-Jensen 2015, xxxvi–xlv.

national clerical audience for which it probably was primarily intended, even if Boje Mortensen has lately suggested that the *Gesta*'s legacy was less bleak than hitherto believed and that it achieved some distribution in Scandinavia.[5] No full medieval copy survives, but the short Angers fragment is interesting, being an incomplete draft in Saxo's own hand.[6]

The chronological scope of the text is wide. It begins with the founding of Denmark hundreds of years prior to the birth of Christ and continues until 1185/7. The non-mythological non-contemporary parts of the work have long since proved to be based on older (still extant) written sources, which Saxo treated in accordance with his overall narrative aim: the greatness of the Danes.[7] Nevertheless, without Saxo Grammaticus much 12th-century Danish history would be uncharted. The *Gesta* outstrips all other extant sources in detail and extent.

Nonetheless, the 20th-century historiography of 12th-century Danish history often refrained from utilizing the *Gesta*, as it was deemed unreliable.[8] Recently, however, efforts to rehabilitate the *Gesta* have been made, most notably by Michael Gelting, who has advanced (in a Danish context) the radical new hypothesis that the *Gesta*'s roughly contemporary parts (post-1157) are to a great extent based on lost royal records. The royal archives were probably destroyed during the Danish civil wars, intermittently waged between 1131 and 1157; the archives only resumed their function after 1157, explaining the *Gesta*'s radical shift in narrative-chronological presentation after the latter date. Nevertheless, even if the *Gesta* post-1157 is a "copious annal that nonetheless does not mention a single exact date",[9] Saxo of course continued to take moral instruction and political considerations into account. Tracing these considerations will illuminate the issues, which the *Gesta* addressed in its account of Absalon's pluralism.

Bishops and the royal family in the middle of the 12th century

In 1131, Magnus (*c.* 1106–1134), the only son of King Niels (r. 1104–1134), murdered Knud Lavard (*c.* 1095–1131). Knud was a scion of the royal family, and his demise rid Magnus of a strong rival pretender to the throne. The murder, however, sparked off a civil war, which dragged on for nearly three decades in sporadic bouts of violence. In 1157, Knud Lavard's posthumous son, Valdemar I, emerged victorious as sole regent (r.

5 Boje Mortensen 2012.

6 Saxo Grammaticus, ed. Friis-Jensen 2015, l–lxii.

7 C. Weibull 1915 is still fundamental. See also Erslev 1891–1892 for an example of how Saxo invented events for the sake of moral instruction.

8 See notes 4 and 7, above.

9 Gelting 2012, 324.

1157–1182).[10] The realm, however, was divided and factionalized due to the recent civil war, and Valdemar had to strive to eliminate and pacify rivals while at the same time rewarding his supporters by placing them in the important offices of the realm. Absalon of the House of Hvide (*Hvideslægten*)[11] was one of the king's chief, loyal supporters, and he was elected bishop of Roskilde with the help of King Valdemar immediately after the civil war.[12]

The archbishop of Lund, Eskil, a member of the powerful House of Thrugot (*Thrugotslægten*), was not such a supporter, however. He had held the archiepiscopal see in Lund since 1138 and acted as resident papal legate from 1156.[13] Although Eskil had been abroad during the final showdown of the civil war in 1157, inconclusive evidence suggests that Eskil's kin had opposed Valdemar.[14] Eskil also supported Alexander III during the later papal schism (1159–1177), while Valdemar, probably under imperial duress, initially supported Antipope Victor IV (1159–1164). In 1161, Eskil went into exile because of the disagreement between him and the king. He spent most of his exile in France, visiting his network of French prelates.[15]

Valdemar undoubtedly wished to replace Eskil and, in 1177, he got the chance. The circumstances have aroused scholarly contention, but it appears that the king accused Eskil's closest kin of treason, driving them into exile and leaving the archbishop vulnerable to pressure. Officially, however, Eskil duly obtained papal permission to retire due to old age.[16]

Absalon was an obvious choice to replace Eskil; after all, he was one of the king's key supporters. Yet, even if translating Absalon from the see of Roskilde to the archiepiscopal see of Lund might be prudent, placing the bishoprics of Lund and Roskilde, i.e. Zealand and the Scanian provinces, under one ruler meant the accumulation of

10 *Ereignisgeschichte* of the civil war can, for instance, be found in Koch 1969, 155–203. Valdemar's kingship has been the subject of contention, see for instance Erslev 1898, 267–275; Christensen 1968, 40–57; Koch 1950, 172–196; Breengaard 1982; Hermanson 2000, esp. 233–245; Nors 2001; Kræmmer 2002, 130–133, 135–137; and Gelting 2011b, esp. 168–173 and 184.

11 House names or kin groups (which are rendered as family names in Danish, such as "the White Family") from high medieval Denmark are later constructions, only retained out of tradition and convenience today. On the complex and controversial issue of the *family* and its function in Danish medieval society see Paludan 1995; Nors 2000; Hermanson 2004; Esmark 2006; and Vogt 2010.

12 The House of Hvide's rise to prominence was no doubt a consequence of the family's support for Valdemar (cf. Kræmmer 1999, 19–20, 75–76, 83–85, 112–113), even if many hypotheses on the House's ancient lineage and influence have been put forward, see e.g. Müllertz 1959; Johansen & Halding 2001; N.E. Andersen 2006; and Jaubert 2007.

13 Gelting 2004; Christensen 1979a; Kræmmer 1999, 123–124.

14 Christensen 1979a; Kræmmer 1999, 124.

15 Gelting 2011a, 110; Christensen 1979a.

16 See Kræmmer 1999, 120–128; and Münster-Swendsen 2016.

excessive power (geographically, nearly half the kingdom).[17] Valdemar's success (and, later, that of his sons) should not obscure the potential danger of the arrangement. Even though the evidence suggests that Absalon remained loyal to the king, this could not have been guaranteed at the time, and the archbishop of Lund had successfully defied Danish kings in the past.[18] Eskil's paternal uncle, Archbishop Asser, had thus been instrumental in securing the victory of the pretender (and later King) Erik Emune (r. 1134–1137) against King Niels and his son Magnus. The extant sources only permit speculation about King Valdemar's reasoning, yet it seems plausible that it must have been hazardous to devolve such powers to Absalon. Was it sheer favouritism or lack of supporters? The evidence is scanty, but, in any case, in terms of divide and rule, with this arrangement few rulers divided the rulership, potentially creating (or reinforcing) an environment of opposition. Only a year after Eskil's retirement, Eskil's exiled kin invaded Denmark with Swedish help. They were allegedly quickly defeated, but a much wider rebellion soon began in Scania in 1180, lasting into the following year, flaring up again in 1182.[19] The *Gesta* is the principal source for the events; yet, even Saxo conceded that the Scanian *milites* (knights/soldiery) demanded the removal of Absalon and his men in the course of the rebellion.[20] According to Saxo, the Jutes (probably the soldiery) supported the Scanians' demand, suggesting that Valdemar's favouritism was part of the problem.[21] Saxo considered the demand unreasonable, but he did thus admit that resentment against Absalon and his Zealanders (i.e. "foreign" men) was fuelling the fire. Snippets of information from other sources confirm this. Both the *Annals of Lund* and the *Older chronicle of Zealand* list Scanian antagonism to Absalon as causing the rebellion.[22] Eventually, in 1182, Harald Skreng, apparently from the royal house, but otherwise unknown to us, was brought in from exile to take charge of

17 Medieval Denmark was divided into several provinces (perhaps former petty kingdoms?) roughly corresponding to regional legislative divisions. These were from west to east, Jutland with Funen, Zealand, and the Scanian provinces. The Scanian provinces were the archbishop's diocese and they had their own regional legislation, but they were also divided further into three provinces—Scania, Halland, and Blekinge—, taking their compound name (in Danish: *Skånelandene*) from Scania, the most important of the provinces.

18 For the later power of Swedish bishops to make or break potential rulers, see Neuding Skoog in this volume.

19 Saxo Grammaticus, xv.3.4–30, xvi.1.2–2.2 (ed. Friis-Jensen 2015, 1454–1477, 1494–1503). Perhaps the rebellion had already begun in 1179 (see Münster-Swendsen 2016, 349, citing personal communication with Michael H. Gelting).

20 Saxo Grammaticus, xv.4.17 (ed. Friis-Jensen 2015, 1466–1469). See also Skovgaard-Petersen 1990, 33–35.

21 Saxo Grammaticus, xv.3.4–4.30; xvi.1.2–2.2 (ed. Friis-Jensen 2015, 1454–1477, 1494–1503). For surveys of the scholarship on the rebellions, see Holm 1985, 66–70; and Skovgaard-Petersen 1990, 35–37.

22 *Annales Danici Medii Ævi* (ed. Jørgensen 1920), 89 and *Scriptores minores historiæ danicæ medii aevi* (ed. Gertz 1970), II, 52–53 respectively.

the rebellion. It was the right moment. Valdemar had just died and his son, Knud VI (r. 1182–1202), only 20 years old, had to act immediately upon his succession. Royal victory should not obscure the fact that the situation had been perilous.

Accordingly, writing about these events, Saxo conceded that Absalon's rule as archbishop had been opposed. Not immediately, not everywhere, and not by everyone, but by enough magnates and people that the archbishop's position had been tenuous. According to canon law, translation was licit under certain conditions; however, intruding oneself on an unwilling diocese was not. Even if the evidence does not permit us to decide between whether the Scanians rebelled because of Absalon's enthronement or if resentment only developed quickly afterwards, the perception of an opposed translation and the holding of multiple episcopal offices were potentially very problematic. Saxo therefore insisted that Absalon's election and translation had been done according to prevailing norms.

Translation and episcopal pluralism

By the latter half of the 12th century, a fairly consistent picture of the legal impediments for translation had emerged.[23] At the centre of ecclesiastical thought was the notion that ambition was a cardinal vice. Accordingly, a bishop should never seek a translation on his own initiative. Moreover, translations should serve the *utilitas* or *necessitas ecclesiae* (the needs of the church).[24] For instance, in his *Decretum* of 1094, Ivo of Chartres, echoing the Council of Carthage (436), wrote:

> Ut episcopus de loco ignobili ad nobilem per ambitionem non transeat [...] Sane si id utilitas ecclesiae fiendum poposcerit, decreto pro eo clericorum et laicorum episcopis porrecto, per sententiam synodi transferatur [...]
>
> That a bishop shall not translate from ambition from an insignificant place to a more well-known one [...] Of course, if the *utilitas ecclesiae* demands it, the clergy and laity agreeing, [the bishop] may be translated by a synodal decree [...][25]

The substantive law was thus relatively clear, but procedural law lagged behind. Ancient decrees stipulated that proper authority should approve the translation. Most often, this was interpreted as a synod (as at Carthage), but it did leave room for doubts. Nor was it clear at which point the translation happened exactly. Over the course of the 12th century, canonists struggled to define these ambiguities while the papacy began to assert tighter control. For instance, dealing with the translation of Gilbert

23 See Sommar 1998 for a detailed analysis of this development.

24 Sommar 1998, 67–68.

25 Quoted in Sommar 1998, 260–261, 382.

Foliot from Hereford to London in 1162, Foliot was first postulated (i.e. not elected) before Pope Alexander III granted (*concedimus*) his permission, effecting the election and translation.[26] In this instance, Alexander thus explicitly asserted his authority to approve translations. However, Alexander was not always this insistent. Accordingly, only months prior to Foliot's translation, Alexander had simply sent the pallium (the insignia of an archbishop) to Henry of France, who was translated from Beauvais to Reims, thus approving a fait accompli.[27] Not until Innocent III (1198–1216) addressed the theological rationale of translation was a univocal legal procedure established. This procedure firmly placed approval (or rejection) into the hands of the pope, establishing that a bishop could not simply be elected bishop of another see; he could, however, be postulated, before seeking papal permission to effect the translation.[28]

Pluribeneficality was another (although related) matter. In 1179, at the Third Lateran Council, Pope Alexander III renewed those decrees which prohibited clerics from holding multiple benefices. Nevertheless, in practice as well as in theory, pope and bishops could dispense on the grounds of *utilitas*. Later, Pope Innocent III decreed that only the pope could dispense (Fourth Lateran Council, 1215). Still, the decrees targeted clerics in general and not bishops in particular.[29] Holding multiple episcopal offices appears to have been extremely rare; hence, there was no pressing need to develop canon law specific to this point. However, when someone held multiple bishoprics, the papacy often condemned it. Bishop Stigand is a notorious example: earning the wrath of several popes, he imposed himself on the archbishopric of Canterbury in 1052 while retaining the see of Winchester.[30] John Godfrey has suggested that Pope Alexander II (r. 1061–1073) eventually supported William the Conqueror's conquest of England because he wanted to get rid of Stigand.[31] There are a few other cases (for instance, Ealdred of York),[32] but the most interesting example is that of William (Whitehands) of Chartres, since (as Hans Olrik has suggested) Bishop Absalon's position was roughly equal to William's, as both men became episcopal pluribeneficiaries and papal legates.[33] Accordingly, in 1168, William became archbishop of Sens while retaining his old bishopric of Chartres, and, further, was named resident papal legate the same year.[34] Absalon likewise became resident papal legate only a few years after

26 Sommar 1998, 315–316.
27 Sommar 1998, 317–319.
28 Sommar 1998, 328–359.
29 Pennington 1976, 37–38.
30 Sommar 1998, 226–228.
31 Godfrey 1962, 406.
32 Sommar 1998, 233–234.
33 Olrik 1909, 41.
34 William was later translated to Reims (1176). He was subsequently appointed cardinal in 1179.

his election.[35] Both William and Absalon were important supporters of their respective kings,[36] and it is reasonable to conjecture that King Valdemar and Absalon had decided to emulate the French arrangement.[37] Both Absalon and William were strong episcopal magnates with special powers and responsibilities, indicating a particular political arrangement. Moreover, the papacy adopted the same roundabout way in order to support the arrangements: both Absalon and William were titled as archbishops with permission to administer their former dioceses.[38] Furthermore, once William became archbishop of Reims in 1176, he renounced his former offices, while Absalon's episcopal pluralism was a unique occurrence in medieval Denmark,[39] suggesting that William and Absalon's accomplishments were possible due to special circumstances. It is most likely no coincidence that papal endorsement of episcopal pluralism coincided with a long schism. Pope Alexander III was in need of allies, spending most of the years between 1159 and 1177 in exile.[40] He outlawed ecclesiastical pluralism only a few years after the end of the schism, strongly suggesting that the concessions were a feature of his perilous position and that he now wished to draw them in again.

However—and here the similarities to William end—, Absalon met serious opposition. It is therefore obvious that Saxo needed to justify the Danish arrangements much more thoroughly. When considering Saxo's account, the extensive time of composition of the *Gesta* should be borne in mind. Saxo would have responded to issues that arose whilst he was writing, possibly even revisiting and reviewing his account to take notice of recent developments. The Angers fragment, the only extant text from Saxo's own hand, shows that Saxo wrote a draft, which he subsequently edited.[41] The *Gesta* is probably the end result of strata upon strata of rewritings. One example of a problematic event for his depiction of Absalon's pluribeneficiality was the fracas around Bishop Conrad of Querfurt's translation to and acquisition of a second bishopric without papal approval. Unfortunately for Conrad, the acquisition took place in 1198, when Innocent III had acceded to the throne of St Peter, and was eager to assert papal authority; he deposed Conrad as a means of setting a suitable example.[42] Saxo would in all likelihood have known about this case given its political ramifications, and, thus, he would have had to take it into account in order to avoid any similar mis-

35 Christensen 1979b.

36 Cf. Falkenstein 2003, esp. 133–138.

37 For the Franco-Danish connections at this time, see Heebøll-Holm 2014, esp. 253–261.

38 Falkenstein 2003, 127–133; Saxo Grammaticus, xiv.58.1 (ed. Friis-Jensen 2015, 1444): "Nam et Absaloni Lundensem pontificatum assumere iussum et Roskildensem administrare permissum."

39 See Skyum-Nielsen 1969, 128–129; Falkenstein 2003, 133.

40 See Duggan 2012.

41 Copenhagen, Kongelige Bibliotek, NKS ms. 869 g. 40.

42 Sommar 1998, 328–359.

understanding with regard to Absalon. Accordingly, closing the writing of the *Gesta* in 1208 or later, Saxo shaped his narrative to show Absalon as an eminently suitable candidate, whose election and translation were unquestionably legitimate; and he diligently attempted to justify the now-questionable pluralism.

Saxo's two scenes

In order to exalt Absalon, Saxo presented his interpretation of events via two elaborately narrated scenes. The first scene narrates the election of Absalon as archbishop of Lund and was intended to advance Absalon's suitability for office via an emphasis upon his profound humility. The account describes a so-called election by divine inspiration. The second scene narrates the reading aloud of a papal letter by the papal legate, Galandus, and was intended to invest Absalon's pluralism with papal authority.[43] Taken together, Saxo intended the scenes to justify Absalon's episcopal pluribenificality.

First, it will be prudent to render the *Gesta*'s account of the two scenes in relative detail before analysing them in depth.

The prelude to the first scene begins with Archbishop Eskil's wish to resign his office. According to Saxo, old age was catching up with Eskil and he had long since promised Bernard of Clairvaux that he would join the Cistercian order. Eskil therefore consulted King Valdemar, who, as politeness dictated, tried to dissuade Eskil from his plan, mentioning that resignation necessitated papal permission. Eskil countered that not only did he have the papal *beneplacitum*; he also had papal leave to appoint his successor. The king was startled, suspecting Eskil of wanting to appoint Asser, Eskil's nephew (currently out of favour with Valdemar), but, still, the king assured his archbishop that he would not oppose Rome in ecclesiastical matters.[44] Consequently, with the king's consent, the Danish bishops were summoned to the archiepiscopal see of Lund where Eskil intended to make his resignation public.

Thus is set the stage for the crucial events in the cathedral. Here, in the *Gesta*'s narration, rituals foment an atmosphere of increasing intensity culminating in Absalon's election as archbishop of Lund. First, Eskil announces his wish to resign. He swears on the altar that he is resigning voluntarily, while the king again insists that papal permission is needed. A papal letter is therefore brought forward and read aloud. The letter approves Eskil's resignation, enabling the ceremony to continue. Eskil, still resident papal legate, thereafter produces a second papal letter, which invests in him the right to

43 Saxo Grammaticus, xiv.55.1–17 (ed. Friis-Jensen 2015, 1420–1435) and xiv.58.1 (1442–1445), respectively.

44 Saxo Grammaticus, xiv.55.2 (ed. Friis-Jensen 2015, 1422), "quod Romane sententie decreto obuiam ire nequeat".

appoint his successor. But Eskil immediately delegates his right to the chapter of Lund (who was the rightful electorate according to canon law). Nevertheless, pleas from the king and the chapter induce Eskil to speak his mind anyway. Eskil hesitates and says that if he were to hold his tongue, he would offend God, since he knows the man supremely suitable for such government ("maxime regimini idoneum"). However, if he were to speak, he would offend a friend, who, he was sure, would not desire the dignity of archbishop. The fraught atmosphere evoked by the *Gesta* is almost palpable: everyone wonders whom Eskil has in mind. Eskil speaks: "Roskildensem antistitem, mihi propinquitate, uobis opinione notum, designo" (I designate the bishop of Roskilde, known to me as a kinsman, known to you by his reputation.)[45] People cry out that this is good counsel. However, Absalon rises and answers that this would be a greater burden than his shoulders could bear ("maiorem hunc fascem, quam ut humeris suis imponi debeat, refert"); nor would he abandon the church of Roskilde, which he had striven to exalt.

There follows a short pause, before the electorate—the chapter itself—is encouraged to speak. It also elects Absalon.

According to Saxo, commotion follows. The electorate persists, crying with one voice for Absalon. Hands are laid on him as the clergy drag him towards the archbishop's throne, chanting a psalm as custom dictates. The *populus*, that is the people or the laity, join in the chanting, voicing their support. Despite the acclamation, Absalon resists vigorously, making it impossible to force him onto the archiepiscopal throne. The king joins in, attempting to persuade Absalon to consent. Finally, Absalon requests to be given the floor and, with everyone expecting him to concede, he appeals his case to Rome.

Subsequently, according to the *Gesta*, Eskil tries to tempt Absalon with the riches of the archiepiscopal see, which Absalon only scorns. In the end, the chapter of Roskilde and the king (with representatives from the chapter of Lund) each dispatch a delegation to Rome. Roskilde intends to argue that Absalon ought to remain bishop of Roskilde, while the king and the canons of Lund intend to argue that the election of Absalon ought to be respected. This marks the end of the *Gesta*'s first scene.

Saxo did not immediately resolve the tension, however. As mentioned above, the post-1157 part of the *Gesta* is a copious annal, and Saxo proceeded with a number of other events, including the unravelling of a conspiracy against the king. According to Saxo, the leader of the conspiracy, Magnus, a royal scion, made contact with Eskil's exiled and accused kin. Valdemar had previously forgiven Magnus for his treasonous behaviour, but, acting on this new betrayal, consigned Magnus to a dungeon.[46]

45 Saxo Grammaticus, xiv.55.10 (ed. Friis-Jensen 2015, 1428–1429). Note that the sentence construction in Latin ends with *designo* (I designate), giving it a distinct rhetorical effect. The nature of the kinship (or affinity) between Absalon and Eskil is unknown. Saxo probably intended to assure the audience of the friendliness between the two rivals.

46 Saxo Grammaticus, xiv.56.1–3 (ed. Friis-Jensen 2015, 1442–1443).

The second scene begins with the weaving of the Danish archiepiscopal question into the resolution of the papal schism in the summer of 1177, implying comparable importance between the two issues in the *Gesta*.

The pope, according to Saxo, treats the Danish delegations justly, taking both delegations' claims into account: namely, that Absalon should remain at Roskilde and that Absalon should be invested with Lund. Accordingly, the pope conjurs up a Salomonic solution, awarding Absalon both bishoprics. The legate Galandus is dispatched to Denmark to enforce the pope's verdict.

Galandus reaches Denmark, summons the chapter of Lund to Roskilde, and, in the presence of both chapters and of Absalon himself, produces a papal letter, ordering Absalon to acquiesce in his appointment:

> Veniens siquidem Romanorum legatus Galandus Lundensi clero Roskildiam euocato presentem Absalonem non solum literarum recitatione, que eum electioni parere iubebant, sed etiam anathematis comminatione, quo se aduersum eum, si repugnare perseuerasset, usurum dicebat, electoribus assentiri fidemque obeditionis solenniter ab iisdem recipere coegit.
>
> The papal legate, Galandus, arrived and, after the clergy of Lund had been called over to Roskilde, there he not only read out a letter in Absalon's presence which ordered him to acquiesce in his appointment, but also threatened to pronounce excommunication on him if he continued to resist, and thus made him bow to his electors and formally accept their pledges of obedience.[47]

Thus, Absalon could but consent. Subsequently, Galandus and Absalon journey to Lund, where Galandus invests Absalon with the pallium and witnesses him consecrate the bishop-elect of Ribe. The legate makes his way back home after the end of winter.

The veracity of Saxo's account

The *Gesta*, as has been often observed, must be approached with caution. It is tendentious and frequently impossible to corroborate. Nonetheless, to understand how Saxo strove to convince the audience of his version of events we will address the veracity of the account and establish a sequence of events, and thus address the fundamental question of what actually happened. After this exploration, Saxo's literary re-creations will be much more clearly discernible.

In the first place, even if Saxo might conceivably have witnessed the election first hand as a member of Absalon's entourage, the neatness of the narrative is highly suspect. It renders Absalon's election and confirmation into a textbook example of how clerical norms established the validity of elections and translations. First, the *Gesta*

47 Saxo Grammaticus, xiv.58.1 (ed. Friis-Jensen 2015, 1444–1445).

describes an election by divine inspiration, which requires everyone to elect someone unanimously on the spur of the moment.[48] Secondly, Absalon is depicted as resisting the election down to fighting off his electors, thus proving that he did not aspire to ever-higher office, and was thus virtuously free of the sinful ambition which would have rendered his candidacy theoretically invalid:[49] the ideal candidate for promotion is the one who does not desire it. Furthermore, some of the *Gesta*'s information are highly suspect or quite simply wrong. The dispatch of two delegations to Rome, without corroborating evidence (which does not exist), is extremely implausible. Additionally, it is highly unlikely that the pope himself would have conjured up the Salomonic solution of awarding both bishoprics to Absalon. It must have been a Danish request. Although there is a papal letter on the subject of Eskil's resignation, there are not two, and, as Curt Weibull convincingly argued long ago, Saxo span out this real letter into two fictional missives.[50] The real papal letter awarded Eskil the right to resign on the basis of old age and infirmity when a suitable candidate had been found—and not before—as Mia Münster-Swendsen has recently stressed.[51] Moreover, the letter did not hand Eskil the right to designate his own successor, rather, he was encouraged to work together with the king and other religious and zealous men ("aliosque regni illius religiosos et industrios") to find a worthy successor. Alexander reserved the right of confirmation to himself.[52] In the *Gesta*, Saxo's multiplication of the single letter and his embroidering of its stipulations are carried out to serve the drama and his wider purposes.

Nevertheless, despite all these problems, I think it unlikely that the scenes are pure fiction: Saxo probably reconfigured and manipulated certain actual events and features in order to advance his own interpretation of them. One of the most crucial features—shown, perhaps, by its being the most contested element amongst scholars—is the nature of Eskil's resignation. Did Eskil leave voluntarily or was he forced? Lauritz Weibull, Erik Arup, and Mia Münster-Swendsen, for example, argue that Eskil had no choice in the matter,[53] while Hal Koch and J. Oskar Andersen assert that Eskil acted on his own accord.[54] However, Michael Kræmmer has proposed a middle way,[55] which I find compelling, and I will therefore expand upon it here.

As mentioned above, Eskil's closest kin (two grandsons and two nephews) fell under suspicion of high treason.[56] Again, Saxo is the main source, rendering much

48 See Harvey 2014, 36–37.
49 See Harvey 2014, 40.
50 C. Weibull 1915, 274.
51 Münster-Swendsen 2016, 341–344.
52 *DD* I.3, no. 61.
53 Arup 1925, 254–255; L. Weibull 1953; Münster-Swendsen 2016.
54 Koch 1933–1935, esp. 277–284; J.O. Andersen 1956.
55 Kræmmer 1999, 126.
56 It should be mentioned that the evidence corroborating Saxo's claim that Eskil had grandsons

about the alleged conspiracy suspect. We might therefore speculate that the king simply moved against a rival faction, inventing the conspiracy and self-justifying it as a necessary pre-emptive strike (?). In any case, the implicated fled. According to Saxo, Eskil's grandsons (Karl and Knud) sought refuge in Götland (Sweden), while one of Eskil's nephew's was exiled and the other, Asser, incriminated.[57] Asser was dean of the archiepiscopal chapter and he was already designated archbishop of Lund in the Colbatz Annals. These annals were originally written in Lund before being transferred to Colbatz (present day Poland). At the year 1177, the Annals assert that "his cousin Asser succeeded with papal consent."[58] This dignity was out of the question now and the line in the annals was subsequently erased and only brought to light later.[59] Eventually, Asser was exiled some time prior to 1180,[60] while Eskil's grandsons, according to the *Gesta*, raised an army and invaded in the spring of 1178. Saxo asserted that they were quickly defeated. One was imprisoned; the other killed.[61] However, in the beginning of 1177 Eskil must probably have considered how best to help his exiled and incriminated kin. Clemency is important here. According to Saxo, Magnus Eriksen (the

is scanty. Accordingly, it is conceivable that Saxo invented the information in order to smear Eskil, who would then be guilty of incontinence. Only Abbot Peter of Celle, who was a friend of Eskil, mentioned Eskil's *nepotes* in a letter (*DD* I.3, no. 81). *Nepos* has several meanings, including "grandson," but it might as well mean "nephew," thus making the meaning of Abbot Peter's statement ambiguous, even if the editors of the *Diplomatarium Danicum* assumed that Peter's *nepotes* referred to Eskil's grandsons. We must therefore leave room for some doubt, but—although this study presumes that Eskil had children—the main argument concerns Eskil's kin more broadly than his grandsons specifically.

57 For the unravelling of the conspiracy see Saxo Grammaticus, xiv.54.1–37 (ed. Friis-Jensen 2015, 1392–1421).

58 *Pommersches Urkundebuch*: vol. 1:2: *Annalen und Abt-Reihe des Klosters Colbatz*, 483: "… Asker successit, patruelis istius, papali consensu."

59 Münster-Swendsen 2016, 347–348.

60 Asser surfaces on witness-lists in Magdeburg between 1180 and 1185 (*DD* I.3, nos. 94, 119, 125–127). His exile might be due to incrimination with the rebellions in Scania *c.* 1180–1182 or Karl and Knud's invasion in 1178. It is normally assumed that Asser was exiled in 1177 (see the comments in *DD* I.3, no. 45), on the basis of Saxo Grammaticus, xiv.54.37 (ed. Friis-Jensen 2015, 1420–1421). However, even if Saxo had Asser confess his knowledge of, but not support of, the plot, Saxo's dating is still imprecise: "Quem confessionis modum diuturni postmodum exilii causam habuit" (This kind of admission was the reason why he later suffered a long banishment): the banishment was not immediately upon admission. We might add that it is reasonable to assume that Eskil had an especially close relationship with his nephew, since Asser had been dean in Lund and designated future archbishop.

61 Saxo Grammaticus, xiv.56.1–3, xv.2.1 (ed. Friis-Jensen 2015, 1434–1437, 1450–1453). Cf. also three letters (dateable to 1177, 1177x1180, and 1178x1180, respectively) by Abbot Peter of Celle, a friend of Eskil, who criticized Absalon for his treatment of Eskil's kin (*DD* I.3, nos. 65, 73, 81). See also Münster-Swendsen 2016, 348–349. For the treason and rebellion of Magnus Eriksen, Karl, and Knud, see also Hermanson 2013, 127–132.

leader of the conspiracy) was pardoned after having confessed. Asser, Eskil's nephew, appears likewise to have been forgiven at a later date.[62] According to Saxo, Eskil approached the king via some intermediaries, as the example of Magnus gave Eskil hope that he might achieve pardon for his kin. The king, however, was unmoved.[63] In the *Gesta*, it is structured thus that pardon was not achieved in section xiv.54.37, just before the onset of winter (1176). In the next section (xiv.55.1), shortly after the close of winter (1177), Eskil spoke with the king about resigning. It is no stretch to imagine a connection. Suspicion of coercion was definitely voiced at the time since Saxo stressed that Eskil left voluntarily:

> Tunc Eskillus directis in aram manibus iurare et presentia sacra testari se non odio regis aut ullius iniurie ex eo recepte uiolentia, sed perituri honoris fastidio perpetuique studio huc propositi esse perductum.
>
> Eskil then stretched his arms towards the altar and swore, calling those holy vessels to witness, that he had not been led to this pitch of resolution [resignation] by his dislike for the sovereign [King Valdemar] or on account of any outrage or offence suffered at his hands, but through distaste for a glory that was bound to pass away and because of his earnest desire for one that was eternal.[64]

However, reality is often more complex than coercion *vs*. freedom of choice, even if these dichotomies are the logic of canon law: guilty *vs*. not guilty, coerced *vs*. voluntary. As such, to an observer in the immediate vicinity of events, Eskil's hand might have been forced, while Eskil himself might have felt that his loyalty to his kin spurred his accommodation with the king. Simultaneously, on the surface, Valdemar and Absalon offered Eskil a fair—perhaps even generous—bargain: voluntary resignation in exchange for clemency towards Eskil's family. They might self-justify their actions by referring to the alleged treason perpetrated by Eskil's kin, stating that they (Valdemar and Absalon) only acted in the best interest of the realm. According to Saxo, Valdemar predicted that his death at the hands of the conspirators would cause civil war.[65] In this context, we must recall that the realm had suffered from prolonged civil war recently, and it was therefore an acute, overriding aim (and a noble cause) to protect the realm from such misfortune, perhaps self-justifying the treatment of Eskil. Subsequent events (the resumption of treasonous activity after Eskil's resignation and the invasion

62 In an abbreviated charter dateable to 1198x1201, the then-deceased Asser's gift to the monastery of Sorø is confirmed by Archbishop Absalon (*DD* I.3, no. 246). Sorø was the *Hauskloster* of the House of Hvide, thus Asser must have been on friendly terms with Absalon, possibly as a result of the donation. On gift-giving and its social workings see, for instance, Esmark 2006.

63 Saxo Grammaticus, xiv.54.37 (ed. Friis-Jensen 2015, 1420–1421).

64 Saxo Grammaticus, xiv.55.6 (ed. Friis-Jensen 2015, 1424–1425).

65 Saxo Grammaticus, xiv.54.9 (ed. Friis-Jensen 2015, 1398–1401).

by Eskil's grandsons) probably only buttressed this perception. Altogether, Eskil was neither only coerced nor did he leave completely voluntarily; instead, he was faced with hard choices. But he could still act and influence events even though his position was weak.[66] Accordingly, it appears that Saxo neither lied nor told the whole truth; instead he presented a particular interpretation on the basis of a relatively veracious component: Eskil's "voluntary" resignation. This is presumably also the case for the other components of the narrative. Besides Eskil's resignation, these were, first, Eskil's legatine powers; second, his acquiescence to Absalon's candidacy; third, the support of the electorate and the king; and, fourth, papal approval of events. Another medieval interpreter might have perceived the election scene quite differently. He might have pondered on the meaning of events, on inner feeling vs. outward show—as Saxo also pondered occasionally.[67] However, as Esmark has summarized, investigating medieval ritual strategies:

> Ritual actors and audiences did not need to believe wholeheartedly in the sincerity of everything that went on in a particular ceremony [in our case: Absalon's election] or to share the same perception of the deep-lying meaning(s) of the symbols, gestures, and speeches involved: as long as they agreed to, or accepted the need for, participation, it worked.[68]

That is, Valdemar and Absalon needed Eskil's collaboration. Even if participants suspected coercion, Eskil's presence doubtless made a difference: it helped the participants to persuade themselves that all went according to justice. Most people prefer to avoid the danger and uncertainty of rebellion if they can rationalize their co-operation. It is unlikely that Valdemar or Absalon simply announced Eskil's resignation before forcing Absalon upon the church of Lund (even if it is theoretically possible). Such a course of action would have been manifestly illicit and it is difficult to imagine the otherwise canonically-minded Absalon agree to this. In any case, they needed Eskil's cooperation in order to produce the perception of legitimacy and concord. If (and it is a big if) Eskil was not actually present, voicing support, it was surely a mistake that Saxo did not intend to repeat in the *Gesta*, especially in light of later events.

In order to recapitulate, Saxo probably presented an almost truthful outline of events. However, he invested the outline with meaning, presenting an interpretation of events that many presumably found controversial. This is not the same as lying outright, even if it might have needed some rationalization. Politicians today rarely agree on social reality; we should not expect medieval politicians to be any different. It is thus rea-

66 Cf. also Münster-Swendsen 2016, who unequivocally argues for coercion.

67 Cf. Esmark 2015, esp. 241–242.

68 Esmark 2015, 243.

sonable to assume that a large crowd of bishops, prelates, and laymen were present to witness Eskil resign and that Eskil postulated Absalon as his successor. The (real) papal letter probably underpinned this. The chapter of Lund concurred, electing Absalon as well. As procedure dictated, Absalon declined the honour. A delegation was dispatched to Rome to petition the pope for the desired outcome. The pope agreed, dispatching a legate to underpin the legitimacy of the arrangements.

Still, there was ample room for disagreement within this basic outline. Had the election been performed with the threatening presence of the king and his warrior entourage, or had the cathedral chapter chosen a candidate unanimously with the laymen only exclaiming approval at the proper moment? Saxo endorsed the latter interpretation and we will shortly turn to how he strove to convince his audience of this reading. However, Saxo built his argument on the ingenious use of ritualization, that is, he spoke to feelings rather than intellect. In order to unlock his narrative strategies, we must therefore devote some space to the theoretical understanding of ritualization.

Ritualization

The nature of ritual has always been contentious in scholarly literature.[69] However, Catherine Bell has proposed a workable approach, which will constitute the foundation of this section.[70] Eschewing ritual as an activity, which can be defined by a fixed set of criteria without context or history, Bell favours the process of ritualization. She characterizes it thus:

> ... ritualization is a way of acting that is designed and orchestrated to distinguish and privilege what is being done in comparison to other, usually more quotidian, activities. As such, ritualization is a matter of various culturally specific strategies for setting some activities off from others, for creating and privileging a qualitative distinction between the "sacred" and the "profane", and for ascribing such distinctions to realities thought to transcend the powers of human actors.[71]

Hence, the marking off from quotidian activities designates a ritualized event. This is an analytical tool. It is designed to identify the creativity and ambiguity inherent in rituals, that is, that a given ritual is not a fixed entity nor is it, strictly speaking, subject

69 Cf. Gerd Althoff's characterization of ritual definitions as a "babylonisches Gewirr" (2006, 11; "Babylonian confusion"). For a survey of trends see Martschukat & Patzold 2003; and Rexroth 2003. See also Goody 1977; and Collins 2005.

70 Bell (1992) has largely been ignored by medievalists; I am only aware of Kim Esmark's implementation of Bell on medieval material (see Esmark 2002, esp. 49–65 and less overtly 2015, esp. 239–242). In turn, Bell has largely ignored medievalists (see Koziol 2002, 367–368).

71 Bell 1992, 74.

to change since each ritual is a unique occurrence. A ritual event is always created by those present and even the most repetitive ritual involving the same people is recreated at every performance. Some rituals might appear to be virtual repetitions, unchanging and invariable, but it is not the repetitiveness *per se* that designates the ritual, but the marking off from quotidian activities. In this instance, repetitiveness is the tool/strategy/process utilized in order to mark off, presenting the ritual as a constant in a changing world (such as Mass). In other instances, for example, it is the uniqueness, the once-in-a-lifetime experience, that ritualizes (such as the Cathar *consolamentum*). Thus, ritualization is the process, which marks off activities, inducing the perception of differentiation, i.e., a ritual.[72] However, in order for the individual to internalize the ritualization, that is, to understand the marking off from quotidian activities, they need to share the same social senses as the ritualizing actor to some extent at least. This is where Bell builds on Pierre Bourdieu's concepts of *habitus* and *practice* before moving on to Michel Foucault in order to understand how ritualization is a tool of power.

In short, *habitus* is the concept of the internalization of the surrounding environment's conscious and unconscious norms. Bourdieu designated it the socially informed body. This body not only possesses the traditional five senses, it also has a sense for necessity, duty, reality, beauty, sacred, morality, etc.,[73] with Bell adding the sense of ritual.[74] That is, that the individual understands implicitly and unconsciously that an event is being ritualized without ever having been told thus, like, for instance, a sudden event, which causes a spontaneous burst of religious fewer in which people vow to go on crusade. Such an event only makes sense if the present people share (roughly) the same sense for the sacred, for duty, and for morality; senses embedded in the *habitus*. The embedment is the responsibility of *practice*, which, according to Bourdieu, is the continuing recreation, negotiation, and manipulation of the perceived world through interaction with it. In this way, the body becomes socially informed.[75]

Building on this, Bell moved on to Foucault. According to Foucault, power is "to structure the possible field of action of others".[76] Hence, it is a technique (only existing when executed) working on people's perception of possible actions, predisposing people towards certain actions.[77] Accordingly, ritualized power is the conscious and unconscious bodily practice of manipulating and prioritizing norms and categories embedded in the *habitus* in order to produce dispositions, which the ritualizing actor deems desirable. For instance, when a papal letter was read aloud at the court of Knud VI (1182–1202), informing that Jerusalem had fallen, the reporter of the event asserted

72 Bell 1992, 88–93.
73 Bourdieu 1977, 123–124.
74 Bell 1992, 80.
75 Bourdieu 1977, esp. 53–54, 123–124; Bell 1992, esp. 80; Wacquant 1992.
76 Foucault 1983, 220–222, quote 221.
77 Foucault 1980, 198–199; and 1983, 222–226.

that some of the present magnates swore a crusader vow.[78] In the anonymous reporter's account, this ritualization (i.e., the marking off induced by the solemn reading aloud) invoked the sense for the sacred and for the Christian duty towards Jerusalem, implicitly contrasting it with ungodliness and faithlessness. In this way, the reporter's participants created relations of domination and subordination in themselves, producing the perception of experienced power. In the account, they unconsciously recognized certain actions as, for instance, either dutiful (crusading) or faithless (staying home), thus producing dispositions towards certain actions. However, subordinated actors negotiate the appropriation of this domination by consenting and resisting. Thus, ritualization has its limits. Everyone brings a self-constituting history to a ritual, which shapes the interpretation of the ritual within a redemptive personal appropriation, interpreting the ritualized event in a manner most favourable to the individual. Duties can conflict: not everyone took a crusader vow. The ability to interpret also leaves the individual with the ability to manipulate and invert as well as differentiate between private and social; hence, inner feeling vs. hypocrisy and empty ritualism. Thus, actors might physically consent, creating outward conformity; yet, the participants' minds might resist, producing a conflict between resisting mind and consenting body. Accordingly, the power of ritualization is its ability to impose the perception of—and the interpretation of—consensus and harmony on negotiated (perhaps even reluctant) consent.[79] According to the anonymous reporter, some of the men who took a crusader vow at the court of Knud VI later went back on their word. It is no stretch to imagine that they had felt compelled to take the vow in the spur of the moment. Whether this actually took place is irrelevant for our purpose (although the anonymous reporter's antipathy towards those who went back on their words renders it probable). Instead, it is the purpose of the narrative ritualization and its thrust that matters. As mentioned previously, it is unlikely that the real events in Lund and Roskilde unfolded exactly as described in the *Gesta*, even if the outline might be veracious. As such Saxo's two scenes will be analysed as textual creations (fictions). Hence, we are not per se interested in the *Gesta*'s actors; instead, we are interested in what the scenes conveyed to the audience. Saxo worked on how the audience perceived the possible field of actions of the actors in the two scenes, thus, in this way, working on the audience's possible interpretation of events. Our analysis is thus literary, even if Bell presupposed real performance. We are, however, not obliged to presuppose the same, and nothing prevents us from applying Bell's analytical tool to literature.[80] Accordingly, there are two levels of

78 *Krøniker fra Valdemarstiden* (trans. J. Olrik 1900–1901), 126–137; *Scriptores minores historiæ danicæ medii aevi* (ed. Gertz 1970), II, 461–469.

79 Bell 1992, 206–218. See also Pössel 2009, 121–124.

80 Philippe Buc (2001) has questioned the applicability of theories such as Bell's on medieval material, suggesting that we renounce the term "ritual" in medieval scholarship. Unsurprisingly, Buc's opinions have been subject to controversy (e.g. Koziol 2002; Esmark 2005). Buc

analysis. One is the action of the actors in the *Gesta*, while the other is the audience's perception of these actors and their actions. In a way, we might consider the audience as participants; they (we) are subjected to the ritualized event's power. Thus, our interest centres on how Saxo strove to convince his audience of a particular interpretation of events. How did Saxo as a performer (figuratively speaking) construct the ritualized events? What were his intentions, which contemporary notions and values did he utilize? Employing Bell's vocabulary: what did he mark off and how? How did he construct fields of possible actions that his audience would presumably accept? With this in mind, let us return to the *Gesta danorum*.

Scene 1: Humility and election by divine inspiration

After the prelude (Eskil consulting with Valdemar about his resignation), the drama truly began as large numbers of prelates gathered in the cathedral of Lund. This gathering ritualized the event. In Saxo's narrative, it marked it off from everyday quotidian activities, constructing differentiation. A clerical audience (and others) would have understood the process. In the *Gesta*, Eskil was a keen observer of the phenomenon. Upon Eskil's negotiation with the king a month prior to the events in the cathedral, Saxo remarked:

> Tum Eskillus honoris abdicationem contractorum pontificum frequentia celebrari magni estimans profecturum ab urbe regem precari institit, uti ipsos exacto mense secum reducat, quos non solum sue renuntiationi, uerumentiam noui antistitis creationi interesse expediat.
>
> Then Eskil, believing it important that a large company of bishops should congregate to solemnize his resignation from office, went on to beg the king, who was on the point of departure from the city [Lund], that when he returned at the end of a month, he might bring these prelates with him, for it would be an advantage if they played their part in the election of a new primate, as well as in his own abdication.[81]

Thus, in the *Gesta*'s narration, Eskil consciously aspired to produce differentiation, i.e., ritualization. The king consented and it was in front of this assembly of prelates that Eskil later swore that he resigned voluntarily. The presence of the crowd of prelates solemnized the resignation, but—seen by a hypothetical impartial observer—it also made the prelates witnesses to the events in an environment where the ritualization produced dispositions against dissent. As mentioned, a papal letter was then read

drew attention to the difference between the textuality of the sources and the actual performance; however, there is no reason to believe that this is particular to ritual performance (as Buc would have us believe) relative to other aspects of the study of the Middle Ages.

81 Saxo Grammaticus, xiv.55.3 (ed. Friis-Jensen 2015, 1422–1423).

aloud: "Next a letter was produced from the pope, without whose assent the king said Eskil might never lay aside this high office, so that it could be read out again in public."[82] This reading aloud in plenum likewise solemnized the letter, ritualized it, and stressed its importance. Such scenes must have been recognizable (or at least perceivable) for Saxo and his audience. Consequently, papal authority on ecclesiastical affairs was both invoked and reaffirmed. That is, the scene built upon existing notions of papal authority, which it then ritualized, emphasizing papal authority. Even the king consented, having previously remarked that he could not oppose a papal directive on ecclesiastical affairs, thus abandoning any customary right he conceivably might have had. In this manner, Saxo strove to convince his audience that there was univocal agreement on papal authority and jurisdiction in the affair. Additionally, the papal letter set a chain of events in motion. First, in Saxo's account, the letter allowed Eskil to resign. Second, Eskil acted on this, placing his ring and crozier on the altar, thus resigning: "At his action [the resignation], the tears of the bystanders welled up in compassion, and the cathedral echoed with sighs which resembled the sound of a loud murmuring."[83] Saxo thus sought to persuade his audience that the onlookers were saddened by Eskil's resignation. Third, Eskil produced the second papal letter, which gave him the right to appoint his successor. This bolstered papal authority; having already consented once in plenum to papal authority on the matter, it became naturalized (embodied) to consent again (or, conversely, harder to dissent; kings did not always agree with canon law on election). This was an effective narrative construction; it stressed papal authority, cultivated it, and made it more present to the audience of the *Gesta*. Thus, Saxo could harvest papal authority and subsequently buttress Absalon's candidacy.

Next, after reading the two letters, Eskil delegated his right of appointment to the chapter, subsequently designating Absalon his successor. However, according to Saxo, Eskil only reluctantly did this, being sure that Absalon would reject the designation. He was not proven wrong in Saxo's account. Accordingly, having prepared his readers, the most crucial concept in Saxo's narrative was introduced: humility.

The exalting feature of humility was a fundamental concept in medieval clerical culture: "Whoever exalts himself shall be humbled, and whoever humbles himself shall be exalted."[84] This sentiment can be found (with variations) in Luke 14:11 and

82 Saxo Grammaticus, xiv.55.7 (ed. Friis-Jensen 2015, 1426–1427): "Romani deinde pontificis epistola, sine cuius nutu rex dignitatem ab ipso deponendam negabat, in commune relegenda profertur."

83 Saxo Grammaticus, xiv.55.7 (ed. Friis-Jensen 2015, 1426–1427): "Cuius facti miseratione lachryme astantibus oborte suspiriisque murmuris instar reddentibus edes repleta." The ritualization produced an "emotional state", as Edward Muir would have termed it, see Muir 2005, 1–2.

84 Here quoted from the Rule of Benedict; see *The Rule of Benedict*, ch. 7, p. 135 (Latin), p. 138 (translation): "Omnis qui se exaltat humiliabitur et qui se humiliat exaltabitur." In his com-

18:14 as well as Matthew 23:12. Bishops were supposed to be humble, reluctant, and to confess their own unworthiness.[85] In Boso's life of Pope Alexander III, for instance, Alexander also appeared reluctant when elected bishop of Rome. In contrast, Boso stressed that Alexander's rival, Victor, aspired to office, which was one of his vices.[86] Humility was a virtue, and approaching the duty of high office with humility was a sign of suitability. Saxo therefore stressed Absalon's humility, even if he never used the word *humilitas* in this scene (the closest term attributed to Absalon being *uerecundia*, modesty).[87] Instead, Saxo used the literary technique of *show–don't tell*. This technique had the potential to engage the audience on an emotional level; they had to arrive at the intended concepts themselves. Instead of telling his audience that Absalon was humble, Saxo showed it. Humility being a key concept, a clerical audience (if not perceptive laymen as well) was able to recognize the performance of it instinctively. It was internalized in their *habitus* through *practice*.

Next, the chapter of Lund elected Absalon. It should be recalled that Eskil had delegated his right of appointment to the chapter, while remaining resident papal legate. At the same time, according to canon law, the chapter was the electorate.[88] Saxo thus recognized that it was important to show wide endorsement for Absalon. He therefore had Eskil delegate his papal privileges to the chapter. For the reader of the *Gesta*, papal authority had been (re)created and (re)emphasized through the ritualized reading of the papal letters only to settle—more as a sentiment than a principle of law—both on Eskil (resident papal legate) and the chapter (having been delegated papal powers of appointment). Thus, irrespective of perspective, papal and electoral determinations were behind Absalon's election.

Then, the tumultuous scene followed in the *Gesta* as everyone strove to force Absalon into the archiepiscopal chair or attempted to persuade him to consent to the election. An ecclesiastical audience of the *Gesta* would probably have concluded that God, in a way, joined in, since a unanimous election signified God's approval in medieval thinking.[89] This was election by divine inspiration. Accordingly, everything pointed towards Absalon.

---

ments to the rule, Holzherr observed that "The didactic opening part of the entire Rule of Saint Benedict finds its climax in this chapter on humility." (p. 142). Essentially, the chapter on humility was very important.

85 Harvey 2014, 54–56.

86 *Boso's Life of Alexander III* (trans. Ellis 1973), 44; *Le Liber pontificalis* (ed. Duchesne 1892), vol. 2, 397–398. See also Esmark's remarks on the paradigm of humility/exaltation (Esmark 2002, esp. 279–281). For an introduction to Boso and his papal biographies, see e.g. Doran 2013.

87 Saxo Grammaticus, xiv.55.13 (ed. Friis-Jensen 2015, 1430–1431).

88 See Harvey 2014, 11–48, esp. 12–13.

89 Cf. Buc 2001, 33.

However, in the *Gesta*, Absalon still objected, thus producing a failed ritual. That is, in the *Gesta*'s account, the ritualization itself worked: the participants created a differentiated environment, which marked it off from everyday life. This ritualization "structure[d] the possible field of action",[90] i.e., it produced particular dispositions within the participants in the narrative. Saxo strove to convince his perceived audience that the ritualizing actors were the pope, the king, Eskil, the electorate, even the people, possibly God himself; they all worked on Absalon's perception of his possible field of actions: he should consent. Accordingly, in the narrative, certain dispositions were produced in Absalon. Saxo intended his reader to recognize this even if he would never have expressed it in these 20th- and 21st-century terms of course. However, Saxo still understood how to ritualize textually and, thus, produce the experience of certain social senses being prioritized. In all likelihood, the intended audience of the *Gesta* was able to arrive at the conclusion that Absalon was being pressured into the action of consent. The audience could probably likewise see that everyone believed in Absalon, which should produce the perception of power being brought to bear, inclining Absalon to compliance. Yet, it did not. The ritual thus failed in its main aim (with Saxo's blessings). Absalon's humility, internalized and firmly anchored in his *habitus*, with which he negotiated the world, was too strong (in Saxo's narration). The potential ecclesiastical audience doubtless recognized that Absalon's actions belonged in the category of extreme humility, as it was a commonplace in clerical writings to express one's unworthiness upon election, but pressure from the electorate was then often enough to convince an elect to consent. Thus, refusing the election, Absalon struck a chord in the *habitus* of those present; he structured their perceived possible actions in the narrative. As a communicative device the *Gesta* only makes sense if the audience perceived this emotionally as well; i.e., that Saxo (through the literary representation of Absalon) struck a chord in the *habitus* of the audience. Those humiliating themselves deserved to be exalted. In this ecclesiastical logic, the appropriate answer to Absalon's refusal was to insist on his election (as everyone did in the *Gesta*'s narrative). Saxo supposed that a clerical audience would agree. Moreover, the structuring of possible actions worked both ways, i.e., if the electors had withdrawn their support in Saxo's text, Absalon could hardly have insisted on his appointment. Actually, Absalon had already refused the honour before the electorate had voiced its support; only Eskil had spoken and he had delegated his powers of appointment. Thus, by the logic of canon law, the electorate could have chosen someone else. By playing this trump card into the hands of the electors (again, in Saxo's narration), insisting that they insisted on their right to choose him, the perceived consent became much more solid. This interpretation and perception of events was Saxo's narrative aim (whether a roughly contemporary audience would have accepted this version is another matter).

90 Foucault 1983, 220–222, with citation at 221.

Having established Absalon's suitability for office and detailed a valid election (or in canonical terms: a postulation), Saxo thus proceeded to legitimize the translation and the subsequent pluralism.

Scene 2: Legitimacy and papal authority

Compared to the first scene, Saxo was sparing with the details in the second scene. This might be a narrative strategy. Esmark has noted that Saxo rarely discussed rituals surrounded by consent: the "association of ritual with conflict, rivalry and dissent pervades Saxo's treatment ... of ritual."[91] Hence, Saxo discussed the failed inauguration ceremony in Lund at great length (*c.* 53 lines), but there was seemingly no dissent to Absalon's pluralism. The ritual in question was successful; it therefore merited no particular discussion. Its brevity (*c.* 6 lines) is a stamp of Saxo's perceived concord.

Still, Saxo had a message. The papal legate Galandus arrived and summoned the chapter of Lund to Roskilde. Taking Galandus' authority for granted in Saxo's narrative, the chapter of Lund submitted willingly to the legate's summoning. This naturalized papal authority and would presumably have been detected by a (clerical) audience. With the gathering in Roskilde (ritualization), Galandus, embodying papal will and authority, produced a papal letter, which he read out (*recitatione*). Again, this ritualized papal authority, highlighting it only for Saxo to utilize it. The letter (which is not preserved) ordered Absalon to acquiesce and to administer two episcopal offices at the same time. Simultaneously, it brought full pontifical might to bear upon Absalon. Only the presence of the pope himself could have been more compelling. In the moment of ritualization, following the logic of the text, this perception of papal might worked on Absalon's field of actions. An ecclesiastical audience, accustomed to dealing with papal authority, no doubt recognized it. Previously, in Lund, the same people with the same actions (more or less) were unable to move Absalon. Only the presence of a papal legate, informing Absalon of the pope's express command in writing, made him comply. Apparently, the only thing powerful enough to convince Absalon to acquiesce (in the *Gesta*'s narration) was his loyalty to the Roman church. Moreover, Saxo finally pulled the pope's Salomonic solution out of the hat. Saxo's story had begun as an attempt to translate Absalon, but the will of the pope turned Absalon into a pluribenificiary at the end. Thus, in Saxo's narrative, the pope legitimized Absalon's episcopal pluralism.

"Worthy shoulders to have such a magnificent burden laid upon them!",[92] Saxo exclaimed, abandoning "show" in preference for "tell". Absalon had humbled himself; in

91 Esmark 2015, 242. See also Kamp 2004.

92 Saxo Grammaticus, xiv.58.1 (ed. Friis-Jensen 2015, 1444–1445): "Dignos humeros, quibus tam preclarum onus imponeretur!"

Saxo's logic, he therefore deserved to be exalted. Yet, the way Saxo sneaked pluralism in through the back-door suggests a deep-seated unease about it. It is of course only speculation to consider the turn of events if Absalon had only translated. Nonetheless, done prudently, translations were licit and unproblematic. Saxo's elaborate construction, his insistence on Absalon's extreme humility (i.e., his suitability), and the obscuration of any Danish responsibility for the pluralism strongly suggest that the legitimacy of the dual-see was disputed.

The scanty nature of Danish source material leaves much to speculation. Yet, it is conspicuous that Absalon's election coincided with other upheavals in Danish politics. A conspiracy against the king was unravelled (or invented), magnates were driven abroad only to return as invaders, and, finally, the Scanians rebelled twice. These occurrences were doubtless interconnected even if motives were mixed. The Jutes, for instance, seem to have been of the opinion that Valdemar subjected Absalon to undue favouritism, while the Scanians appear to have been hostile towards Absalon and his Zealanders (i.e. "foreigners"), eventually overthrowing episcopal rule:

> [the Scanians] also proscribed the payment of episcopal tithes and declared that priests should marry. On top of that, rejecting the bishop's ministry, they proclaimed that priestly rituals were good enough for them.[93]

In Denmark, the right to episcopal tithes was very controversial, and this issue was probably an important part of the rebellion's composition. Eskil had previously affected a compromise with the Scanians. They paid episcopal tithes in exchange for a more lenient application of canon law on village life.[94] Apparently, Absalon was less successful in this regard. However, it should be noted that although the Scanians' discarding of celibacy and episcopal jurisdiction amounted to heresy (if Saxo's allegations are true), it was probably an escalating move conceived during the rebellion rather than an initial aim of the rebellion. The same is probably true for the summoning of a royal scion to champion Scania.

Still, Eskil's ties to Scania seems to have been much stronger than Absalon's. Although Eskil was not a Scanian by birth, his paternal uncle had held the archbishopric in more than thirty years, and even if Eskil was only the second incumbent archbishop, the Thrugots had still held the archiepiscopal see for more than seventy years at the time of Eskil's resignation. Moreover, as mentioned, Eskil had intended Asser, his nephew to add to this number. If we trust Saxo on this issue, we might moreover

93 Saxo Grammaticus, xv.4.13 (ed. Friis-Jensen 2015, 1464–1465): "Pontificales quoque decimas execratus sacerdotibus coniugia decernebat. Quorum etiam sacra sibi exploso pontificis ministerio sufficere predicabat."

94 See Blaaberg Jensen *et* al. 1996, 160–161.

add that Eskil's son-in-law, Karl, was of royal lineage (grandson of King Canute the Holy, Knud den Hellige), and had been guardian of Halland, which was a Scanian province.[95] Eskil's grandsons would then, presumably have had even closer ties to the Scanian provinces. Altogether, it appears that regionalism, undue favouritism, and dissatisfied magnates combined to oppose Absalon and the king. Saxo addressed this, invoking Eskil's voluntary resignation and emphasizing his kin's treason. He also dismissed the invasion of Karl and Knud quickly, suggesting its unsuccessfulness. Saxo had more trouble with the Scanian rebellions, but they did go away in the end.[96] Yet, for all the varied motives for opposing Absalon, Saxo's treatment of events—his literary embellishments and fictitious elements—strongly implies that the main problem concerned the legitimacy of Absalon's rule in Scania. He could be attacked on this issue. Saxo therefore worked diligently to present Absalon as a humble, suitable candidate, legitimately in possession of both bishoprics. Taking his cue from contemporary law and norms, Saxo sculpted the translation issue into a textbook example. Absalon was elected by divine inspiration, showing suitability by rejecting the election and only acquiescing when papal endorsement was expressed. Then, pluralism was pulled out of the hat. It was possible to argue that a bishop transferred to a more prominent bishopric without ambition. However, it seems that it was difficult to perceive episcopal pluribenificality as anything but ambitious. Consequently, it could only be justified if it was unintentional, and it could only be legitimate if the pope expressly ordered it.

Conclusion

In 1177, the ruling party in Denmark consolidated its hold on the realm. Bishop Absalon added the office of archbishop to his other offices, while hostile noble kin groups were eliminated or exiled in the process. The transition was not smooth. Deals were struck, conspiracies were unravelled, part of the country was invaded, and, in Scania, the archbishop's diocese, rebellion erupted.

Writing after these events, Saxo strove to justify Absalon's episcopal pluralism, which was a core issue in these affairs. Consequently, Saxo reviewed the known facts, prioritized the information, embellished where necessary, and even resorted to add a few fictitious elements, justifying the actions of his patron. Saxo presented an interpretation structured around real events, but imbued with meaning in relation to the canon law of election and translation. The law had at its roots the dual concepts of suitability-humility and legitimacy-papal authority. In order to emphasize these concepts,

95 Saxo referred to him as "Karolo, Hallandie preside" (Saxo Grammaticus, xiv.10.1, ed. Friis-Jensen 2015, 1256–1257). He probably died in the 1150s, although the exact date is unknown.

96 Inge Skovgaard-Petersen (1990) has suggested that Saxo structured the rebellions as a kind of trial for Absalon.

intending to underpin Absalon's pluralism with them, Saxo ritualized them in writing. Ritualization was crucial. It allowed the *Gesta* to interact more forcefully with the audience, primarily (though not exclusively) constructing the scenes using the technique of *show-don't tell*. Saxo did not tell that Absalon was humble; it was shown instead.

Saxo was a master-craftsman of narrative virtuosity, capable of arranging his information in order to induce the reader to experience the perception of ritualized power. In the *Gesta*, sentiments and norms embedded in clerical thinking on law and legitimacy were cleverly utilized in the quest for justification. However, utilizing and engaging these norms not only reflected existent sentiments but also shaped them, reproduced them, reinforced them—potentially changed them. Humility was undoubtedly considered a prerequisite for suitability, but, by appropriating this connection, Saxo also insisted on the connection, strengthening it. The same was true for papal authority and legitimacy. They, too, was strengthened by their utilization. At the same time, in all probability, ecclesiastical thinking considered episcopal pluralism to be an exception. Thus, rather than challenge this, Saxo accepted it as a necessary condition. He therefore conjured up a situation where two chapters demanded Absalon's leadership, creating an unparalleled situation. Saxo then stressed that the Salomonic solution was the pope's idea, accentuating the uniqueness of the situation. Accordingly, Absalon's episcopal pluralism was both perceived as an anomaly and reinforced as such. Hence, episcopal pluralism required much persuasion and justification.[97]

BIBLIOGRAPHY

Manuscript

Copenhagen, Kongelige Bibliotek, NKS ms. 869 g. 4°. www.kb.dk/permalink/2006/manus/525/eng// [accessed 28 October 2016].

Primary texts

Annales Danici Medii Ævi, ed. E. Jørgensen (København: Selskabet for udgivelse af kilder til dansk historie, 1920).

Boso's Life of Alexander III, trans. G.M. Ellis (Oxford: Basil Blackwell, 1973).

Saxo Grammaticus, *Gesta danorum — The history of the Danes*, ed. K. Friis-Jensen, trans. P. Fisher, Oxford Medieval Texts, vol. 1. books I–X, vol. 2, books XI–XVI (2 vols., Oxford: Clarendon Press, 2015).

97 It is a pleasure to convey my thanks to the editor of this volume, Anthony Lappin, who offered many valuable suggestions and helped improve the argument. I am likewise indebted to Iben Fonnesberg-Schmidt, William Kynan-Wilson, and Kim Esmark, who read and commented on earlier drafts of this article, offering much useful advice. The Danish Council for Independent Research has funded my Ph.D. fellowship, and, hence, the research time necessary for this article.

Krøniker fra Valdemarstiden, trans. J. Olrik (København: Selskabet for udgivelse af kilder til dansk historie, 1900–1901).

Le Liber pontificalis: Texte, introduction et commentaire, ed. L. Duchesne, vol. 2 (2 vols., Paris: Thorin, 1892).

The Rule of Benedict: An invitation to the Christian life, ed. G. Holzherr, trans. Mark Thamert, Cistercian Publications (Collegeville, Minnesota: Liturgical Press, 2016).

Scriptores minores historiæ danicæ medii aevi, ed. M.C. Gertz, (2 vols., København: Selskabet for udgivelse af kilder til dansk historie, 1970).

Pommersches Urkundebuch: vol. 1:2: *Annalen und Abt-Reihe des Klosters Colbatz, Todtenbuch und Abt-Reihe des Klosters Neuencamp, Personen und Orts-Register*, ed. R. Prümers (Stettin: Commissioned by T. von der Rahmer, 1877).

Secondary literature

Althoff, G. 2006. *Die Macht der Rituale: Symbolik und Herrschaft im Mittelalter* (Darmstadt: Primus).

Andersen, J.O. 1956. 'Ærkebispevalget i Lund 1177', *Scandia* 23:11, 102–114.

Andersen, N.E. 2006. 'De ældste spor er ruiner', in *Om Hvideslægten her på egnen*, ed. N.E. Andersen (Stenløse: Stenløse Historiske Forening), 8–17.

Arup, E. 1925. *Land og Folk til 1282*: vol. I. *Danmarks historie*, I. (3 vols., København: H. Hagerup, Schultz).

Bell, C. 1992. *Ritual theory—ritual practice* (New York & Oxford: Oxford University Press).

Blaaberg Jensen, R., K. Bjerg, K.G. Urplante, S.B. Pedersen & C. Tortzen, 1996. 'Det skånske oprør 1180-1182', in *Absalon: Fædrelandets fader*, eds. F. Birkebæk, T. Christensen & I. Skovgaard-Petersen (Roskilde: Roskilde Museums Forlag), 155–164.

Boje Mortensen, L. 2012. 'A thirteenth-century reader of Saxo's *Gesta danorum*', in *The creation of medieval Northern Europe: Christianisation, social transformations, and historiography: Essays in honour of Sverre Bagge*, eds. L. Melve & S. Sønnesyn (Oslo: Dreyer), 346–355.

Bourdieu, P. 1977. *Outline of a theory of practice* (Cambridge: Cambridge University Press).

Breengaard, C. 1982. *Muren om Israels hus: Regnum og sacerdotium i Danmark 1050-1170. Kirkehistoriske studier* (København: Gad).

Buc, P. 2001. *The dangers of ritual: Between early medieval texts and social scientific theory* (Princeton & Oxford: Princeton University Press).

Christensen, A.E. 1968. *Kongemagt og aristokrati: epoker i middelalderlig dansk statsopfattelse indtil unionstiden* (København: Akademisk Forlag).

Christensen, A.E. 1977. 'Tiden 1042–1241', in *Tiden indtil 1340*, eds. A.E. Christensen, H.P. Clausen, S. Ellehøj & S. Mørch, Danmarks historie I (København: Gyldendal), 211–399.

Christensen, A.E. 1979a. 'Eskil, ærkebiskop i Lund', in *Dansk Biografisk Leksikon*, ed. S.C. Bech (3rd edn, København: Gyldendal), http://denstoredanske.dk/index.php?sideId=289253 [accessed 30 November 2017].

Christensen, A.E. 1979b. 'Absalon', in *Dansk Biografisk Leksikon*, ed. S.C. Bech (3rd edn, København: Gyldendal), http://denstoredanske.dk/index.php?sideId=285697 [accessed 30 November 2017].

Collins, P. 2005. 'Thirteen ways of looking at a "ritual"', *Journal of Contemporary Religion* 20, 323–342.

Doran, J. 2013. 'Remembering Pope Gregory VII: Cardinal Boso and Alexander III', *Studies in Church History* 49, 87–98.

Duggan, A.J. 2012. '"Alexander ille meus": The papacy of Alexander III', in *Pope Alexander III (1159–81): The art of survival*, eds. P.D. Clarke & A.J. Duggan (Farnham: Ashgate), 13–49.

Erslev, K. 1891–1892. 'Sven Estridsøn og Biskop Vilhelm', *Historisk Tidsskrift* 6, 602–626.

Erslev, K. 1898. *Valdemarernes storhedstid: Studier og omrids* (København: Jacob Erslevs).

Esmark, K. 2002. 'De hellige døde og den sociale orden: Reliekviekult, ritualisering og symbolsk magt (Anjou, 10.–12. århundrede)', unpublished Ph.D. thesis, Roskilde University.

Esmark, K. 2005. 'Farlige ritualer—Middelalderens politiske kultur mellem antropologiske og tekstlige vendinger', *Passepartout* 13: 25, 56–67.

Esmark, K. 2006. 'Religious patronage and family consciousness: Sorø Abbey and the "Hvide family", *c.* 1150–1250', in *Religious and laity in Western Europe 1000–1400: Interaction, negotiation, and power*, eds. J. Burton & E. Jamroziak (Turnhout: Brepols), 93–110.

Esmark, K. 2015. 'Just rituals: Masquerade, manipulation, and officialising strategies in Saxo's *Gesta danorum*', in *Rituals, performatives, and political order in Northern Europe, c. 650–1350*, eds. W. Jerzierski, L. Hermanson, H.J. Orning & T. Småberg (Turnhout: Brepols), 237–267.

Falkenstein, L. 2003. 'Wilhelm von Champagne, Elekt von Chartres (1164–1168), Erzbischof von Sens (1168/69–1176), Erzbischof von Reims (1176–1202), Legat des apostolischen Stuhles, im Spiegel päpstlicher Schreiben und Privilegien', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung* 120, 107–284.

Foucault, M. 1980. *Power/knowledge: Selected interviews and other writings 1972–77*, ed. C. Gordon (New York: Pantheon Books).

Foucault, M. 1983. 'The subject and power', in *Michel Foucault: Beyond structuralism and hermeneutics*, eds. H.L. Dreyfus & P. Rabinow (2nd edn, Chicago: University of Chicago Press), 208–226.

Friis-Jensen, K. 2012. 'When did Saxo Grammaticus finish his *Gesta danorum*? A discussion of its *terminus ante quem*', in *The creation of medieval Northern Europe: Christianisation, social transformations, and historiography. Essays in honour of Sverre Bagge*, eds. L. Melve & S. Sønnesyn (Oslo: Dreyer).

Gelting, M.H. 2004. 'Da Eskil ville være ærkebiskop af Roskilde: *Roskildekrøniken*, *Liber daticus lundensis* og det danske ærkesædes ophævelse 1133–1138', in *Ett annat 1100-tal: individ, kollektiv och kulturella mönster i medeltidens Danmark*, eds. P. Carelli, L. Hermanson & H. Sanders, Centrum för Danmarksstudier 3 (Göteborg & Lund: Makadam i samarbete med Centrum för Danmarksstudier), 181–229.

Gelting, M.H. 2011a. 'The problem of Danish "feudalism": Military, legal, and social change in the twelfth and thirteenth centuries', in *Feudalism: New landscapes of debate*, eds. S. Bagge, M.H. Gelting & T. Lindkvist, The Medieval Countryside 5 (Turnhout: Brepols), 159–184.

Gelting, M.H. 2011b. 'Pope Alexander III and the Danish laws of inheritance', in *How Nordic are the Nordic medieval laws? Proceedings from the First Carlsberg Conference on Medieval Legal History* (2nd edn, København: DJØF), 85–114.

Gelting, M.H. 2012. 'Saxo Grammaticus in the archives', in *The creation of medieval Northern Europe: Christianisation, social transformations, and historiography: Essays in honour of Sverre Bagge*, eds. L. Melve & S. Sønnesyn (Oslo: Dreyer), 322–345.

Godfrey, J. 1962. *The church in Anglo-Saxon England* (New York: Cambridge University Press).

Goody, J. 1977. 'Against "ritual": Loosely structured thoughts on a loosely defined topic', in *Secular ritual*, eds. S.F. Moore & B.G. Myerhoff (Amsterdam: Van Gorcum), 25–35.

Harvey, K. 2014. *Episcopal appointments in England, c. 1214–1344: From episcopal election to papal provision* (Burlington, Vermont: Ashgate).

Heebøll-Holm, T.K. 2014. 'A Franco-Danish marriage and the plot against England', *The Haskins Society Journal: Studies in Medieval History* 26, eds. L. L. Gathagan & W. North (The Boydell Press: Woodbridge), 249–268.

Helgesson, A. 1923. 'Absalons val til ärkebiskop i Lund 1177', in *Studier tillägnade Magnus Pfannenstillden 10 januari 1923* (Lund: Gleerup), 317–344.

Hermanson, L. 2000. *Släkt, vänner och makt: En studie av elitens politiska kultur i 1100-talets Danmark* (Göteborg: Avhandlingar från Historiska institutionen i Göteborg).

Hermanson, L. 2004. 'Makten, individen och kollektivet: Ett alternativt perspektiv på det danska 1100-talets politiske historia', in *Ett annat 1100-tal—Individ, kollektiv och kulturella mönster i medeltidens Danmark*, eds. P. Carelli, L. Hermanson & H. Sanders (Göteborg: Makadam i samarbete med Centrum för Danmarksstudier), 61–99.

Hermanson, L. 2013. 'How to legitimate rebellion and condemn usurpation of the crown: Discourses of fidelity and treason in the *Gesta danorum* of Saxo Grammaticus', in *Disputing strategies in medieval Scandinavia*, eds. K. Esmark, H.J. Orning & L. Hermanson, Medieval Law and Its Practice 16 (Leiden–Boston: Brill), 107–140.

Holm, P. 1985. 'De skånsk-hallandske bondeoprør 1180–82', in *Til Kamp for Friheden. Sociale oprør i nordisk middelalder*, eds. J.W. Sørensen & L. Tvede-Jensen (Aalborg: Aalborg Universitetsforlag), 66–86.

Jaubert, A.N. 2007. 'Un ou plusieurs royaumes danois?' in *Les élites et leurs espaces: Mobilité, rayonnement, domination (du VIe au XIe siècle)*, eds. P. Depreux, F. Bougard & R. Le Jan (Turnhout: Brepols), 135–153.

Johansen, M. & H. Halding, 2001. *Thi de var af stor slægt: Om hvideslægten og kongemagt i Danmarks højmiddelalder* (Ebeltoft: Skippershoved).

Kamp, H. 2004. 'Tugend, Macht, und Ritual: Politisches Verhalten beim Saxo Grammaticus', in *Zeichen—Rituale—Werte*, ed. G. Althoff (Münster: Rhema), 179–200.

Koch, H. 1933–1935. 'Ærkebispevalget i Lund 1177', *Kirkehistoriske Samlinger* 6, 241–284.

Koch, H. 1950. *Den ældre middelalder indtil 1241*, Den danske kirkes historie, I (København: Gyldendal & Nordisk Forlag).

Koch, H. 1969. *Danmarks historie* 3. *Kongemagt og kirke 1060–1241*, eds. J. Danstrup & H. Koch, (København: Politikens Forlag).

Koziol, G. 2002. 'Review article. The dangers of polemic: Is ritual still an interesting topic of historical study?', *Early Medieval Europe* 11, 367–388.

Kræmmer, M. 1999. *Den hvide klan: Absalon, hans slægt og hans tid* (København: Spektrum).

Kræmmer, M. 2002. 'Svenske udfordringer', *Den jyske historiker* 96 130–140, 142.

Leegaard-Knudsen, A. 2012. 'Saxo-forskning gennem 800 år', in *Saxo og hans samtid*, eds. P. Andersen & T. Heebøll-Holm (Århus: Aarhus Universitetsforlag), 17–34.

Martschukat, J. & S. Patzold, 2003. 'Geschichtswissenschaft und "performative turn": Eine Einführung in Fragestellungen, Konzepte und Literatur', in *Norm und Struktur: Studien zum sozialen Wandel in Mittelalter und Früher Neuzeit*, eds. J. Martschukat & S. Patzold (Köln–Weimar–Wien: Böhlau), 1–31.

Muir, E. 2005. *Ritual in early modern Europe*, New Approaches to European History (2nd edn, Cambridge: Cambridge University Press).

Müllertz, M. 1959. 'Hvideslægten', *Fra Holbæk Amt: Historiske årbøger* 53, 148–164.

Münster-Swendsen, M. 2016. 'Ærkebiskoppens endeligt: Et bidrag til udlægningen af sagen omkring Eskils resignation i 1177', in *Kyrklig rätt och kyrklig orätt—kyrkorättsliga perspektiv: Festskrift till professor Bertil Nilsson*, eds. M. Berntson & A.M. Ciardi, Bibliotheca Theologiae Practicae 97 (Skellefteå: Artos), 339–353.

Nors, T. 2000. 'Slægtsstrategier hos den danske kongeslægt i det 12. århundrede: Svar til Helge Paludan', *Historie/Jyske samlinger* 1, 55–66.

Nors, T. 2001. 'Review. Lars Hermanson: *Släkt, vänner och makt. En Studie av elitens politiske kultur i 1100-talets Danmark* (Avhandlingar fra Historiska institutionen i Göteborg 24), Göteborg 2000, 294 sider', *Historisk tidsskrift* 101, 571–580.

Olrik, H. 1909. *Absalon* (2 vols., København–Kristiania: Gyldendal–Nordisk Forlag).

Paludan, H. 1995. *Familia og familie: To europæiske kulturelementers møde i højmiddelalderens Danmark* (Århus: Aarhus Universitetsforlag).

Pennington, K. 1976. 'The canonists and pluralism in the thirteenth century', *Speculum* 51, 35–48.

Bishops and monasteries:

York and Selby in the 13th century

Anthony John Lappin

The juxtaposition of bishops and monasteries is certainly one of the most important, if not the central, tension of the Middle Ages. Early questions of how far abbots might act as bishops, and how far bishops might, in turn, act as abbots, were brought about by the necessity for the abbot to wield temporal and spiritual power within monastic domains, and by the desirability (for the bishop) of using the manpower and economic resources offered by a well-established monastic foundation: a struggle for control which, in the latter case, was still going on in the second half of the 11th century.[1] Imperial policies might foist bishops on unwilling monastic communities (such as Bobbio);[2] proto-imperial policies might simply name the abbot of the largest monastic house as bishop of the area (such as in Catalunya and Navarre);[3] early-reform-minded bishops might feel that they should be surrounded by monks, or otherwise canons living the common life.[4] A related development was the separation of episcopal and chapter incomes, beginning in the 9th century,[5] together with the growing insistence that the chapter (of monks or canons) should elect their own superior (abbot or bishop, as applicable) without undue lay interference.[6] Although the phenomenon of

1 For post-conquest England, see Crosby 1994, 18 (the annexation of Bath Abbey to the bishopric of Wells), and, for further English examples, Watson 2010b, 70–71. And for simple confusion in the early days of Fulda, due to its founder's contradictory instructions to his successors as abbot and bishop, see Raajmakers 2011, 41–45.

2 O'Hara & Taylor 2013.

3 Sánchez Candeira 1999, 203–204; for Carolingian examples: Riche 1993, 76.

4 Barrow 1994, 25–39; 1986, 552–554; Cowdrey 2004, 247–249. The significant 8th-century figure of Chrodegang of Metz is discussed by Claussen 2005, and by Barrow 2015, 75–81; see also Moilanen, in this volume, 51–80. For 12th-century attempts by the archbishops to install canons at Canterbury in the teeth of the monks' opposition, see Knowles 1976, 324–328.

5 Crosby 1994, 11.

6 Dalton *et al*. 2011, 23.

the bishop-in-the-monastery, with its echoes of Byzantine and early-Celtic practices,[7] deserves much more than a cursory mention, the focus of the present chapter will be on the 13th century, a period when the role of the bishop within the diocese had been much more sharply defined by the Gregorian revolution, the role of the abbot-bishop had been reduced to a historical curiosity, and fewer questions remained about the extent of the respective authority of abbot and diocesan.

I shall thus look closely at the key canon from the historiographically defining council of the 13th century, Lateran IV, in its definition of the roles of the bishop towards monastic establishments in his diocese. Then—rather than attempting a Europe-wide, even region-wide, even archdiocese-wide, summary—I shall look closely at the interractions of one individual Benedictine monastery with its archbishop; the monastery, although large, was not part of any federation, was not dependent upon the papacy, had no significant daughter houses elsewhere; and so fell wholly within the diocesan's purview. This will provide, in part, a test case for the importance of the legislation emanating from the papacy over the century, as well as granting an insight into the successive approaches by those ecclesiastics called to fulfill their duties.[8]

Lateran IV

The Fourth Lateran Council dedicated a number of its decrees to the functioning of the diocese (canons 6–13). Its first concern in this section was with disciplinary matters: the establishment of annual councils under the archbishop, together with a machinery for reporting infractions (canon 6), underlined by emphasizing the requirement for those in authority to correct lapses and abuses, particularly as regards the bishop in relation to his cathedral chapter (canon 7); and, more widely in the diocese, the mode by which the bishop should mount an inquisition into wrong-doing (canon 8). The attention then shifts to the structure of the diocese, with the burning question of Greek rites given primary consideration (canon 9);[9] this is followed by the institution of preacher-confessors at cathedrals and conventual churches (canon 10), and the institution of suitable masters for the education of clergy, in theology, the cure of souls, and grammar (canon 11); triennial chapters of monastic houses within each diocese (canon 12) and the related forbidding of new religious orders (canon 13): all in all, a thorough-going reform of the institution of the church and innovation in the institutions of each diocese.[10]

7 Ryan 1960, 6; von Falkenhausen 1997, 194.

8 The specificities of a regional analysis by necessity obscure what is particular and what are, in fact, continuities over wider areas and periods; a comparative approach to two bishoprics may be found in Silvestri 2015, 144–152.

9 Similarly, canon 5, before the discussion of dioceses, stresses the primacy of the (Greek) patriarchs within their respective patriarchates, second only to the Roman pontiff. On relations with the newly-conquered Greek territories, see Schabel & Tsougarakis 2016.

10 Rosetti 2004, 199, "una riforma instituzionale completa".

It is with the last two canons (12–13) that we shall be concerned.[11] Canon 12, as mentioned, establishes a triennial diocesan chapter of abbots for monasteries that do not already belong to a wider chapter-holding organization, and which would be presided over, at least initially, by the Cistercians. Indeed, the motivating principle behind the legislation seems to aim at the Cistercianization of abbots' relations amongst themselves (independent heads of houses would become, essentially, now subject to another level of self-governing bureaucracy). Nevertheless, the canon offered only a partial Cistercianization, since the organizing principle—the diocese—safeguarded episcopal interest, rights, and ultimate control of the religious houses within the bishop's purview. It is in this context, I think, that canon 13 should be read: the forbidding of new *religiones* was designed to prevent any other foundations escaping from this territorial emphasis upon the diocese. The Cistercians and venerable monastic families such as the Cluniacs would be left alone; but new foundations would begin and end within the diocese; problems that the approval of new inflexions of common life and mission might bring to individual bishops were simply removed by insisting on conformity to a previous model. The new diocesan chapter would also appoint those charged with visitation of monasteries and convents, who would in turn report to the bishop whenever deposition was judged to be necessary, or, in the case of the latter's inaction, to the pope himself.

Two conflicting principles are brought together adroitly: the monastery's right to self-determination; the bishop's duty of oversight. The abbatial–prioral chapter removed the necessity of episcopal visitation, as this was carried out from the chapter, by monks or canons appointed by their fellows following the common life; the bishop's authority was invoked when necessary, but his oversight over the appointment of abbots was left untouched. The legislation is, as so often concerning Lateran IV, well-considered and deftly weighted: it takes the obligatory diocesan synod of the secular clergy, applies it to regulars, and seasons it with the Cistercian pooling of abbots' experience.[12]

That, we might say, was the theory, at the beginning of the 13th century, of how Western Christendom might work better. In the next part of this article, I shall look in depth at just one, relatively important monastery, close to a major ecclesiastical centre, which will provide a good example of episcopal involvement with a monastic establishment over that 13th century. Such a study cannot possibly be characteristic in all respects, but, perhaps, the details of the vicissitudes of coenobium and diocesan will give more of a flavour of the demands placed upon the bishop (and the demands that

11 *COD* 1962, 216–218.

12 On the obligation for diocesan synods of the clergy in Gratian: Thompson & Gordley 2012, xxv; for the slow development of the Cistercian General Chapter over the 12th century: Berman 2010, 93–97.

came from individual bishops) than a more broad and comparative account can do. I shall first briefly trace the abbey's history from its foundation and subsequent 130 years of existence within a rapidly changing ecclesiastical landscape, and only then looking in detail at the 13th century.

The monastery: From its origins to the end of the 12th century

Selby Abbey was one of the first monasteries to be established after the conquest, in 1069, and was granted lands by William himself.[13] As such, it was a royal monastery, and so could lay a claim to some sort of interest—if not quite generosity—from the monarch. Situated a day's journey south of York, the latter's archbishop played a crucial role in the abbey's development. Our knowledge of the abbey's early history depends, in the main, upon its well-stocked cartulary, and upon an accomplished prosimetrum that provided a historical record of the abbey and miracles that occurred there at the end of the 12th century, the *Historia selebiensis monasterii*.[14]

The *Historia* places the agency for the abbey's founding in the desire of Saint Germanus of Auxerre to have the relic of his finger suitably venerated in a "locus in Anglia uocaturque Selebia" (*Historia*, I.v, fol. 7v; a place in England, and it is called *Seleby*), as the saint himself described it when, appearing in a vision, he entrusted the rather hapless Benedictus from Saint-Germain with the mission of the *furtum sacrum* of the relic, flight to England, and search for the specified place. The monk, after a number of travails, eventually found the correct spot (being a foreigner, he mistook Salisbury for Seleby: I.vii, fol. 9v). He settled in the right environs but in a small cell, and was quite speedily brought to the notice of William the Conqueror, who granted lands for the foundation of the abbey (I.xii–xv, fols. 13v–15v): the places mentioned in this discussion may be found in *Figs. 1–2*, below.[15] The king's generosity was quickly followed by that of the archbishops of York and the local nobility, all of which was confirmed by

13 There were few regular establishments in Yorkshire by the time of the conquest: the collegiate churches in York of St Peter's Cathedral, and St-Peter-and-St-Wilfred; St John the Evangelist of Beverley, together with the hospitals of St Leonard (York), St Nicholas (Pontefract), St Mary and St Andrew (Flixton) and St Giles (Beverley); see Page 1974, 101–112, 301–310, 314–321, 336–586. After Selby's foundation, the 1090s saw the settlement of Cluniac monks in Pontefract and the establishment of a priory in York, Holy Trinity, dependent upon Marmoutier (Page 1974, 184, 387). See *Fig. 1*.

14 The cartulary is edited by Fowler (1891); the *Historia* is preserved in a late 12th-century manuscript, Paris, Bibliothèque nationale de France, ms. latin 10940, fols. 3^{r}–48^{v}, which was probably a presentation copy sent to the monastery of Saint Germain in Auxerre soon after the work itself was completed (Janin 1969, 217–218); I cite directly from this copy. It was edited by Labbe 1657, I, 594–626 (reprinted in Fowler 1891, I, with separate pagination), and again most recently by J.E. Burton 2013.

15 For discussion of the foundation, see Dobson 1969; J.E. Burton 1999, 24–31; Dalton 1994, 135–137.

a charter ostensibly issued by William himself; this charter occupies chapter 20 of the *Historia* (fols. 17v–18r): an expressive commemoration of the written donation (and what is donated) as a *lieu de mémoire*.[16]

Thus, the *Historia* and the deed affirm that the monastery was built on royal land ("dedi de propria mea mensa Selebiam");[17] that it was accompanied by futher territory in the region of Selby and to the south: Brayton, Snaith, Rawcliffe and Whitgift (*Fig. 1*);[18] and that the monastery received support from Archbishop Thomas with further lands, both close to the monastery and a little further to the east. The nobility provided the monastery's possessions outside Yorkshire: Crowle in Lincolnshire, Stamford in Northamptonshire (*Fig. 2*, below).[19] The *Historia* maintains an emphasis upon the royal impetus behind the monastery's development. In the cartulary, however, we find a more intricate expression of the archbishops' role in the monastic endeavour.

The second Archbishop Thomas (1109–1114) gave a clear statement of how the metropolitan perceived the power relations between see and monastery, and his consequent responsibility. Since the chuch of Selby depended upon the cathedral church of York, it behoved him to protect the monastery, help it increase its wealth and cherish it.[20] The direct generosity of the two preceding archbishops is mentioned—Thomas

16 For a further example, with regard to Cluny, Iogna Prat 2000, 109–111.

17 See, further, J.E. Burton 2013, xxxiv, n. 72, and, for confirmation, note 28, below.

18 There is little variation in any of the records of these places; I give the text from the *Historia*'s own transcription: "uidelicet unam carrucatam terre de snaith. & sex bouatas de flaxlei. et rouþeclif. & dimidiam carrucatam in braitun. & unam piscariam witegift." (namely a carucate of the land of Snaith [50 ha, 8 km south of the abbey], and six bovates from Flaxley [35 ha, 2 km north-west], and Rawcliff [the village itself, 8 km south-east], and half a carucate in Braiton [25 ha, 2 km south-west], and a fishery [at] Whitgift [20 km south-east, on the Ouse just before the confluence with the Trent]). The *Historia* in an earlier point in the narration specifies that the land in Selby itself was a carucate (*c.* 50 ha) of land "in qua monasterium et uilla que selebeia dicitur constructa sunt" (I.xv, fol. 15^{v}; in which the monastery and town which is called Selby were built). The *Historia* (*loc. cit.*) further describes Flaxley as a *nemus* or wood, and "rouþeclif" (i.e., the Norse *rauðr* [red] *kliff*) as a *villa*. For the conversion of the measures of land, see *Hull Domesday Project*, 'Terminology: Weights and measures', s.v., *acre, bovate, carucate*. These rules-of-thumb are rather larger than those given by du Cange 1883–1887, I, 60c (acra), 719c (bovata); II, 191b (carucata); V, 229c (mansura^{1}); VIII, 70b (terra).

19 The abbey's posssession of "Crul" and Stamford-on-Avon (*Historia*, I.xx, fol. 17^{v}) is recorded in the *Domesday Book* ("Crule": Powell-Smith, Lincolnshire, p. 68; Stamford: *eadem,* Northamptonshire, p. 16 of facsimile).

20 Fowler 1891, I, 290 (between 1109–1114): "Thomas secundus, dei gratia eboracensis archiepiscopus, Hugoni uenerando abbati et congregacioni sancti Germani de Seleby, salutem. Quia ecclesia de Seleby eboracensis ecclesiae potestati ita subdita est quod eboracensis archiepiscopus iure eam ubique patrocinari et suis facultatibus augmentare ut crescat, et confouere fotu suo debeat" (Thomas the Second, by God's grace archbishop of York, sends greetings to the venerable abbot and monks of Saint Germanus of Selby. Since the church of Selby is subordinated to the power of the church of York, so the archbishop of York by right should every-

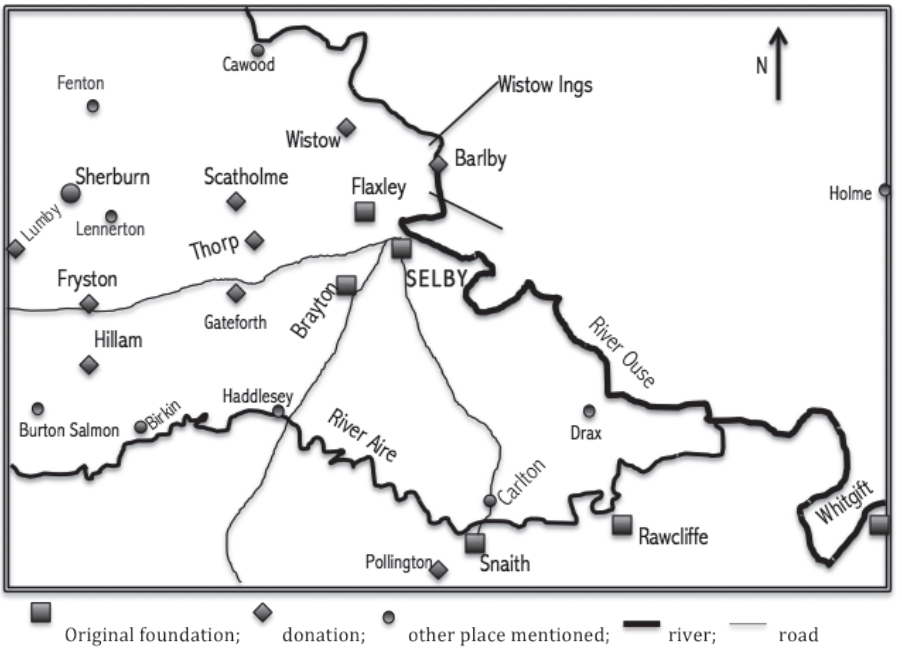


Fig. 1. Localities mentioned around Selby.

and Gerardus—at the moment in which he confirmed the monastery's possession of "Minorem Selebyam et Fristonam cum omnibus quae eis adiacent" (Lesser Selby and Friston with everything which lies next to them).[21] Yet his predecessors' wider influence over the monastery's growth is seen through the lands subsequently enumerated, that were gifted by the archbishops' "uauassores", or vassals. These gifts of land were by no means insignificant: perhaps nearly 60 hectares and a meadow within ten kilo-

where defend it, and should increase its holdings in order for it to grow, and should cherish it with his favour). For similar expressions of diocesan solicitude for the monks of Tiron, see Thompson 2014, 119, 143, 150.

21 *Lesser* was contrasted with Over-Selby, which was still in use as a place-name into the 13th century; a common pasture was defined *c.* 1250 as "in territorio de Selby, sicut se extendit in longitudine a ponte de Wystowe inter acquas usque ad crucem quae est media via inter Wistowe et Selby, et in latitudine a bosco usque ad terram rusticorum de Vuerselby" (Fowler 1891, I, 200; in the territory of Selby as it extends along from the Wistow Bridge between the rivers until the cross which is half-way between Wistowe and Selby and down from the Wood to the peasants' land of Over Selby); "Ouer Seleby" or "Ouerselby" is mentioned again in the mid-13th century, at Fowler 1891, I, 134 and 153.

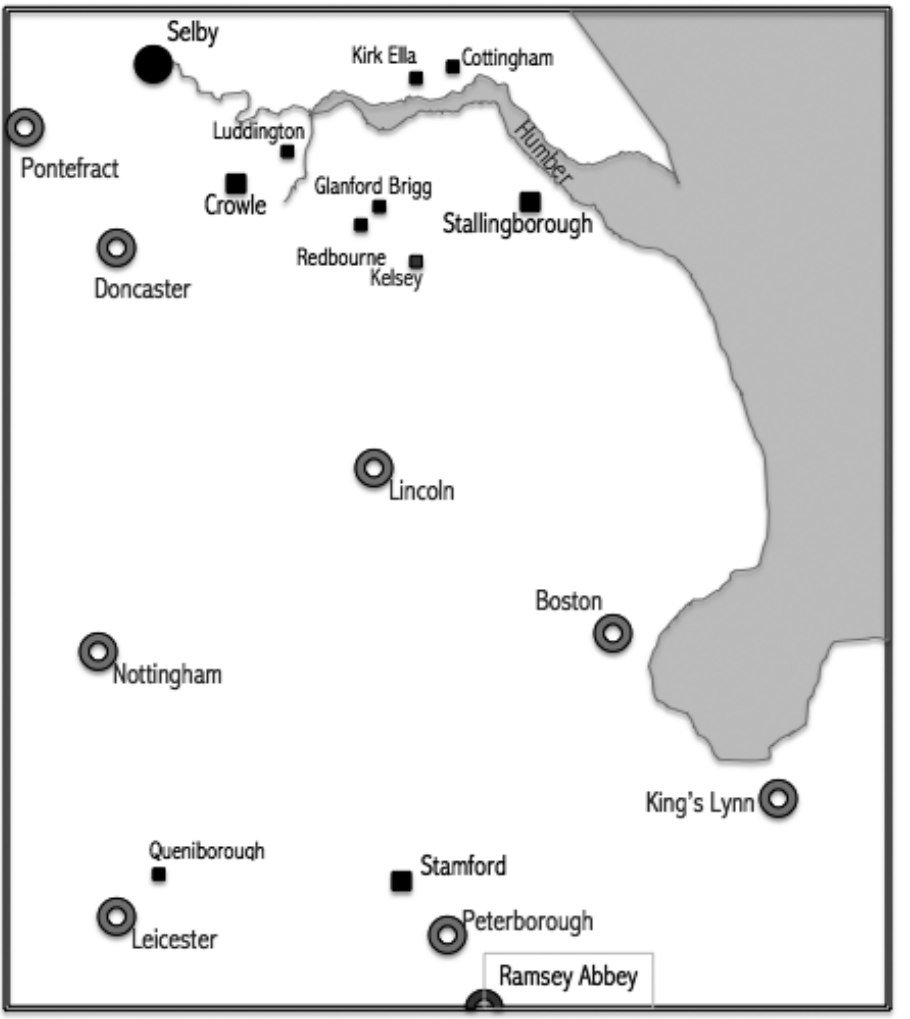


Fig. 2. The southern holdings of Selby.

metres of the abbey;[22] in Lincolnshire, a share of the church of Stallingborough, combined with a house-cum-workshop, two further houses, and a segment of the archbishop's fief in the same place;[23] one particularly valuable gift of land and men close to, or in, York. The most significant of all, however, was the *villa* of Hillam, given by the retiring prepositus of St Peter's York, Nigellus. In the confirmation, Thomas notes that this is done "meo consensu" (with my agreement), but this expression of agreement actually hides the archbishop's own actions, which allowed the donation to go ahead: as is specified in the act of donation itself, for the two and a half carucates of land in Hillam that accompanied his father to the monastery, the prepositus's son, Gilbertus, was compensated with two carucates from the archbishop's lands to the north.[24]

As Burton has pointed out, William the Conqueror took advantage of the voidance of the see of York between the death of Ealred on 11 September 1069 and the appointment of the treasurer of Bayeux, Thomas, on 24 May 1070, in order to carve out a suitable endowment for the new monastery of Selby from lands that belonged to the archbishopric.[25] Be that as it may, the archbishops certainly did not limit the growth or development of the monastery, but rather encouraged the abbey in its further occupation of ecclesiastical lands. And not only encouraged, but supported others' generosity. In concentrating on the lands around Selby, Fryston, and, further afield, Stallingborough, the archbishops ensured both rational exploitation and ease of communication. Stallingborough, close to the Humber, with its church and attached accommodation, was clearly destined as a subordinate cell or priory, and was immediately designated for some sort of self-sufficiency, given that the monks were already living there and had constructed an "officina" in their dwelling.[26] Nevertheless, the abbey was not important enough to the politics of York for it to develop a symbiotic relationship

22 Around Fryston: Hillam (1 km south: half a carucate, from Robertus de Bella Aqua); Thorp (5 km north-east: two bovates, from Clanarhoth), between Fryston and Milford (1 km north: five acres, from Clanarhoth, again); Lumby (1 km west: 18 acres, from Turstin). Wistow (4 km north of the abbey: one bovate, from Robertus), Haysted (1 km north-east of the abbey: a "pratum", from the same Robert); see *Fig. 1*.

23 According to the *Domesday Book*, the archbishop of York held a carucate of land in "Stalingeburg" (Powell-Smith, Lincolnshire, p. 8).

24 Fowler 1891, I, 392: "Dedi eciam Gilberto, eiusdem Nigelli filio, duas alias carucatas terrae in Wete Wang in escambio, ea causa ut libenter concedat donacionem patris sui, et libenter concessit" (I also exchanged with Gilbertus, son of the same Nigellus, two other carucates of land in Wetwang, so that he might willingly agree to his father's donation, and he did willingly agree); Wetwang in the East Riding, some some 30 km east of York, was a possession of the archbishop, recorded ("Wetwangham") in the *Domesday Book* as being of 13 and a half carucates (Powell-Smith, Yorkshire, p. 10. J.E. Burton 2013, xxxiv, n. 72). The land at Hillam, towards the south-east across Burton Common heading towards Birkin, was partly forested: Fowler 1891, I, 293.

25 J.E. Burton 2013, xxxiv–xxxv.

26 Fowler 1891, I, 292.

with the archbishop, as was the case with the Bernard of Tiron's foundation and the support it gave to and received from successive bishops of Chartres.[27]

Whilst—at least for royal confirmations—the monastery's connection to William the Conqueror and its foundation on royal lands were foremost,[28] we are able to observe a growing insistence by the monks during the 12th century on the role of the first three Norman bishops of York in favouring the abbey. I shall discuss royal confirmations issued by Stephen in 1154, Henry I towards the end of that decade, Richard I in 1189, and John in 1204.[29] From the comparison of the texts, it is possible to establish that Stephen had before him William's donation; Henry used Stephen's confirmation (but did not mention it); and Richard and John used, explicitly, Henry's.[30]

27 Thompson 2014, 141, 162.

28 "Sciatis nos suscepisse in manu, custodiam et protectionem nostram, dilectos nostros abbatem et monachos abbatie de Seleby, que est de dominico nostro et in dominico nostro fundata" (25 September 1199; Hardy 1837, 20b; Know that we have taken into our hand, our keeping and our protection, our beloved abbot and monks of Selby Abbey, which is in our demesne and founded in our demesne).

29 Fowler 1891, I, 6–7, 13, 15, 17. The chancery record of John's confirmation may be found at Hardy 1837, 121a, with significant differences only provided by the garbling of the place names.

30 The preamble is, in all cases, taken from Stephen: "Sciatis me confirmasse hac mea praesenti carta eccl. S. Germani de Saleby et monachis in illos seruientibus quidquid fundator eiusdem ecclesie uenerabilis rex Angliae Willielmus auus meus illum in elemosinam dedit" (Know that I have confirmed by this my present charter to the church of St Germanus of Selby and the monks serving in it whatever the founder of the same church, the venerable king of England, William, my grandfather, gave him in alms) — this is markedly different from William's verbose (self-)justification; Henry simply changes *auus* for *proauus* (great-grandfather); Richard and John move into the first person plural ("Sciatis *nos* confirmasse," etc.); Richard maintains Henry's phrasing ("proauus *noster* in elemosinam dedit"; our grandfather gave in alms), but adds, "et illustris Henricus rex pater noster carta sua illis confirmauit" (and noble King Henry our father confirmed to them with his charter); John also opts to maintain *proauus* but glosses it, "proauus Henrici regis patris nostri carta sua illis confirmauit" (Our father King Henry's grandfather confirmed to them with his charter). William, in beginning his list of donations with the site of the abbey itself, says that he offers "de me propria mensa ipsam Salebiam" (from my own demesnes Selby itself); this is altered by Stephen to "scilicet ipsum manerium de Seleby" (namely the manor of Selby), followed subsequently by Henry, Richard, and John, as is Stephen's omission of William's description of Archbishop Thomas's donation, "tam secundum uiuam uocem quam iuxta breuis eius tenorem" (as much through what he has said as through the meaning of his letter). Stephen, however, carries what must be an original error in William's donation: "unam piscariam Witegift" (also found in the *Historia*, I.xx, fol. 17^{v}; a fishery Whitgift), which Henry's confirmation corrects: "una piscarium *scilicet* Witegift", followed by Richard and John. Henry includes, as the final element of the monasteries' possessions (and adding to Stephen's list), "et unam carucatam terrae in Usaburna [Useburne *Richard*; Useburn, *John*]" (and one carucate of land in Ouseburn [15 km north-west of York]). There John also concludes, whereas Richard continues with two further elements, "et

Archbishop Thomas I, mentioned in William's own deed of foundation, is repeatedly invoked as having provided Fryston and Lesser Selby.[31] As to his successor, however, the records are at variance, particularly with regard to Snaith. Stephen's confirmation of lands and churches includes the church of Snaith, but it is only with Henry's confirmation that it is described as being from the gift of the archbishop of York: "quam Gerardus Archiepiscopus eis in elemosinam dedit" (which Archbishop Gerardus [1101–1108] gave them as alms);[32] this phrasing is, in turn, carried over without change into John's copy. Richard I's confirmation, in 1189, extended the description of the tenancy of this church, adding, after Henry's addition, further specifications, "liberam et quietam ab omni consuetudine, sicut sunt praebendae canonicorum sancti Petri, et sicut cartae Gerardi et Thomae archiepiscoporum illis confirmant" (free and understurbed from every customary demand, as are the prebends of St Peter's canons, and as the letters of Gerard and Thomas, archbishops, confirm for them [the monks]). Such an invocation of documentary proof of the role of the archbishops—here granting exemptions together with rights—shows the monks leaning on the generosity of these long-deceased prelates in order to provide a more convincing defence from the depredations of their successors. The evidence certainly suggests that Gerardus's grant was a later confection: the latter's successor, Archbishop Thomas II, in his own confirmation of the spiritual benefits of the abbey, and, despite explicitly setting out the laudable generosity of his predecessors, "Thomas uidelicet atque Girardus" (namely Thomas [I] and Gerard), is wholly silent about any gift of the church of Snaith,[33] even though (in what must be a later interpolation, further on in the document) he recognizes the monastery's possession of, and thus relinquishes any claim on, that very church.[34] In the light of this, we may also maintain that the written donation of the church of Snaith which was relied upon by Henry I in his confirmation certainly has its origins in a forgery.[35]

More than a hundred years had passed from the abbey's foundation, and the ec-

decimam de Welgeton de dominio que fuit de Augusto de Caucy et molendinum de Schitelington" (and the tithe of Welgeton from what was Augustus de Caucy's lordship, and mill of Sitlington [20 km east of Pontefract]".

31 In the *Historia*, for example (I.xix, fol. 17^{r}), Benedictus travels to London to have the king confirm his own gifts, only after he had received those of Crowle and Stamford from noble benefactors, and—last in the enumeration—Thomas's dedication of Fryston and Lesser Selby.

32 Fowler 1891, vol. I, 13, 15.

33 Fowler 1891, I, 290.

34 Fowler 1891, I, 292, "Concedo Abbatiae de Seleby ecclesiam de Snaith, quae est Sancti Germani".

35 Fowler 1891, I, 25–26. The dating of the forgeries and interpolations is difficult, since Snaith never stopped being a bone of contention: the Duchy of Lancaster even attempted to claim it as late as 1393 (J. Burton 1758, 401). It was an important and wealthy enough settlement to have been possessed of a hospital from the 1270s (Page 1974, 333).

clesiastical map had changed markedly. The "monastic desert" of the time of the conquest was initially punctured by Selby and the (re-)foundation of Whitby, whose vicissitudes at the hands of raiding pirates and internal schism led within a short time to the abandonment and resettlement of the site, together with the simultaneous creation of St Mary's York.[36] Cluniac monks were welcomed to Pontefract, as were the monks of Marmoutier at Holy Trinity in York.[37] Pontefract also saw the foundation of a collegiate church at the beginning of the 1090s,[38] a type of regular life already present at York Cathedral and around the major shrine of Beverley.[39] It is no surprise that regular life in Pontefract, York and Beverley was mirrored by the presence of pre-conquest hospitals.[40] The first two decades of the 12th century saw monasteries and canonries established at a fair distance from Selby, with Augustinians taking up residence in Bridlington and Nostell, Embsay and Guisborough;[41] and Benedictines allied to French houses building their cloisters in Burstall, Allerton Mauleverer and Ecclesfield (dependent upon St Martin d'Auchy, Marmoutier and St Wandrille of Normandy respectively).[42]

In the 1130s, Drax, some six kilometres south-east of Selby, became home to a community of Augustinian canons (as did, to the north, Kirkham and Warter), and further foci for the laity's generosity was provided by the wave of Cistercian foundations beginning at the same time and extending into the 1140s.[43] The Cistercians, like other major landowners such as Selby, quickly became dealers in wool.[44] The 1150s, even with

36 J.E. Burton 1999, 33–35. A later internal schism in St Mary's led directly to the establishment of Fountains Abbey (J.E. Burton & Kerr 2011, 38).

37 Frost 2007, 8; the Cluniacs took possession of the pre-conquest hospital of St Nicholas. Page 1974, 184, 387.

38 Crawford 2008, 198.

39 Wilson 2006, 133.

40 Page 1974, 301–306, 314–321, 336–352; Miller 1982, 53–54. There was also a hospital at Flixton (roughly 10 km south of Scarborough and 10 km east of Filey), although no monastery or canonry was founded there: Bottomley 2002, 151.

41 J.E. Burton 1999, 69–71; Frost 2007, 8–9; Page 1974, 195, 208. Embsay Priory was transferred to Bolton Priory in 1154 (Legg 2004, 8). Guisborough (or Guisburne as it was then) soon established a dependent cell in Finchale, but they were driven out by the monks of Durham, who laid claim to the cult of Godric themselves (Heale 2004, 34).

42 J.E. Burton 1999, 45–49, 53–54; Page 1974, 397–401.

43 Page 1974, 205, 219, 235; J.E. Burton 1999, 84–86. Newburgh was founded in the first half of the following decade (Page 1974, 226; J.E. Burton 1999, 8; although established first at Hood, they moved within three years to Newburgh).

44 Although the Cistercians dominated, other houses also traded; for Selby, see below; for the Gilbertines, see Stephenson 2009, 19. For the Cluniac foundations, see J.E. Burton 1999, 98–124. Rievaulx and Fountains date from the early 1230s; the other Cistercian abbeys from the subsequent decade (Byland, Jervaulx, Kirkstall, Sawley, and Roche: Page 1974, 131, 138, 142, 153, 156).

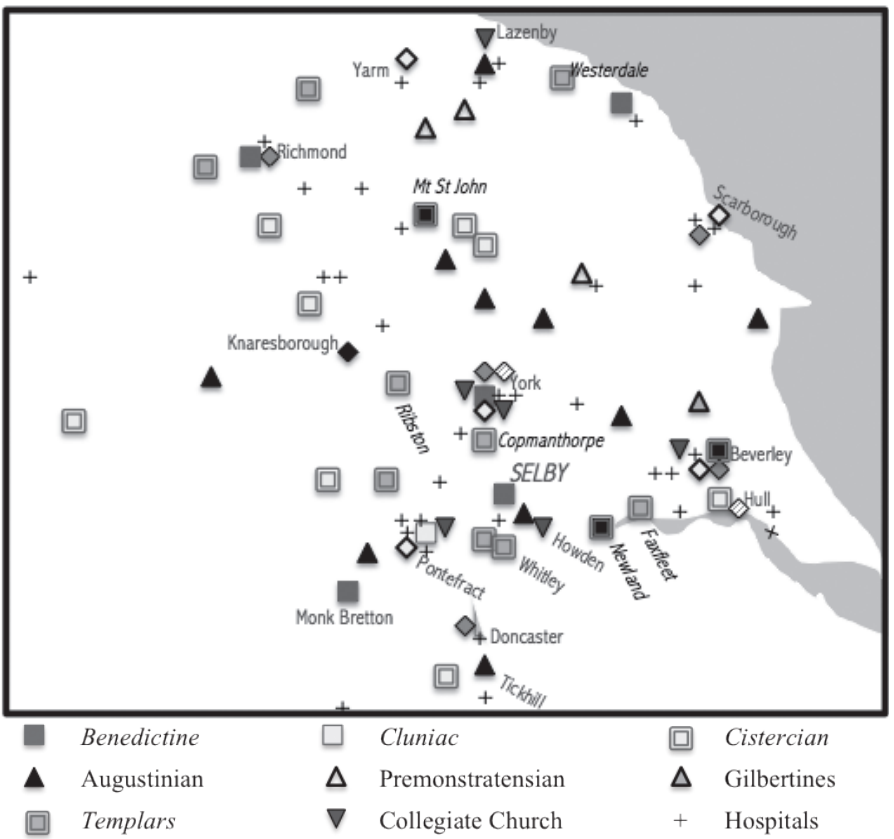


Fig. 3. Male religious houses and hospitals, to the end of the 12th century.

the uncertainty of the Anarchy, saw, in the main, representatives of monastic federations being founded: a further Cluniac foundation at Monk Bretton to the south-west of Selby, Cistercians at Meaux to the east, and, to the north, Marmoutier represented again at Hedley (a cell of Holy Trinty, York), the first Gilbertine houses in the region at Watton and Malton, the Premonstratensians in Easby, and a single Augustinian canonry at Marton.[45] Enthusiasm for the founding of religious houses ceases for the rest of the century, with only Premonstratensians finding it possible to create new houses: Swainby in the penultimate decade of the century, and Egglestone as it drew to a

45 J.E. Burton 1999, 63–65; Stephenson 2009, 6–7; J.E. Burton 1994, 99; Page 1974, 91, 146, 223, 245, 253–254, 387.

close.[46] Hospitals, however, see an increasing frequency in their creation.[47] Devotion to the Holy Land made its mark on the landscape, too: the second half of the 12th century saw a Templar preceptory begin functioning close to Snaith (together with several further afield),[48] and in nearby Pontefract the foundation of a leper hospital under the aegis of the Lazarites probably took place in the last decade.[49]

The first half of the 13th century

By the 13th century there was little need for direct assistance from the archbishop to ensure the flourishing of the abbey, which was even involved in significant trade, as it had its own ships, fit for both river- and sea-travel.[50] The diocesan economic engagement with the monastery, therefore, was on a very different footing. The Selby cartulary and the records from Walter Gray's 40-year tenure of the archbishopric of York (1215–1255) preserves a swap of arable land carried out by Gray with the abbot and his monks between 1221–1225.[51]Rationalization of both the archbishop's and the monas-

46 J.E. Burton 1999, 90; Page 1974, 243, 249. The canons moved from Swainby to Coverham at the beginning of the 13th century (Halsall 1989, 116).

47 1100s [1]: St Nicholas York (Page 1974, 336–352); 1110s [3]: St Mary Magdalen and St John the Baptist, both in Ripon; St Michael, Whitby (Page 1974, 321–336); 1120s–40s [0]; 1150s [2]: St Mary Magdalen, Malton (with the Gilbertine house); Tadcaster (Page 1974, 257, 330–336); 1160s [4]: St Mary Magdalen, Killingwoldgraves; The Spital on Stainmoor; St Nicholas, Richmond; St Lawrence, Upsall-in-Cleveland (Page 1974, 306–321); 1170s [2]: St Mary Magdalen and Holy Sepulchre, both in Hedon (Page 1974, 306–310); 1180s [3]: St James, Hessle; St Leonard, Sheffield; St Nicholas, Yarm (Page 1974, 306–310, 336). See, further, Cullum 1991, 40–41. Second half of the 12th century: St Giles near Brompton Bridge (Cardwell *et al.* 1995, 109).

48 Lord 2002, 107. Temple Hirst, Temple Newsam, Penhill (Page 1974, 256–260).

49 St Michael Foulsnape, Page 1974, 314–321; in existence well before 1220 (Holmes 1889, 549), and dependent upon the preceptory of Burton Lazars, founded in the mid-12th century (Marcombe 2003, 109).

50 First mentioned in the document in which King John takes Selby Abbey into his protection "sicut unam de propriis elemosinis nostris" (Fowler 1891, I, 19–20; as if it were one of our own donations). For shipbuilding, note "Iohannes le Schipwrycht", in the mid-13th century, who donates "unum assartum in territorio de Seleby" (Fowler 1891, I, 115; former forest converted to arable use, in the district of Selby). For the wooded areas around Selby, see above.

51 *The Register ... of Walter Gray*, 281; Fowler 1891, I, 348–349. That the abbot is called Richard sets the *post quem*: he had been elected in the first half of 1221, after his predecessor resigned. Amongst the witnesses, Richardus Cornubensis (i.e., of Cornwall) signs as a simple canon, which sets an *ante quem*: he had become chancellor of York by 1 July 1225 (J.E. Burton 1978, 56; for his witnessing as canon between 1215–1221, see *The Register ... of Walter Gray*, 2, 235–236. The other witnesses were all active at this time, but do not help in narrowing down the years in question. Galfridus the precentor took office between 1218 or 1220 (see *The Register ... of Walter Gray*, 41, n.; J.E. Burton 1978, 56). Adam de Richmunde, canon of Ripon, Roger

tery's land-holdings undoubtedly lies behind the exchange.[52] Reorganization via such a swap was designed to expand the control exercised by the monastery in its local area, by abandoning lands which could be more usefully used by the bishop elsewhere: the abbey gained five acres in "Haysted", at most two kilometres north of the abbey along the River Ouse, which had previously been held by the archbishop.[53] These acres were part of the common meadows, but the agreement asserted the right to fence off the land and prevent any communal grazing.[54] The archbishop, in return, gained an area of open ground, "Le Bacle" or "Le Baile", between the woods of Sherburn-in-Elmet and of "Scatholme/Stakeholme",[55] which was already close to extensive archiepiscopal

---

de Burton, and William Foliot are found together in 1225 (*The Register … of Walter Gray*, 150–151), of whom William is witnessed earlier, before 1218 (J.E. Burton 1978, 34–38), and Roger later, in 1227 (*The Register … of Walter Gray*, 158). Finally, Robert de Berford appears in 1221 (*The Register … of Walter Gray*, 143).

52 Land there had been held by the archbishops of York from the 10th century.

53 The location is referred to as "Heistede" in the York copy. In the Selby cartulary, the exchange comes first in a section of four documents rubricated "Haysted. In Wistow Eynges" (i.e., *Ings*, or meadows, and still recorded on the latest Ordnance Survey map; Fowler 1891, I, 353). By the documents in this section, two and a half further hectares adjoining the archbishop's were donated as far to the west as "Riuelingflete" (Fowler 1891, I, 354; probably to be modernized as *Rillingfleet*, and perhaps indicating an intermittent stream, although there is nothing on modern Ordnance Survey maps that allows of identification).

54 On this type of enclosure, with its explicit denial of communal grazing rights, see Duby 1998, 158–160. For the importance of the commons, and resistance to such types of enclosure down into the late 16th century at Wistow, see Wadell 2014, 188.

55 That is, "inter boscum de Schirburn [*Selby*; Shirburn, *York*] et boscum de Scatholme [*Selby*; Stakeholme, *York*]". The suffix *-holm* is only preserved within the locality by *Habholme Dyke* (some 3 km south-east of Sherburn: *Habholme* features in a donation to the abbey in 1240: Fowler 1891, I, 269). Although there is a clear Norse etymology for York's *Stakeholme* (*stakkr*, a steep hill, *holmr*, rising above marshland, for which a possible candidate would be the now-disappeared Castle Hill, at 53°47'36" N 1°11'46" W, 3 km west of Sherburn), Selby cartulary's *Scatholme* has been preserved in a reduced form as *Scalm* (*Lane*, *Side* and *Park*, respectively around 53°47'32" N 1°08'32" W), at the western edge of Bishop Wood. If this is the case, then the place referred to as *Le Bacle* (York) and *Le Baile* (Selby) would be a double misspelling of *Le Barle*, that is, *Bar-ley* (either "boar-clearing" or "berry-field"), which is found just to the north-west of Scalm Side, within Bishop Wood, now referred to as *Barley Close* (see Ordnance Survey Sheet SE 53 [1954]); the latter element, *Close*, indicates enclosed common land (as per the agreement with Selby). For *Barlea* (now Borlea, Essex), "woodland clearing frequented by boars", see Mills 2011, 66; note also *Berlea*, a farm equidistant from Leicester and Nottingham, itself close to *Barsby* ("Barnesby" in the *Domesday Book*: Powell-Smith, Leicestershire, p. 2); the 11th-century *Barlai* (now also Barley: Powell-Smith, Hertfordshire, p. 15). The two-fold error in writing down the toponymn may have been produced, in the York version, by a misreading of a more common toponymical element: *Le Bacle* would have suggested "Backlea" or "Beckley" (*etc.*, cp. Becks Farm to the south-east of Sherburn, west of Huddleston Old Wood; Melton Leys to the west of Bishop Wood, 53°47'18" N 1°10'40" W).

landholdings; these latter had only just been divided in order to provide prebends for an increased number of the canons at the Minster.[56] Here, we might say, the interests of two major landowners in the region intersected, and a mutually beneficial exchange was agreed upon.

Yet all was not well at the abbey during these years. Alexander, abbot of Selby, had resigned in 1221 as it was all too much for him; in the words of a contemporary chronicler, "propter senectutem suam, et propter difficultatem regendi domum illam et defendendi" (due to his old age, and to the difficult of ruling and defending that monastery).[57] It is tempting to connect such a resignation as being at least influenced by the general tightening up brought about post-Lateran IV by the presence of the papal legate, Pandulphus; indeed, the resignation of the bishop of London is described by the same chroncler as being due to much the same cause: "quoniam pre nimia senectute laborem diutius ferre non potuit" (due to his extreme old age he was unable to carry the burden any longer).[58] This was by no means the first abbot of Selby to have been edged from office: according to the *Historia*, the second abbot, Hugh de Lacy, had resigned in 1123 after a visit from Archbishop Thurstan (1119–1140); and the third, Herbert, stepped down in 1127, after a colloquy with the papal legate in York, returning to his original abbey of St Albans.[59] The first had spontaneously abandoned the mon-

---

The Selby scribe substituted a known word, "le Baile", palisade, area enclosed within castle walls (CNRTL, s.v. *baile*[1], although for this meaning note Castle Hill, already mentioned at the beginning of the note).

56 J.E. Burton 1978, vi, ix; the prebend of Sherburn had probably been created by Archbishop Thomas I, and it consisted of the church of Sherburn and its possessions, together with land in Newthorp, Micklefield, Huddleston, Poppleton and some areas in York itself, namely Acomb and Monkgate (for the church's ealier existence, see Moilanen in this volume, 51–80). The prebend was divided (with approval by the pope on 31 August 1218: *The Register … of Walter Gray*, 132–134) into the prebends of Fenton and Wistow-and-Cawood. The former maintained the lands in Poppleton (4 km north of York), a portion of the church of Sherburn, and, as part of the estate of Sherburn, various taxes from Fenton, Lennerton and a moiety of the church of St Maurice in Monkgate, York; Wistow-and-Cawood was unsurprisingly based on the churches in Wistow and Cawood combined with tithes from Monk Fryston, Hillam, Burton Salmon, and (2 km to the east) Fairburn. It was into this prebend "Le Bacle" would have fallen. In the second half of the 13th century the prebend was given over to members of the papal curia. See *Fasti*, VI, 70–73, 109–110. For the general process of the creation of prebends, see Barrow 1986, 55–60.

57 Ispir 2015, 606.

58 Ispir 2015, 604.

59 *Historia,* I.xxix, fol. 22[v]; I.xxxiii, fol. 25[r]. Such an easing-out of an abbot no longer fit for his duties by bishop or legate was perhaps the kindlier way of demission: the abbot of St Mary's, York, was deposed due to old age and infirmity after formal complaints by the monks during a visitation by Hubert Walter, the archbishop of Canterbury, in 1195 (Page 1974, 108; Knowles 1976, 651–652; Cheney 1967, 120).

astery because of its ungovernability (from his point of view), or because his tyranny had compelled the brethren to revolt (from the monks' point of view).[60]

At the same time as leave was given to the monks to elect a successor on 21 June 1221, administration of the abbey's lands was handed over to the highly capable Walter Mauclerk, then—amongst his other duties—acting as forest justice in York.[61] Revenues were, of course, channelled to the king. The voidance of the abbey did not last long, Alexander's successor was rapidly elected, was confirmed by the king and blessed by the archbishop of York before 15 August 1221, when jurisdiction of the abbey's lands were handed over to him.[62] The new abbot, Richard, had been prior of a dependency of Ramsay Abbey, the prosperous house of St Ives (Cambridgeshire), famous for its Easter market; he was undoubtedly involved in the rebuilding following the priory's destruction by the flames in 1207.[63] Despite his evident promise, Richard hardly lasted two years in position, since "ad ordinem se transtulit artiorem" (he transferred to a more ascetic order), as was observed when the king gave licence for the abbey to elect his successor on 17 January 1223.[64] The archbishop would by necessity have been consulted about the transfer.

Within three weeks, Richard, the sub-prior, was duly elected,[65] and confirmed as the new abbot on 7 February 1223 from Westminster.[66] Yet this proved to be only temporary, for, three weeks later, the king ordered that, because of an irregularity in the election, the abbey's administration should again be taken over by Walter Mauclerk,

> cui dominus rex eam commisit custodiendam quamdiu domino regi placuerit, quam dominus rex in manum suam capi precepit eo quod monachi eiusdem abbatie exconiuncto [*sic*] elegerunt sibi abbatem
>
> to whom the lord king committed it [the abbey] into his keeping as long as it should please the lord king, which the lord king ordered it be taken into his hand, since the monks of that abbey elected an abbot for themselves *exconiuncto*.[67]

60 *Historia*, I.xxv, fol. 19^{r-v}.

61 *Patent rolls ... Henry III,* I, 293. On the Norman, Mauclerk, elected bishop of Carlisle in the summer of 1223, see *Fasti*, vol. II, 20.

62 *Patent Rolls ... Henry III*, I, 300.

63 Heale 2004, 33, 205, 219–220; Knowles & Hadcock 1971, 75; Haigh 1988, 21–22. Abbot Richard may well be the Richard Scott who witnesses as prior of St Ives in the early 13th century (*Cartularium ... Ramseia*, I, 205).

64 *Patent Rolls ... Henry III*, I, 363. The king's licence was necessary as it was a royal monastery; licence from the bishop was almost never sought by monasteries, unless the latter had a particular role over the monks, such as head of house (St Peter's, Bath, where the monks were also the chapter, and required permission to elect their prior), or patron (such as Eynsham Abbey): Sweet 1919, 577.

65 *Patent Rolls ... Henry III*, I, 364, on 7 February 1223.

66 *Patent Rolls ... Henry III*, I, 364.

67 *Patent Rolls ... Henry III*, I, 367, dated 27 February 1223.

The latter word is a puzzle: most probably, it reproduces an abbreviation for *excommunicatum*, such as would be *excō̄ĩũc̃tū̄*—they had elected "an excommunicate as abbot", an obvious canonical reason for quashing the election.[68]

Such a rejection of the abbot-elect must have come from the archbishop himself, as it was his responsibility to ensure canonical forms were followed and that unqualified or unsuitable or unelectable candidates were rejected.[69] Some satisfaction was evidently forthcoming, since a month later, on 28 March 1223, governance was returned to the abbey in the persons of the prior and the cellarer, Raynerus and Walrandus.[70] This interim arrangement lasted barely a week. The king granted his permission for Richard the sub-prior to again assume the abbacy in early April 1223.[71] The canonical impediments had evidently been surmounted, and the archbishop of York was then required to ratify the election and grant his benediction.[72]

Exactly ten years later, Archbishop Gray staged a formal visitation, from which his recommendations have been preserved:[73] the abbot was to have a sub-committee of four experts to maintain governance of the house's finances, two of whom were to be cellarers, two bursars,[74] one of each dedicated to the internal functioning of the house, the others to external concerns; financial reporting was to be made to the abbot and senior monks every three months, with a yearly statement on the abbey's economic health. Complaints seem to have been raised by the monks regarding the upkeep of the buildings and provision of necessities, and emeliorations were enjoined by the archbishop so that none would need to seek anything from outside the monastery. The abbot was also required to admit more monks, indicating that the financial difficulties that the archbishop was attempting to contain in his recommendations had partly been faced by allowing natural wastage to reduce the number of monks that

68 Or perhaps the word should be separated into *ex coniuncto* perchance implying that an uncanonical and unrepresentative gathering had carried out the election, since *coniuncto* is the dative/ablative perfect passive participle of *coniungo* (to yoke or bring together); another meaning of the word is "to marry", and so possibly the abbot had been married (or had been comporting himself as if he had), and so required dispensation. Du Cange (1883–1887), further, offers "confronter" for the meaning of the 15th-century usage, *coniungere testes* (II, 507a, s.v. *conjungere2*); possibly a significant and unreconcilable difference of opinion in the monastery is being alluded to.

69 See Heale 2016, 21.

70 *Patent Rolls … Henry III*, I, 369.

71 *Patent Rolls … Henry III*, I, 370. Richard identifies himself as "Ricardus de Kellesay abbas de Seleby" (Fowler 1891, 292); he was presumably from the moorland area in Lincolnshire now occupied by North and South Kelsey, some 15 km south-west of Stallingborough.

72 Sweet 1919, 567. On the promises offered by the abbot to the diocesan, see Brett 1975, 132–133.

73 *The Register … of Walter Gray,* 327; the record has survived because it was re-copied during the early years of the archiepiscopate of John le Romeyn (*Register … Romeyn*, 11–12).

74 The dual occupation of significant administrative roles within a large monastery became the norm: Heale 2016, 126.

required expenditure on their upkeep. As a final injunction, the archbishop insisted that his specifications should be read thrice during the year in the monks' chapter; the archbishop had probably given a first version orally, the formal letter containing the *iniuncta* only being consigned to the abbey later.[75]

Such a concentration on purely administrative matters is of a piece with a number of similar records of visitations of the time, such as the constitutions of Ramsey Abbey, reforming the monks' administration and setting out their relationship to the dependencies (and vice versa), which were imposed by the archbishop of Canterbury, Hubert Walter, between 1193 and 1205.[76]

The reception of Gray's instructions was probably satisfactory, since a collaboration between the archbishop and the monastery is undoubtedly found a year after the visitation, when a living possessed by the abbey, the church of Kirk Ella, was handed over to an Italian, one "Cinchinus Romanus, clericus" on 12 July 1234,[77] perhaps as a pacification for his sufferings the previous year at the hands of Robert de Thweng and his men, during their despoilation of foreign clerics' properties—which had, ironically, been started by a foreign ecclesiastic taking possession of a living over which the Thweng family claimed the rights of presentation.[78] Three years later, towards the end of June, 1237, the archbishop witnessed, and had probably brokered, an agreement between the abbey and Robertus de Willegby over the division of Selby forest between the monastery and this important local family who gave their name to Thorpe Willoughby.[79] Three months later, a further agreement was reached with the archbishop directly, in granting him a permanent lease on land half-way between York and Selby, for twelve shillings a year.[80] In contrast, 1237 saw a papal letter reproving the abbot and monks for usurping the proper use of the hospital of Glanford Brigg, after a complaint to the Holy See by Radulphus Paynell, a descendent of the founders; the letter had been sent to the bishop of Lincoln, Robert Grosseteste, and the abbey promised swift amends.[81]

---

75 Coulet 1997, 30.

76 *Cartularium ... Ramseia*, 104–106.

77 *The Register ... of Walter Gray*, no. cclxxxix, p. 67. For the identification of Cinchinus with the Roman Cincius, canon of St Paul's, see Page 1974, 23. The church is some 40 km east of the abbey.

78 On the rising, see Vincent 2004.

79 Fowler 1891, I, 271; for further dealings with the family, see below, notes 119, 125.

80 *The Register ... of Walter Gray*, no. xci, p. 249; the monastery, during the early years of the 13th century, had received a number of donations in Stillingfleet, where the rented land was situated (just north of Cawood, and close to the Ouse, on the opposite bank to Acaster Selby; Fowler 1891, I, 324–337).

81 *Rotuli Roberti Grosseteste*, 9–10.

In 1245, Abbot Richard died, and Hugh was elected from amongst the brethren in the September of that year, to be confirmed by Archbishop Gray in October.[82] Governance of the house seems not to have raised any particular concerns, and Hugh was instructed by the king to form part of a commission to hear pleas at Michaelmas 1251 in York.[83] In the following year, he was granted rights to warren over the abbey's local landholdings by Henry III, to which the archbishop subscribed as a witness.[84]

Less than two years later, however, Hugh had died, and licence to elect had to be sought from the king: no small matter, since he was at that moment on campaign in France. David of Cawood and Ralph of Levesham were obliged to travel to Bordeaux in the September of 1254.[85] The timing was fortunate for the king: monies from the voidance of the abbey went to Henry's settlement of 5,000 marks on the burghers of Bordeaux.[86] It is perhaps no surprise, then, that it was not until Christmas day of that year that royal assent was given, in Boulogne-sur-Mer, to the election of Thomas de Qualley.[87] The episcopal benediction would not take place until the following year, and accounts during the voidance of the abbey were not settled until 15 June 1256, at which point the king was in dire need of spending money after his campaigns in Gascony and his payments to the papacy.[88]

Abbot Thomas, and his aftermath

Thomas immediately appears as an active abbot, maintaining two local clerics as procurators in the papal court, to whom Pope Alexander IV granted permission in the summer of 1256 to take out loans of up to 300 silver marks, with the monastery as

82 Licence to elect an abbot was sought on 14 September, and royal assent gained just over a fortnight later, on 1 October (*Patent Rolls … Henry III*, III, 460–461).

83 *Calendar … Henry III*, II, 106.

84 The warren covered "Seleby, Thorp, Hamelton, Friston, Hillum, Acastre, Chelleslawe, Holme, Snaith, Rouclif, et Estoft": Fowler 1891, I, 22–23 (*Hamelton*: modern Hambleton, between Thorp and Friston; *Acastre*: two settlements, north–south/upper–lower, and now called Acaster Malbis and Acaster Selby respectively; *Holme* may be identified as Holme upon Spalding Moor (DEEP, s.v.); *Chelleslawe* is usually identified as Chellow (now in Bradford; DEEP, s.v.), "one of the chilliest and bleakest spots in Heaton township" (Cudworth 1896, 225).

85 *Calendar … Henry III*, II, 358. For the difficulties and expense of travel to seek confirmations from royal patrons, particularly when the latter were abroad, see Heale 2016, 20.

86 *Calendar … Henry III*, II, 359.

87 *Calendar … Henry III*, II, 390.

88 *Calendar … Henry III*, II, 483, where the king instructed the abbot of Peterborough in mid-June of 1256 to levy enough fines in the northern counties to guarantee a payment at Boston fair of 700 marks, since he had no other way of covering his expenses. Due, no doubt, to the excessively lawful behaviour of the northerners, the abbot and sheriffs failed to raise enough money; towards the end of November the king had to instruct late payment to be made at the fair of Stanford. For Henry's European travails, see Weiler 2012, 149–158.

guarantor.[89] Willelmus and Iohannes de Seleby, the procurators, achieved some notable successes: pontifical confirmation of their rights over the churches of Snaith and Selby itself;[90] the redirection of the 25 silver marks from their Lincolnshire parish of Luddington to cover the burden of hospitality;[91] and the raising of the position of the abbot, such that he might use the insignia of a bishop as well as carry out the first tonsure of monks, and bless altars and other objects within the church.[92] Such an assault upon archiepiscopal dignity and rights over the monastery was timed to coincide with the demise of Archbishop Gray on 1 May 1255 and the difficulties of Archbishop-Elect Sewal de Bovil, formerly dean of York, but whose progress from archbishop-elect to his enthronement as archbishop took nearly a year, from September or October 1255 to 23 July 1256, because his confirmation was complicated by his illegitimacy. Sewal lasted only two years, and was replaced by Godfrey Ludham (1258–1265). Unfortunately, no registers survive from either episcopate. It is still possible to say, however, that Selby's new-found privileges did not find willing acceptance at York—indeed it took until the first decade of the 14th century for them to be countenanced.[93]

Furthermore, the last year of Godfrey Ludham's tenure of the see of York saw a

89 *Registres d'Alexandre IV*, doc. no. 1409, at I, 430b.

90 *Registres d'Alexandre IV*, doc. no. 1368, pp. 418b–419a. For forgeries connected with Snaith in the previous century, see above, note 35. It was probably in the light of this papal confirmation that the monastery claimed exemption from tithes for part of Hillam when asked for them by John le Romeyn, then archdeacon of Richmond, but destined for greater things in Oxford, then Paris, and, finally, in York as archbishop): "cum peterem decimas de cultura abbatis et conventi de Seleby quae uocatur le Stocking de Hillum, et prefati abbas et conventus pretenderent se immunes a prestacione ipsarum decimarum per privilegiam eis a sede apostolica indultum" (when I asked for the tithes from the cultivated land of the abbot and convent of Selby which is called The Stocking of Hillam, and the aforesaid abbot and convent claimed to be exempt from the submission of those tithes due to a privilege given them by the Holy See). John decided to let sleeping dogs lie, and assented to the monastery's immunity from tithes "de prefato loco toto tempore uite mee, saluo tamen iure ecclesie de Friston et ecclesie eboracensis post decessum meum" (regarding the aforesaid place, for the extent of my own life, excepting the rights of Friston and the church of York after my death; Fowler 1891, I, 306). That this up-and-coming cleric's nephew, Dionisius, had been proposed by the abbey for its church of Stamford-on-Avon before 1239 had probably not hurt its prospects: *Rotuli Roberti Grosseteste*, 182. There is still a Stocking Lane in Hillam—home of the local cricket club.

91 *Registres d'Alexandre IV*, doc. no. 1366, p. 418b. Luddington was part of Crowle manor (Powell-Smith, Lincolnshire, p. 68).

92 *Registres d'Alexandre IV*, doc. no. 1367, p. 418b: "tibi fili abbas et successoribus tuis imperpetuum utendi anulo, mitra, baculo pastorali, tunica, dalmatica, cirothecis et sandaliis, ac benedicendi pallas altaris et alia ornamenta ecclesiastica et conferendi primam tonsuram, plenam concedimus auctoritate presencium facultatem" (we grant through our authority the full right to use the ring, mitre, pastoral staff, tunic, dalmatic, gloves and sandals, and to bless altar cloths and other church ornaments, and to confer the first tonsure, to you, the abbot, our son, and to your successors in perpetuity). Saint Mary's of York had received an indult along these lines in 1245 from Innocent IV: Page 1974, 108.

93 *Register of William Greenfield*, 50–51.

well-planned deposition of Abbot Thomas. Given the civil turmoil at the high-point of the Second Barons' War, it is likely that political motives lay behind the change of abbot in Selby, possibly in order to neutralize an opponent, as the abbey did later claim it had suffered greatly from the time of disorder.[94] Or it may have been Thomas who had taken advantage of the upheavals to carry out annexations of others' lands.[95] Or finally, and perhaps most likely, the abbey may have been too philo-monarchical for the Monfortian demands of the moment.

Rather than the house's properties being handed over into administrators' hands with the voidance, a fine of 80 marks was paid in two installments in the following year: further evidence of forethought.[96] Thomas was, moreover, not simply degraded to his former status as a simple monk: Archbishop Godfrey had, with the consent of prior and monks, granted the erstwhile abbot the use of the abbey's manor of Stallingborough, which represented a comfortable retirement, and certainly not a humiliating deposition from office.[97] Godfrey had thus arranged a structured resignation for someone who evidently maintained a good deal of local support, from both family and a wider network, which we will see below.[98]

Whilst Thomas was abbot, his father donated the rent of twelve shillings per an-

94 *Patent Rolls ... Henry III*, IV, 221 (26 April 1268), inability to take advantage of liberties during the war; IV, 238 (13 June 1268), request to the abbey's tenants to grant aid due to the wrongs and damages that it had suffered on its manors and lands. For the damage to church property, often by clerics themselves, during the war, see Maddicott 1994, 303–304.

95 Godfrey's successor, Archbishop Giffard, when he came to revisit the events in 1270, had recourse to a philosophical phrase of ignorance, explaining the deposition as being "ex causis latentibus" (*Archbishops' Register ... Giffard*, 217; due to hidden reasons); for the resonance, see Clement IV's use of the phrase to describe the uncertainties over what might come in the future (Thumser 2015, doc. 215, 4 July 1266, p. 151), and Isidore of Seville's *Etymologies*, IV.vii.27 (Lindsay 1910, I, M6r).

96 In December 1264 and February 1265: *Patent Rolls ... Henry III*, III, 408. It is possible that key ecclesiastics under the archbishop were closely involved, such as John de Kirkeby, for whom see below, note 126.

97 Depositions were not unheard of: Grosseteste had removed the priors of Kyme and Thornton Priories in 1235 (Page 1906, 172, 264), and even threatened Prior Simon of Spalding with deposition after he entertained the king so royally that extra taxation was feared (Page 1906, 120). Grosseteste's official quashed the election of Thomas de Kerdinton as prior of Caldwell in 1245 "propter defectum persone tam pro debilitate uisus quam propter morbum paraliticum et etiam propter senium et insufficientiam litterature", (*Rotuli Roberti Grosseteste*, 325; due to defect of the person, as much as through weakness of sight as due to paralysis [or, perhaps, epilepsy], and also due to his age and lack of reading), nominating in his stead Eudo, of the same canonry.

98 A similar arrangement is found authored by Ludham's successor establishing the conditions for the resignation and subsequent establishment of a household for Richard de Bakhampton, prior of Bolton, at the beginning of 1274 (*Archbishops' Register ... Giffard*, 305–306). Bolton's woes continued into the following year, see below.

num from a messuage in Gouthorp (within Selby itself) in order that candles might always be placed before the crucifix within the abbey church.[99] Thomas's father also witnessed, during his son's abbacy, to two donations within Wrengate (inside Selby, again),[100] to gifts of property in Gateforth and of significant land in Hillam, and to an exchange which settled a dispute regarding the possession of lands near to the monastery.[101] Abbot Thomas, though, was not his father's only son: one *Iohannes frater abbatis* witnessed to a wide-ranging donation of local fields, and another brother, Walter, is also mentioned.[102] Thomas's abbacy was further marked by the settlement of a number of disputes,[103] protection of widows,[104] continuation of Abbot Hugh's development of the abbey's lands,[105] and the acquisition of the ferry crossing over the Ouse

99 Fowler 1891, I, 196.

100 Fowler 1891, I, 143, 145.

101 Fowler 1891, I, 147, 254, 305.

102 Fowler 1891, I, 148–149.

103 An agreement over the wastes between Birkin and Hillam with dominus Iohannes de Eueringham in 1255 (Fowler 1891, I, 288–289), and the renting out for life of "Le Bure" in Hillam in the same year to Robert de Hoveringham, rector of Birkin (*History Centre*, p. 31, U DDLO/20/79); in 1261, an apportionment of the tithes of the churches of Cottingham and Kirk Ella, the latter (as we have seen) in the patronage of the abbey (J. Burton 1758, 393); in 1262, an exchange with the knight, Henricus de Vernoil, of 100 shillings' worth of land "cum uno mesuagium et gardino cum pertinentiis in Pouelington et Baln" (with a messuage and a garden with its appurtenances in Pollington and Balne [3 and 4 km south-west of Snaith, respectively]); he handed over his share in the church of Brayton, together with other lands held for a payment (Fowler 1891, I, 221–222); in the same year, the confirmation by the bishop of the abbey's possession of the churches of Redbourne, Stallingborough, Crowl, and Luddington in the diocese of Lincoln (J. Burton 1758, 398; Fowler 1891, II, 299) undoubtedly connected to a subsequent payment by the abbey of ten shillings per annum to the bishop of Lincoln fixed in March 1263 (Foster 1933, II, 119: for which, see below); and an agreement with the Leicester abbey of Saint Mary *de Pratis* over the church of Queniborough (Fowler 1891, II, 249: see below, note 126).

104 Margareta ultra Usam, the sister of the deceased *medicus* Radulfus de Gayteford, placed his property in the hands of the abbot's attorney; she later donated a small farmhouse and surrounding land, which was witnessed by the abbot's father (Fowler 1891, I, 254).

105 In 1261, an agreement over rental for land in Selby at one shilling per year combined with reclamation of associated wasteground, which was an extension of that granted by Abbot Hugh at least a decade earlier (Fowler 1891, I, 249–251). Two acres are also granted to Hugo de Ferur of York in Sutheacaster for two shillings a year (Fowler 1891, I, 324; now Acaster Selby, 2 km north of Cawood, see above, note 84; a large donation had been made there at the end of the 12th century by Roger of Mowbray: Dalton 1994, 288–289). After Ferur's son traded all of his father's lands with someone else in 1283, the abbey's properties were separated out and returned (Fowler 1891, I, 324–326). The monks' crucial interest in watercourses was also served through the donation of land in Hameton and pasturage in Giker (Fowler 1891, I, 284), which eventually required an exchange with the archbishop of York in 1321 to protect the waters owned by the abbey in Selby itself (Fowler 1891, I, 4–5). Cp. also Fowler 1891, I, 13–16, for the

to Barlby, together with the management of a large number of rented tenements in Barlby (including one leased by the abbot's father) for an annual payment of 80 shillings and fourpence. This latter deal was much appreciated, since the list of properties ceded was later marked in the cartulary with the marginal annotation observing that they were "ualde bona".[106]

Thomas de Qualley was not the first abbot of Selby with impressive local support to have been sidelined by an archbishop.[107] A hundred years before Thomas took up the abbacy, and during another period of civil unrest, Helias Paganellus, drawn as a late vocation from the local Paynell family (whose involvement with a hospital we saw above), was moved aside by the Cistercian, Henry Murdac (archbishop 1147–1153), on the grounds that Helias was incapable of correctly instructing the monks due to his lack of clerical training.[108] Helias had entered the monastic life after being a knight, and, although deprived of literary and spiritual sophistication, still had the resources (and one assumes, the physique) to defend the monastery's properties "viriliter" against tyrant and thief.[109] Murdac thus installed a favourite cleric, Germanus, whom he had previously attempted to force on Whitby Abbey. After the archbishop's death, however, his place-man as abbot thought it better to flee on horseback rather than face the returning Helias.[110] A more eirenic example of 12th-century episcopal involvement in the monastery is found through Thurstan who successfully attempted to bring an end to two years of dissension over the election of a new abbot for Selby; his suggestion to choose Walter, Cluniac prior of Pontefract, was acted upon successfully, and the latter restored regular life to the coenobium again.[111]

In 1265, though, the replacement was not a favourite of the archbishop summoned from distant Saint Albans or nearby Pontefract, but David de Cawood, a senior monk

---

repeated insistence on protection for the abbey's *vivarium*, and note 119 below, for the limitation on the size and height of a mill pond not belonging to the monastery within Selby itself.

106 The ferry was gained in 1260 from Hugo dictus Ward de Thorp, although here, too, some accommodation had to be found for stockbreeders who used the service (Fowler 1897, I, 256–257, 360). The tenements and various pieces of land in Barlby were from the same Hugo de Thorp (Fowler 1891, I, 357–358).

107 For the archbishops' removal and appointment of abbots in the 12th century, see the discussion in J.E. Burton 1999, 159–164.

108 *Historia*, II.iv, fol. 40^{r}. On the abbot's alliance with Henry de Lacy, and the latter's building of Selby Castle, see Dalton 1994, 171–172.

109 *Historia*, II.iv, fol. 30^{r}.

110 *Historia*, II.xxii, fol. 40^{v}.

111 *Historia*, II.i, fol. 28^{v}. Heale's observation (2016, 29) that "the identification of suitable inmates for promotion to struggling religious houses must have been an important facet of a late medieval bishop's supervision of the monasteries in his diocese" can probably be broadened to the length of the Middle Ages. Thurstan was involved in another demission, for which see below; his own Cluniac sympathies were displayed in both interventions.

in the monastery, who had been entrusted twice with communicating abbots' deaths to the king, in 1245 and, as we have seen, in 1254:[112] a safe pair of hands, and a candidate generally acceptable because of his experience within the abbey; also, perhaps, accepted as his advanced age did not foretell a long abbacy. David's first act was to seek, under a privilege open to royal monasteries, the king's protection.[113] This gave some help to financially distressed institutions, and it was repeated (twice) in the following year,[114] followed by further royal assistance in the spring and summer of 1268.[115] David's age probably brought his activity to a close towards the end of the following year; it is the prior and convent who arrange to pay a fine of 50 marks on the cession or death of David, to prevent the abbey's monies being redirected to the king during the voidance after his death.[116] The earlier fine, when David took the abbacy, was 80 marks; the reduced fee suggests rather straightened circumstances.[117] The fine was paid by the prior, Adam de Stratton, on 22 February 1270; David died within a month.[118]

The new election, though, became a vindication for the previously-deposed Thomas, who was returned to the monastery to take up the abbacy again. The family had hardly been away, even if Thomas had been down in Stallingborough. One of only two donations explicitly from David's time as abbot was from "Walterus filius Iohannis de Seleby, patris Thomae quondam abbatis de Seleby" (Walter son of John of Selby, father of Thomas once abbot of Selby); he gave "una cultura terrae in territorio de Seleby quae uocatur Ruddeker, sicut fossatis et sepibus undique includitur" (a cultivation of land in the territory of Selby which is called Ruddeker, as is closed off by ditches and hedges).[119] Nevertheless, local sentiment in Selby, and the monks' support for

112 *Calendar ... Henry III*, I, 460; II, 358.

113 Granted 16 June 1264, the day after the confirmation to Thomas of Stallingborough, and a fortnight after confirmation of David's election to the abbacy: *Patent Rolls ... Henry III*, III, 319, 324, 325. On royal protection for monasteries, see Wood-Legh 1934, 26.

114 *Patent Rolls ... Henry III*, III, 439 (15 August 1265, for protection for six months); III, 462 (11 October 1265, for protection for a whole year).

115 *Patent Rolls ... Henry III*, IV, 221, 238.

116 *Patent Rolls ... Henry III*, IV, 389. The abbey's annual income towards the end of the 12th century was somewhere in the region of 500 marks: see J.E. Burton 1999, 250.

117 *Patent Rolls ... Henry III*, III, 408.

118 *Patent Rolls ... Henry III*, IV, 420.

119 Fowler 1891, I, 148. Most of Ruddeker had been given in 1247 by Robertus de Willegby, miles, as part of an exchange which saw him receive Thorpe Park on the condition that he promise never to enlarge or raise his mill pond in Selby (Fowler 1891, I, 270; see above, note 105); Robertus had previously agreed the division of the Selby woods between himself and the abbey: see above, note 79. The other donation from David's abbacy was a tenement in Thorpe, from "Hugo filius et heres Roberti de Thorp" (Fowler 1891, I, 266–267): Robert had been a major donor to the abbey under Abbot Thomas. Otherwise, a total of 33 and a half acres were rented out for the yearly sum of eleven shillings and two pence (Fowler 1891, I, 140, 200, 201),

Thomas was one thing; the archbishop of York's *beneplacitum* another.

When Thomas and the abbey's procurator, Ricardus de Friston,[120] presented themselves to Walter Giffard in London, asking for the election of the abbot to be confirmed, the archbishop immediately decided upon a commission of inquiry, nominating an archdeacon whose remit covered Selby, Robertus de Scardeburg, and a canon from Wells, Philippus de Staunton, who were both to examine the abbot-elect and six witnesses chosen by Thomas and the procurator in the archbishop's own chapel in York. A report was duly sent to London, and, nearly two months after David's death, Thomas and the procurator attended upon the archbishop in Stepney. Legal niceties were followed: since the archbishop was outside his own diocese, he asked the abbot-elect and the procurator for their licence to continue "in territorio alieno" (in foreign territory, i.e., a different diocese), which was granted.[121] After the York examination, the inquisitors had raised questions over the form of the election, to which the abbot-elect and procurator had replied, also in writing; still the resulting face-to-face discussion between the two monks from Selby and the archbishop became heated enough for the latter to call a halt and postpone his judgement for another four days, to be given in his chapel in Westminster.

Thomas subsequently presented a letter in which he renounced his candidacy, and humbly sought for the archbishop himself to name "aliqua persona prouida et honesta" (someone forward-thinking and decent).[122] Giffard accepted the renunciation, yet decided to invest Thomas with the abbacy anyway, bearing in mind Thomas's previous period in office, the profit he had then brought to the monastery, and his subsequent good behaviour after his deposition, for which he could present sufficiently impressive references. Giffard, in his correspondance naming Thomas anew as abbot, refers repeatedly to his *strenuitas*, and his hope that the new abbot might improve the abbey's fortunes, both spiritual and material.[123] And so Giffard wrote to the king, informing

---

a son abandoned all claim to his father's earlier donation (Fowler 1891, I, 363) and, as an act of charity, one bovate of land donated by Eva, widow of Adam de Barkeston, and by their daughters, Isabella and Hawysia, were returned to them so that the girls might marry—but only to men of whom the abbot approved, and only after his consent had been received (Fowler 1891, I, 280–282).

120 It was Richard who had brought news of David's death to the king, on 1 April 1270 (*Patent Rolls ... Henry III*, IV, 412).

121 *Archbishops' Register ... Giffard*, 218.

122 *Archbishops' Register ... Giffard*, 219.

123 *Archbishops' Register ... Giffard*, 220, to the prior and convent of Selby, 3 July 1270, "nos, pensatis oneribus monasterii et strenuitate personae dicti Thomae, qua uos et domum uestram ob causas multiplices potissime, deo propitio, poterit releuare" (we, considering the burdens of the monastery and the vigour of the aforementioned Thomas's character, by which you and your house from many complaints he may principally be able to raise you, God willing); to his official in York, 4 July 1270, "nosque, considerata strenuitate et industria dicti Thomae,

him of the election, and to his official in York, so that Thomas might be provided with a seal.[124] Giffard had not been deceived. Donations picked up again when Thomas was brought back, and continued during his abbacy.[125] Mutually beneficial accommodations with others are again witnessed, close to Selby and beyond.[126] The abbey's cellarer was included amongst major international wool merchants operating in England.[127]

Yet Giffard was not prepared to let the Abbey have its own way in all things. During the September of 1274, Thomas presented a civil lawyer, magister Willelmus de Lafford, to the church of Kirk Ella (that which had previously been granted to the Italian cleric, Cinchinus), proposing to have Willelmus subsequently ordained. The archbishop ordered his archdeacon to make inquiries, and, at the beginning of December, was in the happy position of enriching one of his own officials, the French cleric magister Gilbertus de Sancto Leofardo, with the benefice: since the abbey had presented someone canonically unsuitable, power to appoint fell back to the archbishop.[128] The abbot appealed to the papal legate, to whom Giffard also wrote, in order to stress that

---

sperantes etiam quod tam in spiritualibus quam temporalibus monasterium supradictum Deo propitio studebit et poterit releuare" (and we, having considered the vigour and industry of the aforesaid Thomas, hoping also that as much in spiritual matters as temporal he will busy himself with the aforementioned monastery, if God should grant his favour, and will be able to raise it up).

124 *Archbishops' Register … Giffard*, 219–220.

125 Such as the donation by Dionisia, widow of Johannes Juuenis de Seleby (the latter was probably a local notary, who features as a witness in a large number of documents), of his messuage and toft in Selby itself, together with lands in Brayton, Thorp and Barlby (Fowler 1891, I, 159–160); this must have occurred during the second abbacy of Thomas, as Johannes Juuenis witnessed to Abbot David's letting out of land to Robert of Wistow (Fowler 1891, I, 140). Furthermore, Mabilia, the widow of Robertus de Hanburg, offered five acres and a rent of 32 shillings from three farms in West Thorp (Fowler 1891, I, 274). In 1277, properties in Selby and Brayton were offered (Fowler 1891, I, 121, 222); two years later, Hugo de Thorp re-confirmed his gifts (Fowler 1891, I, 359), in a document witnessed by "Iohanne fratre domini Thomae abbatis de Seleby". Similary, Robertus de Willeby, the son of Robertus de Willegby, relinquished his claims "in manerio de Thorp" (Fowler 1891, I, 271–273).

126 Willelmus de Lasceles abandoned any claim to the church of Brayton for an interim payment of 20 pounds, so that the "clericus domini regis", the lord king's clerk, Iohannes de Kyrkeby, could be placed there (for this cleric, see above, note 96); between 1272–1280, an agreement with the priory of Drax over a farm in Brayton with two bovates of land was concluded (Fowler 1891, I, 219) — the abbey was already renting woodland and a farm in Haddlesey (on the River Aire) from Drax Priory for two pounds annually (Fowler 1891, I, 278). Further south, contested lands in Queniborourgh were settled through the payment of 20 pounds in 1272 (Fowler 1891, II, 334; the town is 10 km south-west of Melton Mowbray; see above, note 103). The collection of the crusade twentieth of 1271 was settled with a fine of 100 shillings (*Patent Rolls … Henry III*, IV, 546).

127 *Patent Rolls … Henry III*, VI, 691.

128 *Archbishops' Register … Giffard*, 286–287.

Selby Abbey had lost its chance of presenting a candidate to their own church.[129]

Such joyously rapacious appropriation of ecclesiastical rents may strike one as at least awkward for a reform-minded prelate like Walter Giffard; but one should bear in mind the difficulty of holding on to capable officials when constrained by a fixed number of benefices whose availability depended upon the unpredictable ravages of mortality. Managing these benefices, and the expectations and demands of highly-trained and even more mobile clerics, was a difficult business, and not one in which it was easy to succeed.[130] Magister Gilbertus, for example, is first mentioned in 1254 in a papal letter as being an acolyte of the diocese of Lincoln;[131] he had become a canon of Chichester by the end of 1264, yet was acting as an arbiter for the archbishop of York by November 1267; he was made the archbishop's official a year later, and was used for inquisitions into ecclesiastical matters and for the gathering of taxes and tithes.[132] Within the archdiocese of York, he was further rewarded with a prebend in Beverley. Yet, within five years of receiving Kirk Ella (and probably before Giffard's death), he was lured back to Chichester to take up the office of treasurer. This did not fix him there, though. Three years later, he moved again, to be an official at the court of Canterbury, for a further four years.[133] He also held, from 1261, first a pension, and then a prebend, at Wells.[134] He returned to Chichester in 1286, where he had only to wait two years before being elected bishop, in which position he continued until his death in 1305.[135] Given the riches he amassed, it is perhaps not surprising that his opulent tomb was mistaken for one of the shrines of St Richard of Chichester and emptied of its valuables (with all due iconoclastic devotion) during the destructive course of Henry VIII's commissioners through the cathedral.[136]

The easy reference to the abbey in Giffard's letter was doubtless born of familiarity. Gilbertus had held a visitation in the chapel of Saint Germanus in Selby, which functioned in part as the parish church to the town; the record from his visit has unfortunately not survived.[137] But part of its purpose may be gleaned from the circumstances in which that visitation was mentioned, by Nicholas de Welles, one of the archbishop's

129 *Archbishops' Register … Giffard*, 287.

130 On episcopal patronage, see Barrow 2004, 243–245, and, for an earlier period, 2015, 282–285.

131 Bliss *et al*. 1893–1960, I, 301.

132 *Archbishops' Register … Giffard*, 2, 13, 30, 64, 121, 125, 156.

133 Churchill 1933, II, 237.

134 *Fasti*, VII, 124; Burger 2010, 97, 251; Gilbertus voted by proxy in the election for dean whilst serving in Canterbury: *Calendar … Wells*, I, 402.

135 *Fasti*, V, 6, 18.

136 Wall 1905, 130.

137 Nunneries as well as parishes were at times visited by a nominee of the archbishop. Thus Moxby Convent was, on the orders of Archbishop Giffard, visited by the prior of Newburgh in March 1268; and in December 1281, magister Thomas de Grimeston was in like manner sent there by Archbishop Wickwane (Page 1974, 239).

clerics, whilst he was engaged with the visitation of the same parish church.[138] Magister Nicholas notes, when interrogating dominus Walterus, the parish priest, "Item dicit quod de diffamatione monachorum nichil audiuit post inquisitionem magistri Gileberti de S. Liffardo" (he also says, regarding gossip about the monks, that he has heard nothing since the visit of Gilbert of Saint-Liffard).[139] Whilst the loss of Gilbertus's record is doubtless to be deplored, Nicholas's record of his visitation gives us more than enough for the present.

During the latter's visitation, Thomas the chaplain noted that the abbot had been defamed "de quadam muliere" (regarding a certain woman), even by some of his own monks; three laymen, Dominus Gilebertus de Lyndeseye, Dominus Thomas de Eyton, and Ricardus Othendel, agreed with Thomas the chaplain about the abbot and the mystery Jezebel.[140] David ad Aulam went even further, however, alleging that "abbas diffamatus est quod mulierculas habet in maneriis suis et in uilla de Seleby [...] Adicit quod abbas suscitauit prolem de filia Walteri Potman, et est circa x ebdomadarum" (it is rumoured that the abbot has mistresses in his manors and in Selby town ... He adds that the abbot had a child from Walter Potman's daughter, and that would be about ten weeks ago).[141] These were quite specific allegations; yet most witnesses knew, or claimed to know, nothing of the sort.[142] There was much more agreement about the abbot's brother, Iohannes (whom we have met): Walter the priest had heard about his connection to Mabilla, a widow, but was uncertain of the truth of the matter; Thomas de Eyton agreed that there were rumours, and expanded the detail by noting that the abbot's brother was married, and that, furthermore, he was involved with other women; Ricardus Othendel was rather more detailed, identifying Mabilla as relict of Radulphus de Haubon, and adding other amorous interests, one called Iohanna, and, from

138 The original transcript is preserved. *Archbishops' Register 2: Walter Giffard*, fol. 145$^{r–v}$. The verso is blank, other than the reference, in the top left-hand corner, "Visitatio et inquisitio facta in ecclesia parochiali de Seleby" (Visitation and inquisition made in the parish church of Selby); the folio itself has been folded up two-thirds down to fit into the volume, and the untrimmed marginal note (see below) preserved by being folded inside in its turn.

139 *Archbishops' Register ... Giffard*, 325. The semi-vernacularization *Liffardo* for the more correctly Latinate *Leofardo* may well be an in-joke, making reference to Gilbert's closeness to the Archbishop (*Liffardus—Giffardus*). Gilbert is also referred to as *de S. Liffardo* when acting as a judge in November 1267, in a document witnessed by the other canons, including our own Nicholas de Welles (*Archbishops' Register ... Giffard*, 13), although there *Liffardo* is written as a correction over *Leonardo*, as can be seen at *Archbishops' Register 2: Walter Giffard*, fol. 7^{r}, l. 2; *Leofardo* would therefore have been the original form before scribal carelessness intervened. For the striking possibility that Nicholas was gifted with a sense of humour, see below, note 146.

140 *Archbishops' Register ... Giffard*, 325–326.

141 *Archbishops' Register ... Giffard*, 326.

142 Namely, Simon filius Dreri, Ricardus de Belam, Radulphus de Hul, Wille Pinhous, Iohannes Arnewy, Petrus Kastel, Saleman carpentarius.

two years previously, Agnes de Multri. The names of Iohannes Arnewy, Petrus Kastel and Saleman carpentarius are added in the left margin, with a maniculum pointing at an underline under the latter two women's names, indicating that they had also identified Iohanna and Agnes as lovers of "Iohannes frater Thomae".

Amongst the monks, one stands out as providing wagging tongues with the exercise they craved: variously called *Alexander Flatting*, *Alexander Niger*, *Alexander monachus*, and, by Walter, "Alexander, armiger domini Godefridi de Dautre" (Alexander, Godfrey de Daughtrey's squire). Walter, ever the soul of discretion, admitted that it was noised abroad that that Alexander had made Alicia Coke pregnant. Walter even hinted at worse, but claimed not to be securely informed.[143] Thomas de Eyton was more forthright: "in boscis, campis et alibi miscet se meretricibus, et Cristina Bouere sepe habet accessum ad eum, et sepe cognoscitur ab eo" (in woods, fields and elsewhere has sex with prostitutes, and Cristina Bovere often visits him, and often has sex with him).[144] Ricardus Othendel, in an account backed up by David ad Aulam, provided more names, but disappointingly limited Alexander's *al fresco* activities:

> Alexander Niger, monachus, tenet Cristina Bouere et Agnetem filiam Stephani, de qua suscitauit prolem, et quamdam mulierem nomine Anekous, de qua suscitauit uiuam prolem apud Crol, et aliam apud Sneyth que uocatur Nalle, et alias infinitas apud Eboracum et Akastre et alibi, et quasi in qualibet uilla unam; et fetidissimus est, et recte modo captus fuit cum quadam muliere in campis, sicut audiuit."[145]
>
> Alexander the Black, a monk, keeps Cristina Bovere and Agnes daughter of Stephen, with whom he had a child, and a certain woman called Anekous, who bore him a daughter in Crowle, and another in Snaith called Nalle, and others uncountable in York and Acastre and elsewhere, and one in almost every town, and he is really disgusting, and indeed he was caught with a woman in the fields, as he had been told.

Yet given all this titillating detail, it is surprising to find Gilebertus de Lyndesey and others knowing nothing about these events at all. But there was more. Two other monks from Selby were named as having given rise to scandal: only David ad Aulam had heard that Petrus de Brayton was keeping Alicia Barkere as if they were married; and only Gilebertus de Lindeseye had heard tell that Rogerus de Kelseye had been seduced by a married woman, Evote, as she was worried he would not return, in order

143 "Alexander [...] diffamatus est de Alicia Coke, que impregnata est de eo, sicut dicitur. [...] Dicit quod dictus Alexander solet esse incorrigibilis; nescit si adhuc sit." (*Archbishops' Register ... Giffard*, 325; Alexander is gossipped about in relation to Alicia Coke, who was made pregnant by him, as is said. He says that the aforementioned Alexander is wont to accept no correction; he does not know if this is still the case).

144 *Archbishops' Register ... Giffard*, 326.

145 *Archbishops' Register ... Giffard*, 326.

to avoid the scandal of being with her—a story whose notoriety must therefore have created a certain amusement.[146]

Nicholas's previous stop, on the day before, had been at the Abbey's church at Snaith, and so at least some of the gossip would have been familiar: in particular, Alexander's relations with Nalle, a baking-woman, by whom he had fathered a child seven years previously, although the witness was inclined to believe that was all in the past. Of more interest was frater Thomas Gundale (possibly a mendicant, or yet another monk of Selby) and the married Amicia, with whom he was suspected of fathering a child, although again opinion was divided as to whether the relationship was ongoing.[147]

The senior clerics present, however, did not mention either of these dalliances. Gaufridus, priest at the chapel of Carleton (some three kilometres north of Snaith, over the River Aire), was keen to point out that the parish priest of Snaith had fathered a boy and a girl with "quadam concubina" (some sort of kept woman) 16 years ago, but had not given in to temptation after that. Thomas, the parish priest, also testified to the same about himself. Such information was of course necessary when deciding whether dispensations from illegitimacy were required for entering the clerical state when the children came of age. Indeed, the ideal of clerical celibacy had been grasped by the late 13th century, and could be voiced as an expression of lay criticism or opposition, and even turned against the archbishop; as Nicholas noted down, according to Thomas, the chaplain to the church in Selby, "quidam diffamator est domini archiepiscopi, dicens ipsum fuisse coniugatum et propter hoc adiuit curiam romanam" (someone defames the lord archbishop, saying he was married and it was because of

146 Walter, the priest, would seem to have also liked his stories to have exemplary contrasts, and he narrates how a couple, Henricus de Arnewy and his wife Agnes, had drowned in the Ouse and "plus debent [*sic*] quam habebant" (they owe more than they had); yet with them also drowned Walterus Stoyl, "et plus habuit in bonis quam alii" (*Archbishops' Register … Giffard*, 325; and he had more in goods than others). Nicholas himself enjoyed playing with the forms of reporting; when the same evidence (or, rather, gossip) was given, the words used to avoid needless repetition are "*N.* concordat cum preiurato" (*N.* agrees with the one who has testified before); Nicholas varies this for Ricardus de Belam, of whom he writes, "Ricardus de Belam concordat cum proximo iurato, quia nichil scit" (agrees with the next to give witness, since he knows nothing), and goes on to record "Radulphus de Hul, iuratus, etc., nichil scit." (*Archbishops' Register … Giffard*, 326; Radulphus of Hull, having sworn, etc., knows nothing). Nicholas was given licence to study abroad for three years a few years later (*The Register … Wickwane*, 11); he was probably then a canon of Southwell (*The Register … Wickwane*, 9).

147 *Archbishops' Register … Giffard*, 232–324. Alexander capellanus, the third to testify, brought both relationships up, although he was unsure about the truth of Gundale, but sure that Alexander le Neyr was no longer frequenting Nalle *pistrix*; Robertus de Tikhille alleged Amicia was both married and had born Gundale's child — although this he had heard only from others, who were themselves divided over whether Gundale and Amicia were still having sex. Adam clericus simply agreed with the others without having anything more juicy to add.

this that he went to the Roman curia); perhaps wisely, Thomas declines to remember who originated the scurrilous rumour: "set nomen ipsius diffamatoris ignorat" (but he does not know the name of this defamer).

What followed, though, was perhaps surprising: archiepiscopal inaction. It is difficult not to understand the visitations of Snaith and Selby parish churches as a prelude to a visitation of the abbey itself by the archbishop himself. It was not as if he was determined to keep out of monastic endeavours. Undoubtedly due to the bracing effect of the Second Council of Lyons, which the abbot of Selby also seems to have attended,[148] Giffard progressed against the heads of house of Bolton Priory in September–October 1275, and of Felley Priory in July 1276, both of whom were deposed.[149] The priory of Newburgh seems to have learnt little from Godfrey Ludham's visitation, when he had deposed the prior for, amongst other serious faults, consipiring against him; Archbishop Giffard had similar cause to depose that prior's successor during his 1275 visitation, coupled with threats of deposition for a number of the officers in the priory.[150] Yet Giffard did not descend with a visitation upon Selby Abbey. Perhaps mindful that many connected to the abbey were content,[151] and that rumours were inevitable, he only requested that Abbot Thomas swear his innocence regarding the accusations of incontinence.[152] This the archbishop may have even done directly, when he attended the abbey to carry out ordinations in late February or March 1276.[153] Giffard's lack of decisive action, however, brought on a sequence of events that may be reconstructed in part from the account given in Walter Wickwane's register and elsewhere.[154]

Returning from Rome, where he had presumably been on the abbey's business, one of the monks of Selby, William de Stormesworth, brought papal letters which entrusted the visitation of Selby Abbey to the abbot of the Augustinian house of Saint Mary *de Pratis* in Leicester (then William Shepshed, 1270–1291), together with a well-known canon of Southwell, Iohannes Clarelle.[155] They had been nominated, so the

148 Protection was granted by Edward I to the abbot of Selby "going beyond the seas at the pope's command" on 6 February 1274: *Calendar ... Edward I*, I, 42.

149 *Archbishops' Register ... Giffard*, 302–304, 319–322.

150 *Archbishops' Register ... Giffard*, 216, 328.

151 For example, Gaufridus, the chaplain of Carleton was happy to say that the *fama* of the monks was "integra et bona" (unsullied and good), and Alexander, one of the clerics, noted that the monks often welcomed the mendicant friars who came to preach (*Archbishops' Register ... Giffard*, 232–333).

152 Detailed in *The Register ... Wickwane*, 23.

153 *Archbishops' Register ... Giffard*, 300.

154 Giffard might be accused of habitual procrastination: in May 1269, he requested that one of his clerics, magister Philip de Staunton, visit Kirkham to receive the prior's resignation, which the archbishop had deferred doing at a visitation (Page 1974, 221–222); and in 1270, he complained to the curia of his weariness and fatigue (Dobson 1991, 61).

155 For the connection between the two abbeys, see above, note 103. John Clarell had risen to a

letters stated, because of Giffard's negligence in carrying out such a visitation.[156] Although bishops were usually the ones invited to stage visitations in other's dioceses, occasionally lesser ecclesiastics were nominated instead.[157] The letters had been shown to Archbishop Giffard, who had had a copy made and sealed with his, and Archdeacon Thomas's, seals;[158] these seals were still unbroken when Archbishop Wickwane consulted the parchment. The letters were also made known to Abbot Thomas, who immediately claimed they were forgeries. It was perhaps at this point that Thomas dragged William de Stormesworth from the choir, after which the latter sought royal protection in March 1279.[159]

After Abbot Thomas's complaint that the letters were forged, the abbot of de Pratis sent a messenger to Iohannes Clarelle, asking for the letters, which were then handed over to the papal legate for transmission to Rome and verification by the curia. In the meantime, the two ecclesiastics named in the letters attempted a visitation, getting as far as announcing their intent, giving a warning, excommunicating at least some of the monks, "et alia quamplura" (and many other things).[160] And so, with the visitation at least initiated, and the question of the legitimacy of the letters left in the hands of the papal legate, Archbishop Giffard died at the end of April. Magister William de Wickwane was elected to the see, returning from Rome by the end of September.

Abbot Thomas took his concerns over the letters being forged to the new archbishop on 29 November, comparing the tenor of those letters, which he recited, with other papal bulls which he had memorized. Wickwane was unconvinced, or at least cautious, and ordered that the originals be brought to him, rather than judge after listening to oral recitations.[161] The archbishop subsequently summoned the original

---

position in the king's service by 1255, when he was appointed one of the guardians of the see of York after Archbishop Gray's death; he gained the prebend of Norwell in Southwell in the same year. In 1259, Alexander IV granted him dispensation to hold an additional benefice (Bliss *et al*. 1893–1960, I, 363, 488–489; Page 1910, 157, n. 57; *Register … Romeyn*, 282, n. 1). See below, note 199.

156 *The Register … Wickwane*, 187–188.

157 For example, Gregory IX, before the end of 1235, had instructed the prior of Dunstable and a colleague to hold a visitation of the churches of the diocese of Coventry, resulting in the removal of the canons of Erdbury: *Registres de Grégoire IX*, no. 2897, at II, 227.

158 The archdeacon of York, magister Thomas de Wythern, first witnessed in post on 11 January 1277, although he succeeded Robert Burnell, who became bishop of Bath and Wells in 1275 (*Fasti*, VI, 35). He probably died in late 1282.

159 *The Register … Wickwane*, 24; *Calendar … Edward I*, I, 305.

160 *The Register … Wickwane*, 189.

161 *The Register … Wickwane*, 19: "abbas de Seleby recitauit transcriptum quarundam bullarum apud Cawode coram domino, ad compariciones faciendam ad quasdam alias bullas papales que primas redarguunt de falso. Et quia dominus memorato transcripto non credit, uult quod originalia exhibeantur et partes canonice citantur" (the abbot of Selby read aloud the copy of certain bulls at Cawood before the lord [archbishop] to make a comparision with some

bearer of the letters, William de Stormesworth, together with Abbot William and magister Iohannes for a meeting on 22 December. In the meantime, on 12 December, however, Wickwane announced, via the letter usual in such circumstances, his intention of staging his own visitation of the abbey within a month.[162] This was probably not quite what Abbot Thomas had in mind when he attempted to discredit a visitation sparked by one of his own monks.

At the 22 December meeting, the abbot of Leicester sent a procurator; magister Iohannes came himself; but of William there was no sign, nor did the monks of Selby know his whereabouts—unsurprising after his treatment by the abbot. Abbot William's procurator and Iohannes both swore that they had accepted the letters in good faith, and that they would procure a faithful copy; Iohannes further informed the archbishop that, after they had begun the legal processes outlined in the letters against Abbot Thomas of Selby, and he had protested that the letters were fabrications, a messenger claiming to be from the abbot of de Pratis had taken his—Iohannes's—copy, in order to have it verified in Rome. He had heard nothing else about the matter.

Wickwane summoned them again, on the 5 January, for another hearing. William was still absent; Iohannes could now put a name to the abbot of de Pratis's messenger, Robertus de Leycestria, who had, furthermore, indeed handed them over to the nuncio and they were now in Rome. Wickwane postponed his hearing of the matter to 12 February. There matters were not allowed to rest, as, on 8 January, he made his planned visitation of Selby Abbey. The state of the monastery rather explained William of Stormesworth's desperation, either in fetching genuine letters or having them forged (possibly in Rome). And Wickwane, although he does not say so, probably relied upon the previous visitation by Iohannes and William in order to compose his adjudication of the monastery, as his characteristic focus upon re-arranging the governing structures of the monastery, curtailing the monks' dealings with the outside world, and providing specific instructions over the fabric of the buildings, is wholly absent. The visitation focused on one man, alone.

Abbot Thomas, perhaps having been encouraged by Giffard's indulgence towards him, had begun treating the abbacy as a family fiefdom, and had lost the support of the monks.[163] The estates of the monastery had been handed over to Thomas's relatives,

---

other papal bulls which showed the first were false. And since the lord [archbishop] did not give credence to the aforementioned transcript, he ordered that the originals be displayed and representatives summoned according to law).

162 *The Register … Wickwane*, 20–21.

163 Cp. "absque consensu conuentui sui", "sine consilio conuentus sui et compoto redendo" (*The Register … Wickwane*, 22–23; without the agreement of his monks; without the advice of his monks and presenting any accounts). William de Stormesworth's attempt to initiate a visitation given Giffard's inaction is therefore undoubtedly also a symptom of Thomas's having, in modern footballing parlance, "lost the dressing-room"; William de Stormesworth's own

"garcionibus et rybaldis" (worldly and un-monastic);[164] income had been lost because of his carelessness, or spent on himself; he was known for his incontinence with the "domina de Queneby",[165] as well as the "filia Bodeman" (i.e., Walter Potman's daughter, who was mentioned by Adam ad Aulam, above), and the latter was, moreover, living at the monastery's gates; he had perjured himself, and was excommunicate for multiple reasons, including laying violent hands on his own monks and on the parish priest of Snaith (one recalls Giffard's praise of his *strenuitas*);[166] he had spent large sums on employing a sorcerer in an attempt to retrieve his brother's body from the Ouse. Thomas was, of course, deposed, to which he agreed in person on the day following the judgement. He was to be sent, to do penance for his many misdeeds, to Durham Abbey, where he would remain at the archbishop's pleasure.[167] The archbishop then wrote to the king for permission to hold an election for his successor.[168]

Wickwane's measures were hardly out of character: drastic decisions to overhaul the leadership of the priories of Bolton and Drax were also enacted, for example.[169] Visitation of Marton Priory in 1280 produced the resignation of the prior due to old age, with the sub-prior of Newburgh Abbey, Gregory de Lesset, being brought in to replace him by the archbishop. However, change in personel at the top was not enough,

---

disquiet may have been caused by the alienation of the southern possessions of the monastery: Stormesworth (modern Starmore) was within the abbey's holding of Stamford.

164 Land in Reddriding, "Auezreding" and "Langereding" had been given to his brother John; manors had been rented out in order to provide ready cash—Stanton, for example, had been leased permanently in 1279 for 50 silver shillings a year, with the present of a yearling sparrowhawk to Abbot Thomas at close of the deal (Fowler 1891, II, 340).

165 The rank of this Lady of Quenby (possibly a confusion for *Queniborough*, where the monastery had land, see above note 103, but Quenby Hall is found some 10 km east of Leicester and 50 km west of the abbey's holding of Stamford; see below) may have been the reason why the informants at Nicholas of Welle's visitation of the parishes thought it necessary to be unable to recall the name of the woman concerned.

166 William de Stormesworth we have mentioned. Drawing blood from Thomas the priest (who cannot have been in the first flush of youth) was not only expensive—the abbot's victim received a quantity of the abbey's tithes from Snaith in reparation—, it also incurred excommunication which in theory could only be lifted by the pope: see, Salonen in this volume, notes 23–24.

167 *The Register ... Wickwane*, 24–25. In the following century, Whitby Abbey would receive from Archbishop Grenefield the Selby monks Thomas de Wilmerle, for unspecified faults discovered during a visitation, and Thomas de Schirburn, as a means of guaranteeing his penance after he had returned to the world due to the pressure of his relatives: Atkinson 1881, 629–632. A contemporary example to Thomas's double deposition may be found in the Leicestershire abbey of Bardney, where Peter of Barton was elected as abbot in 1266, deposed by the bishop in 1275, subsequently reinstated, but resigned in 1280; his successor, Robert of Wainfleet, was deposed in 1303 (Page 1906, 100).

168 *The Register ... Wickwane*, 25.

169 *Wickwane*, 132–134 (May 1280), 134–137 (August 1280).

and the priory was partly colonized by canons from Newburgh the following year whilst the more useless denizens of Marton were packed off elsewhere.[170] Yet such examples might be misleading. Wickwane's was not a policy of slash and burn, as some monastic establishments escaped censure completely, and some received relatively minor emendations to their manner of functioning.[171] Nor was everything necessarily written down: Monk Bretton, which had rudely refused a Cluniac visitation as a means to free themselves from dependence upon Pontefract in 1279, was given advice only orally after Wickwane's own visitation, which in any case was more concerned with the house's new dependence upon the archbishop, instead of looking to the abbot of Cluny.[172]

The intrigues over William de Stormesworth's papal letters did not cease with the conclusion of Wickwane's visitation of Selby, and a second installment was forthcoming at the meeting on 12 February. William did, finally, make it into the archbishop's presence, now that Thomas was out of the way, and he handed over the two papal letters he had brought. Abbot William's procurator and Canon Iohannes were also present, when they were joined by a priest, named as "Iohannes de Northamptone",[173] bearing yet another papal letter, instructing the abbot and the canon to continue with their visitation, or, if it proved impossible to complete it due to "dolum, potenciam, seu maliciam" (deceit, overbearing opposition, or ill-will),[174] then the visitation should be handed over to the archbishop himself. Wickwane, however, strongly suspected that all the letters were forgeries, confiscated them, and set another meeting for 9 March, on which day he would set out his judgement on the matter. For this reunion, the bearer of the second installment of papal missives, Iohannes de Northamptone, did

170 Page 1974, 224. Five years later, Gregory returned to Newburgh with a handsome pension from Marton, established by Wickwane himself.

171 *The Register … Wickwane*, 137: "In abbathia Sancte Marie Eboracensis, item in prioratu Sancti Oswaldi de Nostel, item in prioratu de Wartria, item abbathia de Wyteby nichil quia omnia bene se habuerunt" (In the abbey of Saint Mary of York, also in the priory of Saint Oswald of Nostel, also in Warter Priory, also in Whitby Abbey, nothing, since they kept everything well). Relatively minor corrections issued to Worksop Priory (141–143, May 1280), Schelford (144–145, June 1280), Thurgarton (145–147, June 1280), Blyth (147–148, June 1280), Newstead (143–144, July 1280), Cartmel (149–150, May 1281).

172 *The Register … Wickwane*, 140 (January 1281). Ten years later, Cluny again attempted to bring Monk Bretton back into the fold with a visitation, but was rebuffed by Wickwane's successor (Page 1974, 92). Something similar had occurred with Combwell Priory in 1230, where a visitation at the request of the Premonstratensians to establish whether the priory had once belonged to them, was concluded with the archbishop of Canterbury determining that they were not Premonstratensians, and therefore fell under his control (Colvin 1951, 196).

173 The second time he is mentioned, his place of origin or benefice is given as "Normantone" (*The Register … Wickwane*, 190), which is certainly the *lectio difficilior*, and, being a prebend of Southwell (Page 1910, 155) when Iohannes Clarelle, more likely to have been his actual name.

174 *The Register … Wickwane*, 190.

not attend, to the archbishop's annoyance; William de Stormesworth did, seemingly provoking the archbishop's even greater annoyance; and the abbot and canon both sent procurators, who came to express their employers' annoyance and demand the return of the papal letters, so that they might both fulfill their obligations to the pope and continue with their visitation. Wickwane gave a negative response:

> quia litteras predictas, postquam examinaueram easdem, non tam in bulla, filo, forma dictaminis, quam in aliis circumstanciis, prout conueniens uidebatur, uehemencius quam prius habueram de falso suspectas, predictum fratrem Willelmum, litterarum huiusmodi exhibitorem, retineri feceram et in secura custodia habeo detentum, donec a sancta sede apostolica receperimus qualiter, tam contra ipsum, quam contra alios qui litteris ipsis usi sunt, fuerit procedendum.[175]
>
> since after I had examined the aforesaid letters, which were not, as much in the seal, in the thread, in the wording, as in other particulars, such as they should have seemed, I suspected them more strongly than before of being false; I had the aforementioned brother William, the bearer of these letters, arrested, and I have detained him in secure custody, until we should receive, from the Apostolic See, how we should proceed, as much against William as against the others who have used those letters.

The secure custody for William de Stormesworth that Wickwane mentioned was probably in Selby Abbey itself, but the archbishop's confidence was wholly misplaced. William escaped immediately, taking with him some of the monastery's property, and even a year later was described as "uagus, incorrigibilis et discurrens" (wandering, uncorrectable and fleeing from place to place). He had previously been denounced in October 1280 as an apostate fugitive to the king's justices, who had been instructed to apprehend him, but to no avail.[176]

At a further hearing, on 6 April 1280, Abbot William and Canon Iohannes both agreed that all of the documents should be forwarded to Rome for verification under the conveyance of one magister Thomas, which drew a close to the issue of their visitation.

On 11 April, Wickwane wrote to the monks of Selby Abbey to confirm their choice of abbot, following an election which they had held before 4 March.[177] The prior, William of Aslakeby, was the monks' choice, but even here, as far as Wickwane was concerned, canonical form had not been followed, and so he was forced to quash the election, yet appoint William all the same.[178] News of the archbishop's confirmation

175 *The Register ... Wickwane*, 191.

176 *Calendar ... Edward I*, I, 400; *The Register ... Wickwane*, 271 (March 1281).

177 *The Register ... Wickwane*, 27; *Calendar ... Edward I*, I, 365.

178 A similar process occurred at Warter Priory: the prior resigned (due to age, rather than wrongdoing) a couple of months after the archbishop's visitation in 1280; the subsequent election of John de Thorp was quashed as irregular, yet he was then appointed by archiepisco-

reached the king by 23 April, when the properties of the abbey were turned over to the new abbot.[179] Between the election and confirmation of the prior, however, the deposed abbot, Thomas, taking advantage of the delay in re-establishing canonical discipline, and doubtless to avoid detention amongst the monks of Durham, had made off with the monastery's horses and other goods while the monks slept, for which the prior (and now abbot-elect) had excommunicated him, a sanction which the archbishop reinforced by excommunicating all those who might give him aid, and further instructed his official to make this known throughout the archdiocese.[180] Thomas is not mentioned again.

In the historical novel which will no doubt be written of Thomas's exploits, my own preferred ending would be his retiring to the lands of the Domina de Queneby and dedicating himself to the raising of bloodstock.[181] It would be germane, however, to record another earlier abbot of Selby deposed over a century and a half earlier for similar faults to Thomas, from the *Historia selebensis*'s account, which shows both the quality of its narration and its skillful adaptation of the exemplary demands of the form of the *gesta abbatum*:[182]

> Erat autem isdem Durannus uir in exterioribus ualde prudens, sed in interioribus et sibi et aliis longe plusquam oportuit negligentior. Erat siquidem multimoda gratiarum dote donatus, liberali scilicet scientia sufficienter eruditus, forensium sapientia bene consummatus. Praeterea facundus eloquio, acutus ingenio, munificus dextera, decorus facie, expensis nobilis, nobilitate conspicuus, uerum ad tot instrumenta uirtutem quae habuit corrumpenda, accessit fermentum erroris, noxia uidelicet familiaritas suspectarum personarum.[183] Amabat quippe rex Salomon mulieres alienigenas multum, quae subuerterunt cor eius, et eum errare fecerunt. Vnde publice diffamatus, et notatus per prouinciam laicis fuit scandalum, ordinatis opprobrium. Correptus autem sepius et increpatus a monachis cum nulla racione malus usus

pal *fiat*. A subsequent visitation two years later also found nothing worthy of comment (Page 1974, 237).

179 *Calendar ... Edward I*, I, 368.

180 *The Register ... Wickwane*, 211–212.

181 Not wholly fanciful. The Ashby family claimed, in the middle of the 17th century, that they had held the seat of Quenby in a direct line for 480 years (so from the 1170s); nevertheless, in the opinion of Kingsley (2016), "Despite the best efforts of nineteenth-century antiquarians, the genealogy of the family remains very uncertain down to the sixteenth century". Trustworthy records begin only with Richard de Ashby (†1304) who began a career as serjeant of the Common Bench in 1291 (Brand 1999, 89, n. 53). As with Thomas's brother and Mabilia, the *domina* in question might quite plausibly have been a widow (and, therefore, Richard's mother).

182 On the norms for the *gesta abbatum* in monastic history writing, see Heale 2016, 4. The text is taken from the *Historia*, I.xxxv, fols. 25^{v}–26^{r}, and describes events leading up to 1135.

183 Both *noxia* and *suspectarum personarum* are written over scratching; the former replaces a word of roughly the same size; the latter would have had space for a third more letters. The corrections are carried out by a different hand to the scribe's.

> inolitus ualeret aboleri, tandem suadente, et consulente supradicto Archiepiscopo Turstino, pastoris honorem cum onere a conuentu deserere compulsus. Cum autem ei per omnia archiepiscopus restitisset, ne amissum recuperaret honorem, adiuit ille Cluniacum, ubi sub religionis et ordinis professione honeste cepit conuersari. Vnde postea abbatis cluniacensis collatione nobilem et excellentem in Anglia adeptus est prioratum.
>
> This Duran was a man who was most prudent in exterior matters, but as regards inward virtues was much more negligent than he ought to have been, both for himself and for others. He was, accordingly, gifted with many and varied talents, adequately learned in the liberal arts, and with nothing lacking in knowledge of the laws. Furthermore, inventive in speech, sharp of wit, bountiful in his generosity, handsome of face, noble in payment, renowned for his nobility: truly, in order to corrupt all the means for virtue which he had, he added the leaven of error, namely the poison of intimacy with suspect individuals. Just like King Solomon, he greatly loved foreign women (cp. I Kings 11:1–2), who overturned his heart and led him into error. And so he became an object of scandal, being gossiped about in public, known to the laity throughout the province and a disgrace to those in orders. Often rebuked and reproved by the monks, as no reasoning would remove the evil habit that had taken root, finally with the abovementioned Archbishop Thurstan's persuasion and advice, he was forced by the convent to abandon the position and burden of the abbacy. When the archbishop opposed him in everything such that he might not regain the position he had lost, he went to Cluny, where under the profession of the order he began to live in a decent fashion. And so, afterwards, he was posted by the abbot of Cluny to a noble and fine priory in England.

Duran was indeed fortunate to have found as compassionate and discerning individual in the abbot of Cluny as Peter the Venerable (1122–1156), whose generosity to Abelard at roughly the same time is well-known.[184] An alternative end to our historical novel would thus see Thomas using the proceeds from the horses to travel to Paris, and there join, not the rapidly-fading Cluniacs, but the ever-more assertive Dominicans coming up on the rails, who were somewhat inured to brethren who succumbed to the pleasures of the flesh.[185]

Archbishop Wickwane stopped in Selby during the middle of August in the year of Thomas's disappearance, 1280, as he did at the end of March of 1281.[186] Shortly after this he was occupied by his attempt to launch a visitation of the diocese of Durham, to which all there—bishop, monks, secular clergy—were violently opposed, and all of whom he subsequently excommunicated.[187]

---

184 Well-known to us, that is; Peter the Venerable's act of charity to St Bernard's *bête-noir* may have been (purposely) much less visible at the time: Clanchy 1995, 110. Duran's final berth in *Anglia* may, or may not, have been Montacute (Somerset): see the discussion in J.E. Burton 2013, 82–83, n. 152.

185 For the early career of Muño de Zamora, master of the Order of Preachers during the time of Thomas's discomfiture, see Linehan 1997.

186 *The Register … Wickwane*, 67, 116.

187 *The Register … Wickwane*, 153–178; Cohn 2015, 251. Such city-wide opposition is also found elsewhere, such as amongst the clerics of Cuenca in 1221 who refused to accept their bishop's

Financial difficulties did not disappear with the demission of Abbot Thomas. The monastery's income would have been severely diminished by sheep scab, which decimated flocks throughout England from the mid-1270s into the 1280s, and combined its misfortune with increased royal demands for taxation:[188] a partial explanation for Thomas's increasingly desperate procurement of hard cash. And so royal protection had to be sought in 1283.[189] The monks' choice of Thomas's prior as his replacement was perhaps not ideal, either, for he was cited in 1285 with a number of Selby monks (including his two eventual successors as abbot) and a few laymen and clerks to respond to an accusation of murder.[190]

With this in mind, we might turn to the archbishop's responsibility to make visitation, and we find Wickwane's successor, John de Romeyn, opting first to examine the parish churches of Selby and Snaith, of which intention he informed the abbot on the day before the visitation should take place (10–11 December 1286), sending one of his clerics to either place. In the same manner and with the same immediacy, he announced his own visitation of Drax Priory.[191] Evidently mindful of the sequence of previous visitations, Selby Abbey was only visited after its parishes, and a letter was sent on 8 February 1287 announcing a visitation on the 17th of the same month. The *monita* of the visitation were composed on the following day.[192] Yet the archbishop had very little to say. Given the repeated unpleasantness of the previous years, Archbishop Romeyn opted to reset the dial, copying out the recommendations from Archbishop Gray's visitation of over 50 years earlier, and noting without apparent irony that the arrangements for bursars and cellarers were not currently those that had been stipulated on 1 April 1233, and that Gray's instructions should be read out repeatedly in the chapter (just as Gray had himself established).[193] The input from Romeyn regarding the abbey's functioning was minimal. Indeed, in August of that year, he was perfectly

visitation, partly due to the costs it would incur (Díaz Ibáñez 1996, 125–126), partly no doubt due to his attempt to impose the new-fangled Lateran decrees which would have seriously inconvenienced their domestic arrangements.

188 Jamroziak 2003, 207–211.

189 *Calendar … Edward I*, I, 79. The monastery—along with others—was granted an indulgence by the bishop of Durham in this or the following year: *Obituary Roll*, 52

190 *Calendar … Edward I*, I, 280. The renovation of the abbey's church of Chelleslaw (see above, note 84) was hindered by vandalism and theft of building materials in 1288 (*Yorkshire inquisitions*, II, 75), an outbreak of hostility to the monastery's attempt to increase its presence in the area.

191 *Register … Romeyn*, 67.

192 *Register … Romeyn*, 70.

193 *Register … Gray*, 327–328. A similar injunction was made at Healaugh Park by Archbishop Giffard in 1280, who specified that at the beginning of each month, after the Rule of St Augustine had been read, there should be recited the statues penned by his predecessor, Godfrey Ludham (Page 1974, 217).

happy for the abbot of Selby to oversee the oaths necessary for a monk accused of stealing from the monastery to clear himself.[194]

Selby Abbey was one of the proprietors of churches that Romeyn summoned in a major inquisition, whose economic import is obvious, in which the archbishop requested that they provide justification for their reception of tithes from the churches of the diocese.[195] Romeyn did plan, in late 1290, to make another visitation of Selby Abbey, but it was postponed, and not taken up again.[196] Still, in October 1291, Selby Abbey received a boon from Romeyn: he assigned the church of Hersewelle, Lincolnshire, to them. This church belonged to the nearly-homonymous Premonstratensian abbey of Sulby, who agreed to the change just under a year and a half later.[197] The transfer was not an example of pure generosity, however, since it was designed in part to compensate for the annexation by the archbishop of the church of Brayton. Selby Abbey had previously accepted the appointment of the noted cleric, Iohannes de Kirkeby, to the latter church, and when he was elected bishop of Ely they also accepted that his new archdeacon, John de Oseville, should take his place in the autumn of 1286.[198] The monastery's accommodation with important clerics was not all one way: John de Kirkeby had been entrusted, for example, with the fine for the voidance of the abbey during the Baron's War.[199]

Yet the monastery's agreement with the archbishop in the provision of Brayton was thwarted by John de Oseville's surrendering the church into the pope's own hands. Although the archbishop and the abbot and monks of Selby were then united in proposing the archdeacon of York, William de Hamelton, to the vacant church, Nicholas IV had other ideas and opted to favour magister Adam de Wapenham on 11 May 1292; he only relinquished Brayton a decade later.[200]

A distant church in Leicestershire was only partial compensation for a large and wealthy parish on their doorstep, and perhaps in further partial amends the abbey was granted an indulgence for its construction of Stainer Chapel, a kilometre or so to the south of the monastery.[201] Elsewhere the story is also one of retrenchment and cession

194 *Register … Romeyn*, 72.

195 *Register … Romeyn*, 340–341.

196 *Register … Romeyn*, 105–106.

197 *Register … Romeyn*, 115 (22 October 1291: assignment of church), 229 (21 March 1293: agreement from Premonstratensians), 230 (26 April 1293: conveyance to Selby); *Yorkshire inquisitions*, II, 152 (1 July 1293).

198 *Register … Romeyn*, p. 61. On such patronage, see Barrow 2004, 247–249.

199 *Patent Rolls … Henry III*, III, 408. The abbot and monks similarly collocated the well-connected and pluribenificed Iohannes Clarelle (whom we saw attempting to carry out a visitation of the abbey) to their wealthy parish of Stamford-on-Avon, in 1290 (*Register … Romeyn*, 282, n. 1; see also above, note 155).

200 *Register … Romeyn*, 122 and n. 3.

201 *Register … Romeyn*, 3–4 (no date).

to the bishops. Abbot Thomas, in 1263, had established an annual payment of ten shillings to the bishop of Lincoln as a means of assuaging any claims against their numerous parish churches there.[202] Just over two decades later, in 1286, this was no longer a feasible prospect for the abbot, who agreed to the concession of the church of Ashby in quittance of the annual payment; this agreement was, nevertheless, followed by the establishment of a gift of three shillings a year to the bishop of Lincoln.[203] The saving of seven shillings by giving up the rents of a church in perpetuity was not a business decision of which to be proud.

The economic situation did not change with Abbot William de Asklaby's death in March 1294.[204] His successor, John de Wykeston, was approved by Archbishop Romeyn towards the beginning of May.[205] In September 1294 and December 1295, the abbot was named as a collector of the king's highly-contested taxation of ecclesiastical rents, and received royal protection for a year once he had surrendered the payment for the defence of the realm, from, so the chancery claimed, terrifying enemies — money which was redirected from the more acceptable tax in aid of crusade. Here the abbot of Selby appears together with the archbishop of York and other clergy

> who have granted a fifth of their benefices and goods this year, according to the last taxation of a tenth for the Holy Land, for the defence of themselves and their churches and to resist the machinations and invasions of enemies who, landing in some parts of the realm, have burned churches, carried off the sacred vessels and ornaments, barbarously murdered ecclesiastics and even decrepit persons therein, and are preparing to invade the realm again with new and unheard of ships and arms...[206]

The need to justify exceptional circumstances for the king's private aims in the face of a reluctant papacy seems to have spurred otherwise sober clerks into the invention of science fiction literature, centuries before H.G. Wells' invading Martian tripods.

During those years, Lincolnshire again showed another parish disappearing from the monastery's portfolio. Although St Bartholemew's church in Lincoln itself saw an uncontested collocation under Abbot Thomas in July 1275, by 1295, during the first year of the new abbot's rule, the church had no parishioners and was in a ruinous state because of the lack of upkeep; it was abandoned to the bishop and chapter for their use

202 Foster 1933, II, 119; above, note 103.

203 Foster 1933, II, 150–151, 164–165.

204 *Calendar ... Edward I*, II, 66. Two *quo warranto* proceedings regarding the whole of the monastery's estates were also emitted towards the end of the abbot's tenure (*Hull History Centre*, 31).

205 *Calendar ... Edward I*, II, 67, 70.

206 *Calendar ... Edward I*, II, 237 (and cp. II, 89, 173).

as a burial ground.[207] The abbot himself sought royal protection in September 1300,[208] but within two months was dead. The request of the king for permission to elect a new abbot was made by William de Aslakeby, who was himself elected abbot and installed before the end of the year by the recently appointed archbishop of York, Thomas of Corbridge (1299–1304),[209] thus drawing the 13th century neatly to a close.

Conclusion

Selby Abbey offers a window into the interactions of an archbishop and a major regional monastery, showing, by turns, economic collaboration, cautious toleration, and swift intervention on the part of successive metropolitans. The personality, and the political (not to mention physical) condition of the archbishop had its place, but the manner and levels of engagement are relatively clear. Yet, when we consider the decrees of Lateran IV which provided our frame of reference, they remain wholly conspicuous by their absence. Monasteries were not reorganized in a diocesan structure, the Cistercians were not called upon to offer sage counsel, theologians and grammarians did not suddenly start to be awarded prebends so that they might teach the diocesan clergy and preach to the local laity. The business of visitation still fell to the bishop; given the troubles that might accrue should a visitation discover wrongdoing, one can understand, and perhaps even forgive, a bishop like Giffard who found procrastination a wiser course than confrontation. What is missing from our account is the violence that occasionally punctuated episcopal attempts to become involved in the running of a monastery, such as the riot which took place when, in the first half of the 12th century, Archbishop Thurstan attempted to have St Mary's York cede property to monks who wished to join the Cistercians: the Benedictines raged they had been betrayed by their erstwhile brethren; Thurstan subsequently left with the secessionist monks under his protection, but not before they were all forced to flee from the chapter house, and then barricade themselves in the monastic church until tempers had cooled.[210] If violence was mainly absent from Selby, then so too was the wearying sort of protracted and expensive legal battle which, for example, was waged by the monks of Coventry, who objected strongly to their bishop's visitation in 1235; their objections led to a protacted dispute, with the matter only being settled just short of 50 years later.[211]

207 Fowler 1891, II, 166–169. This was of a piece with a more general retreat: Abbot Ricardus released the rights of Bottesford to the canonry of Sancta Maria de Thornholme in 1290 (Fowler 1891, II, 222).

208 *Calendar ... Edward I*, II, 535.

209 *Register ... Corbridge*, I, 39.

210 Hugo de Kirkstalle 1863, 23–26. For a French example in the diocese of Nantes, Coulet 1997, 29, n. 39.

211 Cheney 1983, 66, and further 43, n. 5 for another half century of struggle by the chapter of La-Chapelle-aux-Riches against successive bishops of Langres.

One particular bone of contention in this and a number of other complaints was the number and quality of those who would assist the bishop in his visitation, due to the cost of hospitality and the risk of leaks, and the resultant scandal, from the discussions which would take place.

Sometimes the confrontation might be simpler: in 1296, when Archbishop Pecham had finished preaching to the monks of Canterbury and set about beginning the business part of his visitation, he had a special privilege from one or other Pope Innocent read to the assembled chapter, which, he claimed, allowed him to examine each of the brethren before his clerks, including his cross-bearer, his official and his chancellor. The chapter immediately responded with the reading of the statutes and privileges of the monastery, as granted to them by previous archbishops—Theobald and Thomas Beckett (names, indeed, to conjure with)—, and by various popes, all of which contradicted the archbishop's construal of Innocent's privilege. In the end, the archbishop was forced to back down, dismiss his clerks, and, with the consent of the chapter, have his chaplain and the archdeacon of Middlesex attend to assist him. Pecham also backtracked in the manner he would carry out the visitation, and so the way the monks would be examined was altered: only the prior and two monks were questioned on the general running of the house in front of the archbishop's men; then Pecham, after his chaplain and archdeacon had withdrawn, spoke alone to each monk singly in relation to the personal faults that might be found amongst their brethren.[212] This judicious retreat doubtless saved the archbishop much personal and financial grief, as well as a permanently stalled visitation. The task could be completed, and a series of instructions were sent to the monastery in installments.[213]

Some monasteries were exempt from diocesan control, depending wholly upon the Holy See, which allowed them to avoid the bother of episcopal visitations entirely (unless the pope decided otherwise).[214] Such a privilege, when gained, was held onto ferociously by the communities concerned.[215] Yet Selby's foundation as a royal monastery probably meant that, although papal privileges might be sought, exempted status was out of reach. Similarly, there seems to have been no question of Selby's self-affiliation to a monastic federation or order which would carry out its own visitations on a regular basis, visitations which, in general and as the century progressed, seem to have

212 Wilkins 1737, II, 217–218. For an earlier, rather more contentious, visitation, see Williams 2003. Grosseteste, in his visitations of the Lincoln diocese, seems to have been an early adopter of having monks testify on oath; Ramsey Abbey objected so strongly to this dangerous innovation that it gained a papal dispensation from compliance (Cheney 1983, 81).

213 On 5 March 1297, on 12 August 1297, another during that year, and on 1 January 1298.

214 For England, see Brett 1975, 59–61.

215 Cheney 1983, 44–47.

been far less stringent than when a bishop descended upon a monastery or canonry.[216] Despite their apparently common goals, bishops could be slow to assist an order's visitors or to carry out their decisions, and papal intervention would have to be sought to chivvy them along.[217]

One might conclude that the purpose of the Lateran decrees on monastic supervision within the diocese were to guarantee a structure which would foster well-run monasteries and canonries in each region; and, at the same time, remove some of the weight of visitation from the bishop's shoulders. Well intentioned, but perhaps wholly impractical. Relinquishing a task could easily become the loss of a right, and ten years after Lateran IV, Honorius III found himself reassuring a bishop that provincial chapters did not diminish episcopal rights over monasteries.[218] Such rights were ancient, hallowed by a tradition reaching back to the Carolingians.[219] The revolutionary aspect of Lateran IV, had been simply, and quietly, abandoned. The bishop was relied upon to make visitation, but the visitations themselves were few and far between; Giffard's inaction over the ill-fame of Thomas de Qualley's rule brought about the rather drastic action taken by at least one of the monks. A more regular abbatial chapter would have avoided or dealt rapidly with difficulties; the archbishop took on the role of crisis-manager only when something really had to be done. The weakness of many houses doubtless had part of its cause in this hands-off approach adopted by the bishops, followed by periodically swingeing re-organization that could alter personnel but not underlying structures. The fate of the Augustinian canons in the archdiocese is perhaps particularly eloquent: as we have seen, some monasteries proved exceedingly troublesome, and archiepiscopal interference became almost the norm (see above). Yet the archbishops had, already, a prototype for the Lateran legislation at their service, since in 1210 Innocent III had formed all of the Augustinian priories of the diocese of York into a federation.[220] But this was neither expanded to take in all houses, in line with the Lateran decree, nor was it allowed to be particularly active: it was invoked by the archbishop solely as a wicket-keeper when trying to find a suitable imprisonment for an incorrigible yet Houdini-like canon who had refused to play along with the external reform of his own priory and was, moreover, adept at picking locks and undoing bolts.[221]

---

216 Salter 1922, xliii, who judges by the frequency of deposition. Monastic federation may, however, have made the running of the coenobium more efficient, thereby requiring less drastic surgery.

217 Cheney 1983, 49; for Archbishop Pecham, whose hostility seems to have been in a league of its own, see 43, 51.

218 Cheney 1983, 50; *Regestra Honorii*, no. 5735, at II, 385–386.

219 Cheney 1983, 21.

220 Knowles 1976, 371; Berlière 1910, 157–159.

221 Laurence, of Marton Priory, which had been reformed in 1282–1283 via the imposition of the former sub-prior of Newburgh, together with a number of canons from the same house: Page 1974, 224; see above, note 170.

Part of the reluctance to follow through with the Lateran decrees regarding the forcible creation of diocesan chapters was doubtless the rapidly changing religious landscape brought about by the ever-growing popularity of the mendicant orders (see *Fig. 4*), whose friars fulfilled many of the needs of the bishops, and even more cheaply and with much less fuss than the setting aside of prebends for masters, preachers and confessors.[222] Although the earlier decades of the century sees a continuation of 12th-century devotional fashions,[223] the arrival of the mendicants marks a definitive change in patterns of foundation, in great part because their lifestyle did not demand the large estates of the previous century's monastic ideal, since they sought to occupy cheap land around townships and subsist on alms. Indeed, the decades of the 1220s to the 1270s are dominated by the various forms of friars:[224] these foundations were situated in the emerging boroughs and towns, and provided a preaching and praying presence within the rapid urbanization of the 13th century—just where they were required, from the bishops' point of view.[225] Other groups were not wholly excluded,[226] and hospitals

222 On the rise of the mendicant orders, see the essays collected in Prudlo 2011.

223 A Gilbertine house in York and another at Ellerton on Spalding Moor (Knowles *et al*. 2004, 202, 206), the Knights Templar preceptories of Westerdale and Ribston-and-Wetherby (Lord 2002, 111; Page 1974, 256–260), the arrival of the Grandmontines to the diocese at Grosmont (Hutchinson 1989, 158), a further priory of Augustinian canons at Healaugh Park, and at least three or four hospitals: St James near Northallerton (Snape 2002, 230–232); St Leonard of Tickhill (before 1225; Knowles & Hadcock 1971, 314); Doncaster (Page 1974, 306–310); of the two Scarborough hospitals of St Nicholas and St Thomas which were in existence before the end of the 13th century, one (or both) may well have been founded towards the end of the 12th or beginning of the 13th (Cullum 1991, 42).

224 The 1220s saw the first foundation of the Friars Preachers at York, the following decade the Dominican colonization of Beverley, the 1240s another friary established in Scarborough, and, in the following decade, in Pontefract. The Franciscans were not far behind, arriving in York in the 1230s, and Scarborough roughly contemporaneously with the Dominicans (Page 1974, 263, 283, 241). Further south a priory of Augustinian friars were established by a secular cleric, at Tickhill (Page 1974, 271, 280); to the north, the French house of St Begar established a priory near Richmond (Page 1974, 387–391). The second half of the 13th century began with the Franciscans joining the Dominicans in Beverley and Richmond, whilst the latter set down a convent in Yarm. One of the other mendicant orders from the Holy Land, the Carmelites, made a foundation in York (Page 1974, 264, 273, 281, 283). Twenty years later the Carmelites had established themselves in Hull, and the Grey Friars in Doncaster.

225 Thus mendicant foundations are often found in places where a hospital had been founded slightly earlier—both indications of growing urban prosperity, organization and identity (see, for example, Watson 2010a, 238).

226 Between the 1220s and the 1240s, crusade ideals were not obliterated, and the Kights Templar established two preceptories (Copmanthorpe and Whitley), the Augustinian canons of the Order of the Temple founded a priory at North Ferriby (J.E. Burton 1999, 91–92), and the Trinitarians slowly coalesced around the shrine of St Robert of Knaresborough (Bazire 1953, 20). The Templar preceptory of Flaxfleet may date from the 1270s.

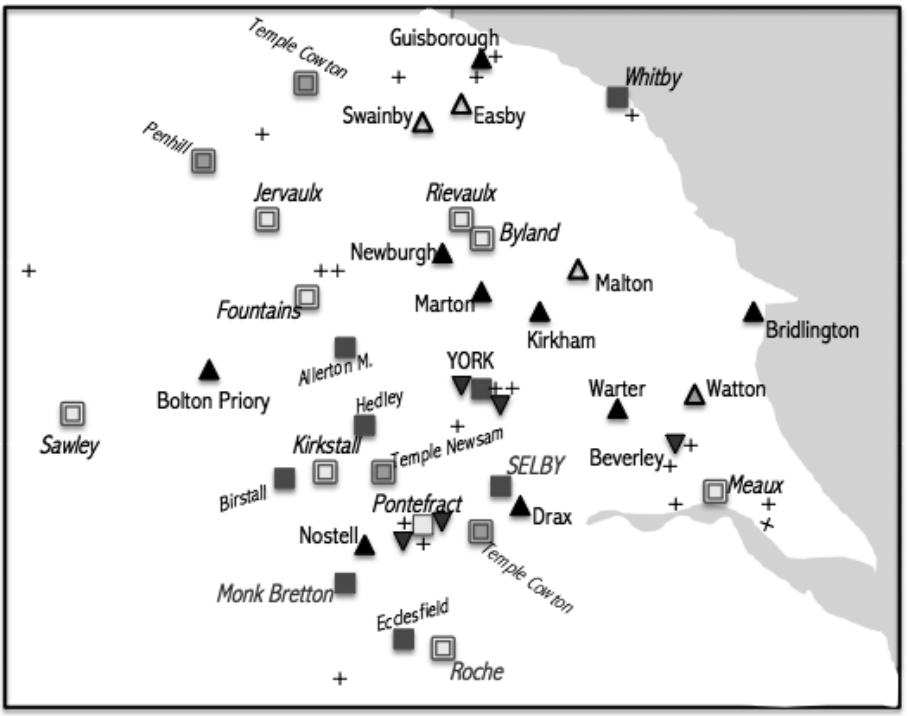


Fig. 4. Male religious houses and hospitals to the end of the 13th century.

continued to be built.[227] By the end of the century, however, collegiate churches were returning to fashion, and would become much more common in the 14th.[228] Selby, the other Benedictine monasteries, and the Augustinian canonries, remained as important features of the ecclesiastical landscape: not too big to fail, but relatively close to it; demanding, therefore, some attention from the bishops to maintain regular life, but removed from the major currents of devotion, ecclesiastical politics, and dedications.

Yet despite their being sidelined by the new kids on the block, older foundations still had significant advantages for bishops that the shiny new mendicants did and could not. The 11th- and 12th-century Benedictine monasteries, like Selby, with their numerous donations and demesnes, their assarts and their alods, provided a source of exchangeable lands and surrenderable churches, could assist in the rationalization of their own and episcopal estates, without the manifold inconveniences incurred by handing over church lands to laypeople. They could thus make a fundamental contribution to the re-organization and professionalization of the bishop's curia through the foundation of attractive prebends for clerks. And their goodwill—combined with self-interest—would see them accommodating the bishop's needs regarding collocations in the churches of which they were patrons for either clerics working in the bishop's curia, or for those high-flyers whom it might be politic to draw into the diocese's orbit. Clearly, in this, although monasteries and canonries might be subservient to the diocesan in the matter of discipline, they also had their own influence, power and legal standing. The tension that this created, as stated at the beginning of the article, was a fundamental characteristic of the Middle Ages.

227 By 1250, the Gilbertines had opened another hospital at Malton, that of St Nicholas (Page 1974, 296), and hospitals at Lowcross, Boroughbridge and Fangfoss had been constructed (Page 1974, 301–321). Between 1270 and 1300, further hospitals were established in Snaith, Pontefract, Staxton, Bagby, and Sherburn-in-Elmet.

228 Howden in the 1270s and Lazenby in the 1290s (Page 1974, 359–375).

BIBLIOGRAPHY

Manuscripts

Historia = Historia selebiensis monasterii. Paris, Bibliothèque nationale de France, ms. latin 10940.

York, York Minster, Archbishops' Register 2.

Printed texts

Archbishops' Register 2: Walter Giffard (York: University of York, 2016), https://archbishopsregisters.york.ac.uk/browse/registers?register_id=f4752h53m [accessed 30 November 2017].

Atkinson, J.C. ed. 1881. *Cartularium Abbathiae de Whiteby Ordinis S. Benedicti, fundatae anno MLXXVIII*, 2 vols. (Durham: Andrews & Co. for the Surtees Society).

Barrow, J. 1986. 'Cathedrals, provosts and prebends', *Journal of Ecclesiastical History* 37, 536–564.

Barrow, J. 1994. 'English cathedral communities and reform in the late tenth and eleventh centuries', in *Anglo-Norman Durham 1093–1193*, eds. D. Rollason, M. Harvey & M. Preswich (Woodbridge: Boydell), 25–39.

Barrow, J. 2004. 'Bishops and clergy in English, Scottish and Welsh dioceses 900–1215', in *La pastorale della Chiesa in Occidente dell'età ottoniana al Concilio lateranense IV* (Milano: Vita e Pensiero), 223–250.

Barrow, J. 2015. *The clergy in the medieval world: Secular clerics, their families and careers in North-Western Europe, c. 800–c. 1200* (Cambridge: Cambridge University Press).

Bazire, J. 1953. *The metrical Life of St Robert of Knaresborough: Together with other Middle English pieces in British Museum ms. Egerton 3143* (Oxford: Oxford University Press).

Berlière, U. 1910. 'Innocent III et la réorganisation des monastères bénédictins', *Révue Bénédictine* 32, 22–41, 145–159.

Berman, C.H. 2010. *The Cistercian evolution: The invention of a religious order in twelfth-century Europe* (1st edn, 2000; 2nd edn, Philadelphia: University of Pennsylvania Press).

Bliss, W.H. 1893. *Calendar of papal registers relating to Great Britain and Ireland*, vol. 1, *1198–1304* (London: Her Majesty's Stationery Office).

Bottomley, F. 2002. *Medieval Hospitals of Yorkshire.* Online publication, https://www.yumpu.com/en/document/view/11774389/medieval-hospitals-of-yorkshire-c-frank-bottomley-2002-zurgyorg/5 [accessed 30 November 2017].

Brand, P. 1999. 'The Serjeants of the Common Bench in the reign of Edward III: An

emerging professional élite', in *Thirteenth Century England VII: Proceedings of the Durham Conference 1997*, eds. M. Prestwich, R. Britnell & R. Frame (Woodbridge: Boydell), 81–102.

Brett, M. 1975. *The English church under Henry I* (Oxford: Oxford University Press).

Burger, M. 2010. *Bishops, clerks, and diocesan governance in thirteenth-century England* (Cambridge: Cambridge University Press).

Burton, J. 1758. *Monasticon eboracense and the ecclesiastical history of Yorkshire* (York: N. Nickson for the author).

Burton, J.E. 1978. *The Cartulary of the Treasurer of York Minster and related documents* (York: University of York).

Burton, J.E. 1994. *Monastic and religious orders in Britain, 1000–1300* (Cambridge: Cambridge University Press).

Burton, J.E. 1999. *The monastic order in Yorkshire, 1069–1215* (Cambridge: Cambridge University Press).

Burton, J.E. ed. 2013. *Historia selebiensis monasterii: The history of the monastery of Selby, edited and translated* (Oxford: Clarendon Press).

Burton, J.E. & J. Kerr, 2011. *The Cistercians in the Middle Ages* (Woodbridge: Boydell).

Calendar of the manuscripts of the Dean and Chapter of Wells, 2 vols. (London: His Majesty's Stationary Office, 1907–1914).

Calendar of the Patent Rolls preserved in the Public Record Office ... Edward I. (London: Eyre and Spottiswoode for Her Majesty's Stationery Office); vol. I: *A.D. 1272–1281* (1901); vol. II: *A.D. 1281–1292* (1893); vol. III: *A.D. 1292–1301* (1895).

Calendar of the Patent Rolls preserved in the Public Record Office ... Henry III. (London: Mackie and Co., for Her Majesty's Stationery Office); vol. I: *A.D. 1232–1247* (1906); vol. II: *A.D. 1247–1258* (1908).

Cardwell, P., Z. Chundun, S. Costley, J. Hall, J. Hanson, J. Huntley, C. Jamfrey, R. Maxwell, G. Speed, R. Simpson & S. Stallibrass, 1995. 'Excavation of the Hospital of St Giles by Brompton Bridge, North Yorkshire', *Archaeological Journal* 152, 109–245.

Cartulariam monasterii de Ramseia, ed. W.H. Hart, P.A. Lyons & R.E.G. Kirk, 3 vols. (London: Eyre and Spottiswoode for Her Majesty's Stationery Office, 1884).

Cheney, C.R. 1967. *Hubert Walter* (London: Thomas Nelson and Sons).

Cheney, C.R. 1983. *Episcopal visitation of monasteries in the thirteenth century* (1st edn, 1931; 2nd edn, Manchester: Manchester University Press).

Churchill, I.J. 1933. *Canterbury administration: The administrative machinery of the archbishopric of Canterbury*, 2 vols. (London: Society for the Promotion of Christian Knowledge).

Clanchy, M. 1995. 'Abelard—knight (miles), courtier (palatinus), and man of war (vir bellator)', in *Medieval Knighthood V: Papers from the sixth Strawberry Hill Conference*, eds. S. Church & R. Harvey (Woodbridge: Boydell), 101–118.

Claussen, M.A. 2005. *The reform of the Frankish church: Chrodegang of Metz and the regula canonicorum in the eighth century* (Cambridge: Cambridge University Press).

CNRTL–Centre National de Ressources Textuelle et Lexicales (Nancy: CNRS, 2002): www.cnrtl.fr.

Cohn, S.K. 2015. *Popular protest in late medieval English towns* (Cambridge: Cambridge University Press).

Colvin, H.M. 1951. *The White Canons in England* (Oxford: Clarendon Press).

Coulet, N. 1997. *Les visites pastorales* (Turhout: Brepols).

Cowdrey, H.E.J. 2004. 'The structure of the Church, 1024–1073', in *The new Cambridge medieval history*. Vol. IV: *c. 1024–c.1198, Part I*, eds. D. Luscombe & J. Riley-Smith (Cambridge: Cambridge University Press), 229–267.

Crawford, B.E. 2008. 'The Saint Clement dedications at Clementhorpe and Pontefract Castle: Anglo-Scandinavian or Norman?', in *Myth, rulership, church and charters: Essays in honour of Nicholas Brooks*, eds. J. Barrow & A. Wareham (Aldershot: Ashgate), 189–210.

Crosby, E.U. 1994. *Bishop and chapter in twelfth-century England: A study of the "mensa episcopalis"* (Cambridge: Cambridge University Press).

Cudworth, W. 1896. *Manningham, Heaton and Allerton (townships of Bradford) treated historically and topographically* (Bradford: by the author).

Cullum, P.H. 1991. 'Leperhouses and borough status in the thirteenth century', in *Thirteenth Century England III: Proceedings of the Newcastle upon Tyne Conference 1989*, eds. P.R. Coss & S.D. Lloyd (Woodbridge: Boydell), 37–46.

Dalton, P. 1994. *Conquest, anarchy and lordship: Yorkshire, 1066–1154* (Cambridge: Cambridge University Press).

Dalton, P., C. Insely & L.J. Wilkinson, 2011. 'Introduction', in *Cathedrals, communities and conflict in the Anglo-Norman world*, eds. P. Dalton, C. Insely & L.J. Wilkinson (Woodbridge: Boydell), 1–26.

DEEP (Digital Exposure of English Place-names), *The historical gazeteer of England's place-names* (Belfast–Nottingham–Edinburgh–London: JISC, 2010–2016), http://placenames.org.uk/ [accessed 30 November 2017].

Díaz Ibáñez, J. 1996. 'La Iglesia de Cuenca en la edad media (siglos XII–XV): Estructura y relaciones de poder', Ph.D. thesis, Universidad Complutense de Madrid.

Dobson, R.B. 1969. 'The first Norman abbey in Northern England. The origins of Selby: A ninth centenary article', *Ampleforth Journal* 74, 161–176.

Dobson, R.B. 1991. 'The political role of the archbishops of York during the reign of Edward I', in *Thirteenth Century England III: Proceedings of the Newcastle upon Tyne Conference 1989*, eds. P.R. Coss & S.D. Lloyd (Woodbridge: Boydell), 47–64.

du Cange, *et al*., 1883–1887. *Glossarium mediae et infimae latinitatis* (Niort: L. Favre).

Duby, G. 1998. *Rural economy and country life in the medieval west*, transl. C. Postan (1st edn, London: Edward Arnold, 1968; 2nd edn, Philadelphia: University of Pennsyvania Press).

Fasti Ecclesiae Anglicanae 1066–1300, ed. D.E. Greenway (London: Institute of Historical Research); vol. I: *St Paul's London* (1968); vol. II: *Monastic cathedrals (Northern and southern provinces)* (1971); vol. III: *Lincoln* (1977); vol. IV: *Salisbury* (1991); vol. V: *Chichester* (1996); vol. VI: *York* (1999); vol. VII: *Bath and Wells* (2001); vol. VIII: *Hereford* (2002); vol. IX: *The Welsh cathedrals (Bangor, Llandaff, St Asaph, St Davids)* (2003).

Foster, C.W. ed. 1933. *The Registrum antiquissimum of the cathedral church of Lincoln*, 2 vols. (Hereford: The Hereford Times Ltd, for The Lincoln Record Society).

Fowler, J.T. ed. 1891. *The Coucher book of Selby*, 2 vols. (Durham: Thomas Caldcleugh for The Yorkshire Archaeological and Topographical Association).

Frost, J.A. 2007. *The foundation of Nostell Priory, 1109–1153* (York: Borthwick Institute, University of York).

Haigh, D. 1988. *The religious houses of Cambridgeshire* (Cambridge: Cambridge University Press).

Halsall, G.R.W. 1989. 'Coverham Abbey: Its context in the landscape of later medieval North Yorkshire', in *The archaeology of rural monasteries*, eds. R. Gilchrist & H. Mytum (Oxford: British Archaeological Reports B203), 112–139.

Hardy, T.D. ed. 1837. *Rotuli chartarum in Turri Londinensi asservati. Pars I: Ab anno MCXCIX ad annum MCCXVI* (London: Eyre and Spottiswoode for the Commissioners of the Public Records of the Kingdom).

Heale, M. 2004. *The dependent priories of medieval English monasteries* (Woodbridge: Boydell).

Heale, M. 2016. *The abbots and priors of late medieval and Reformation England* (Oxford: Oxford University Press).

Holmes, R. 1889. 'The Hospital of Foulsnape in the West Riding', *The Yorkshire Archaeological and Topographical Journal* 10, 543–553.

Hugo de Kirkstalle, 1863. *Narratio de fundatione Fontanis monasterii in comitatu eboracensi*, in *Memorials of the Abbey of Fountains*, ed. J.R. Walbran (Durham: Surtees Society), 1–129.

Hull Domesday Project (Hull: University of Hull, 2010): www.domesdaybook.net/ [accessed 30 November 2017].

Hull History Centre: Papers of the estates of the Earls of Londesborough (Hull: University of Hull, n.d.).

Hutchinson, C. 1989. *The hermit monks of Grandmont* (Kalamazoo: Cistercian Publications).

Iogna Prat, D. 2000. 'Les lieux de mémoire de Cluny médiéval (v. 940–1200)', in *Au cloître et dans le monde: Femmes, hommes et sociétés (IX^e–XV^e siècle)*, eds. P. Henriet & A.-M. Legras (Paris: Presse de la Université Paris-Sorbonne), 103–117.

Ispir, C.N. 2015. *A critical edition of the Crowland Chronicle*, Ph.D. thesis, King's College London.

Jamroziak, E. 2003. 'Rievaulx Abbey as a wool producer in the late thirteenth century: Cistercians, sheep, and debts', *Northern History* 40, 197–218.

Janin, P. 1969. 'Note sur le manuscrit latin 10940 de la Bibliothèque nationale de Paris contenant l'*Historia selebiensis monasterii*', *Bibliothèque de l'École de Chartres* 127, 216–224.

Kingsley, N. 2016. 'Ashby of Quenby Hall and Naseby Hall', *Landed families of Britain and Ireland* (2013–2017), no. 203 (15 January 2016): landedfamilies.blogspot.se [accessed 30 November 2017].

Knowles, D. 1976. *The monastic order in England: A history of its development from the times of St Dunstan to the Fourth Lateran Council, 940–1216* (1st edn, 1940; 2nd edn, Cambridge: Cambridge University Press).

Knowles, D. & R.N. Hadcock, 1971. *Medieval religious houses: England and Wales* (1st edn, 1953; 2nd edn, London: Longman).

Knowles, D., C.N.L. Brooke & V.C.M. London, 2004. *The heads of religious houses: England and Wales*, vol. I: *940–1216* (1st edn, 2001; 2nd edn, Cambridge: Cambridge University Press).

Labbe, P. 1657. *Nova bibliotheca manuscriptorum librorum*, 2 vols. (Paris: S. Cramoisy).

Legg, K. 2004. *Bolton Priory: Its patrons and benefactors, 1120–1293* (York: Borthwick Institute, University of York).

Lindsay, W.M., ed. 1910. *Isidori hispalensis episcopi Etymologiarum siue originum libri XX*, 2 vols. (Oxford: Clarendon Press).

Linehan, P. 1997. *The ladies of Zamora* (Manchester: Manchester University Press).

Lord, E. 2002. *The Knights Templar in Britain* (London: Taylor and Francis).

Maddicott, J.R. 1994. *Simon de Montfort* (Cambridge: Cambridge University Press).

Marcombe, D. 2003. *Leper knights: The order of St Lazarus of Jerusalem in England, c. 1150–1544* (Woodbridge: Boydell).

Miller, K. 1982. *Beverley: An archaeological and architectural study* (London: Her Majesty's Stationery Office).

Mills, A.D. 2011. *A dictionary of British place-names* (1st edn, 1991; 2nd edn, Oxford: Oxford University Press).

O'Hara, A. & F. Taylor, 2013. 'Aristocratic and monastic conflict in tenth-century Italy: The case of Bobbio and the *Miracula sancti Columbani*', *Viator* 44:3, 43–62.

The Obituary Roll of William Ebchester and John Burnby, priors of Durham, with notices of similar records preserved at Durham, from the year 1233 downwards, Letters of Fraternity, etc., ed. J. Raine (Durham: George Andrews for the Surtees Society, 1856).

Page, W. ed. 1906. *A history of the county of Lincoln*, Vol. 2 (London: Victoria County History).

Page, W. ed. 1910. *A history of the county of Nottingham*, Vol. II (London: Constable).

Page, W. ed. 1974. *A history of the county of York*, Vol. 3 (London: Victoria County History).

Patent Rolls of the reign of Henry III preserved in the Public Record Office, 6 vols. (London: Public Record Office); vol. I: *1216–1225*; vol. II: *1225–1232*; vol. III: *1232–1247*; vol. IV: *1247–1258*; vol. V: *1258–1266*; vol. VI: *1266–1272*.

Powell-Smith, A. *Open Domesday*, http://opendomesday.org/ [accessed 30 November 2017].

Prudlo, D.S. 2011. *The origin, development, and refinement of medieval religious mendicancies* (Leiden: Brill).

Raajmakers, J. 2012. *The making of the monastic community of Fulda, c. 744–c. 900* (Cambridge: Cambridge University Press).

Regestra Honorii papae III, ed. P. Pressutti, 2 vols. (Rome: Typographia Vaticana, 1888–1895).

The Register of Thomas Corbridge, Lord Archbishop of York, 1300–1303, eds. W. Brown & A.H. Thompson, 2 vols. (Durham: Andrews & Co. for The Surtees Society, 1925–1928).

The Register of William Greenfield, Lord Archbishop of York, 1306–1315 (Durham: Andrews & Co. for The Surtees Society, 1931).

The Register of William Wickwane, Lord Archbishop of York 1266–1279. 1907, ed. W. Brown (London: The Surtees Society).

The Register, or Rolls, of Walter Gray, Lord Archbishop of York: With appendices of illustrative documents, ed. J. Raine (London: Spottiswoode, 1872).

Les Registres d'Alexandre IV: Recueil de bulles de ce pape, eds. M. Bourel de La Roncière, J. Loye & A. Coulon, 2 vols. (Paris: Thorin et Fils, 1895–1917).

Les Registres de Grégoire IX. Recueil des bulles de ce pape, ed. L. Auvray, 4 vols. (Paris: Écoles françaises d'Athènes et de Rome, 1890–1955).

Riché, P. 1993. *The Carolingians: A family who forged Europe*, transl. M.I. Allen (Philadelphia: University of Pennsylvania Press).

Rosetti, G. 2004. 'La pastorale nel IV Lateranense', in *La pastorale della Chiesa in Occidente dell'età ottoniana al concilio lateranense IV* (Milano: Vita e Pensiero), 197–222.

Rotuli Roberti Grosseteste episcopi lincolniensis, A.D. MCCXXXV–MCCLIII, ed. F.N. Davis (London: Canterbury and York Society, 1913).

Ryan, J. 1960. 'The early Irish church and the Holy See', *Studies: An Irish Quarterly Review* 49, 1–16.

Salter, H.E. 1922. *Chapters of the Augustinian canons* (Oxford: Clarendon Press).

Sánchez Candeira, A. 1999. *Castilla y León en el siglo XI: Estudio del reinado de Fernando I* (Madrid: Real Academia de la Historia).

Schabel, C. & N.I. Tsougarakis, 2016. 'Pope Innocent III, the Fourth Lateran Council, and Frankish Greece and Cyprus', *Journal of Ecclesiastical History* 67, 741–759.

Silvestri, A. 2015. *Power, politics and episcopal authority: The bishops of Cremona and Lincoln in the Middle Ages (1066–1340)* (Newcastle-upon-Tyne: Cambridge Scholars Publishing).

Snape, M.G. ed. 2009. *English Episcopal Acta, 25: Durham, 1196–1237* (Oxford: Oxford University Press for the British Academy).

Stephenson, M. 2009. *The Gilbertine priory of Watton* (York: Borthwick Institute, University of York).

Sweet, A.H. 1919. 'The English Benedictines and their bishops in the thirteenth century', *The American Historical Review* 24, 565–577.

Thompson, K. 2014. *The monks of Tiron: A monastic community and religious reform in the twelfth century* (Cambridge: Cambridge University Press).

Thompson, A. and Gordley, J. 2012. *Gratian: The Treatise on the laws (Decretum DD. 1–20) with the ordinary gloss* (Washington DC: The Catholic University of America Press).

Thumser, M. ed. 2015. *Die Briefe Papst Clemens' IV. (1265–1268)* (Berlin: Monumenta Germaniae Historica).

Vincent, N. 2004. 'Thweng, Sir Robert (III) of (d. 1245x57)', in *Oxford dictionary of national biography* (Oxford: Oxford University Press).

von Falkenhausen, V. 1997. 'Bishops', in *The Byzantines*, ed. G. Cavallo (Chicago: Chicago University Press), 174–198.

Wadell, B. 2014. 'Policing the commons in the Vale of York, *c.* 1550–*c.* 1850', in *The end of tradition?*, eds. I.D. Rotherham, M. Agnoletti & C. Handley (Sheffield: Wiltrack), 185–197.

Wall, C. 1905. *Shrines of British saints* (London: Methuen).

Watson, S. 2010a. 'City as charter: Charity and the lordship of English towns, 1170–1250', in *Cities, texts and social networks, 400–1500: Experiences and perceptions*

of medieval urban space, eds. C. Goodson, A.E. Lester & C. Symes (Farnham: Ashgate), 235–262.

Watson, S. 2010b. 'The bishop and his cathedral cities', in *Jocelyn of Wells: Bishop, builder, courtier*, ed. R. Dunning (Woodbridge: Boydell), 67–98.

Weiler, B.K.U. 2012. *Henry III of England and the Staufen Empire, 1216–1272* (Paris: Boydell).

Wilkins, D. 1737. *Concilia Magnae Britanniae et Hiberniae ab anno MCCLXVIII. ad annum MCCCXLIX*, 4 vols. (London: R. Gosling *et al.*).

Williams, D.T. 2003. 'Trouble in the Cathedral Close: Archbishop Boniface's 1259 visitation of the priory of Christ Church, Canterbury', in *The medieval English cathedral: Papers in honour of Pamela Tudor-Craig. Proceedings of the 1998 Harlaxton Symposium*, ed. J. Backhouse (Donnington: Shaun Tyas), 15–22.

Wilson, S.E. 2006. *The life and after-life of St John of Beverley: The evolution of the cult of an Anglo-Saxon saint* (Aldershot: Ashgate).

Wood-Legh, K.L. 1934. *Studies in church life in England under Edward III* (London: Cambridge University Press).

Yorkshire inquisitions, ed. W. Brown, 4 vols. (Leeds: J. Whitehead and Sons for The Yorkshire Archaeological Society, 1898).

Bishops and the inquisition of heresy in late medieval Germany

Reima Välimäki

Introduction

Our image of medieval inquisitors into heresy is largely based on the papal inquisitions of Southern France and Northern Italy: specialist judge-delegates who prosecuted heresy with a papal mandate, exempt from diocesan jurisdiction and the power of the *ordinarii*.[1] However, such papal inquisitors operated with relative continuity only in certain parts of Europe: France, Italy, the kingdom of Aragon, Bohemia, and Poland. Even in these regions the situation was slightly more complicated and bishops maintained their right to conduct inquiries. From 1317 onwards, papal inquisitors and bishops were required to co-operate in the prosecution of heresy.[2] Elsewhere, the ways in which heretics were prosecuted were much more varied: from an *ad hoc* episcopal tribunal examining the denial of transubstantiation by the layman Botulf of Gottröra in the archdiocese of Uppsala between 1310 and 1311,[3] to the hearings against the Alsace Waldenses organized by Strasbourg city council in 1400.[4] Often the bishops had a prominent role in the persecution of heresy.

This article will provide examples from late 14th-century German-speaking Europe, where bishops assumed several different roles in the inquisition of heresy, from being initiators of persecution to opponents of the inquisitors. The period under study is *c.* 1380–1410, which corresponds with the intense repression of Waldensian heresy in the different parts of the Empire. The Waldenses, having already been declared heretics mainly because of their disobedience to ordained clergy and insistence on lay preach-

1 Deane 2011, 100–101; Doležalová 2013, 299–300; Hamilton 1981, 10; see also Sullivan 2011, 1–2. Although Sullivan assumes the papal inquisitor as the archetype and starting point, three of the seven persons whose "inner lives" she surveys were not inquisitors at all.

2 Given 2001, 14.

3 Välimäki 2011.

4 Modestin 2007a.

ing in 1184, had been persecuted to a greater or lesser degree throughout the High Middle Ages. At the same time the Waldensian groups had developed into a distinct religious movement, characterized by lay preaching and confession, literal imitation of apostolic life and disapproval of clerical hierarchy and the church's material possessions.[5] Until the end of the 14th century the Waldenses had enjoyed a relative lack of attention and persecution in many German regions, but this came to an end when a series of inquisitions and other proceedings unprecedented in Germany took place.[6]

The relative unimportance of papal inquisitors and mendicant orders in the late 14th-century German Waldensian persecutions was pointed out by Richard Kieckhefer in his seminal monograph study *Repression of heresy in medieval Germany* (1979). Instead, Kieckhefer saw that the key agents were a group of itinerant inquisitors who were either lay priests (Martinus of Prague and Heinrich Angermayr) or from a religious order other than the Dominicans or Franciscans, into whose hands the task of inquisition of heresy was usually entrusted (Celestine provincial Petrus Zwicker). According to Kieckhefer, these itinerant inquisitors hunted down the Waldenses throughout German-speaking Europe, yet were not papal inquisitors, rather acquiring their mandate from local bishops.[7] This interpretation has often been repeated and supported until recently,[8] although Jennifer K. Deane has criticized it and called for a more diverse picture of the Waldensian persecutions.[9] Deane emphasized the initiative of Konrad II von Weinsberg, archbishop of Mainz (1390–1396), as the trials against the Waldenses began within a matter of months of his election.[10] Whilst bishops and archbishops never acted alone in the repression of heresy, their input was significant, and I intend to bring a new perspective to the persecution of heretics by taking these prelates into my focus.

Kieckhefer, further, initiated a debate about the level of organization and institutionalization of the medieval inquisition, a debate that becomes significant when one considers the role of the bishops. Based on the German source material, he argued that scholars have overemphasized "the Inquisition" as an institution, even making it into an all-powerful machinery led by judges with extraordinary powers.[11] Al-

5 For overviews on medieval Waldensianism see Biller 2001; Cameron 2000; Audisio 1999; Gonnet & Molnár 1974.

6 For the overview on the persecution of German Waldenses at the end of the 14th century, see Välimäki 2016, 33–44; Modestin 2007a, 1–12; Kolpacoff 2000, 247–261; Kieckhefer 1979, 53–73.

7 Kieckhefer 1979, esp. 55–57; a similar but less pronounced view had already been given by Patschovsky 1974, 117–118; see also Kieckhefer 1995, 44–45.

8 Cameron 2000, 139; Modestin 2007a, 3–9; 2013, 212; Utz Tremp 2008, 279–280; Lambert 2009, 175; Smelyansky 2016, 1, 7, 14, and 19.

9 Deane 2006, 205–206.

10 Deane 2006, 211–212, 214, 218–219, 223.

11 Kieckhefer 1979, esp. 5.

though attacked by some subsequent scholars,[12] Kieckhefer's critique had an impact, as scholars have been forced to articulate more carefully what they mean by "medieval inquisition".[13] Kieckhefer himself wrote a later article where he admitted that in certain regions the office of inquisition acquired a certain level of institutionalization.[14] Indeed, the whole debate is partially about scholars who dispute based on very different kinds of source material and objects of study. One can find continuity and institutionalization among the inquisitors of Toulouse or Bologna, but much less so in Southern Germany. And, as Chris Sparks has remarked, "Indeed, it was probably a matter of little concern to those facing pursuit, interrogation or imprisonment by Languedocian inquisitors whether their persecutors were agents of a formal bureaucracy or merely zealous and well-funded individuals."[15]

Nevertheless, from the perspective of this article, Kieckhefer has made an important contribution: when papal inquisitors were absent or inactive, other actors would take their place, and it was the episcopal judges that were in charge of prosecuting the Waldenses, although at times in co-operation with papal inquisitors.[16] In this article I intend to shed light on the action of the bishops, rather than to make my focus the inquisitor, as has been more common. First, I shall discuss the canon law governing episcopal inquisition into heresy and give a contemporary example from Regensburg in 1395. Secondly, I shall examine the different roles bishops and archbishops assumed in the prosecution of heresy, from eager and active archbishops to tussles between inquisitor and bishop over competent authority. And finally, I shall sketch the example of a bishop who only appears in the background of the inquisitorial process.

Canon law, the inquisition of heresy, and the bishops

The bishops were, by default, responsible for the purity of faith in their dioceses. The more definite guidelines for episcopal inquisition were introduced in the famous decretal *Ad abolendam* of Lucius III in 1184, following the meeting of the pope and Emperor Frederik Barbarossa in Verona. The decretal ordered that bishops and archbishops, acting either in their own person or through their archdeacon, should conduct an inquiry once or twice a year within those parishes about which a *fama* of heresy had begun to circulate, by hearing the testimonies of three or more reliable men. If there was an indication of heresy, the suspects were to be called to the bishop or to the archdeacon to exculpate themselves through oath. Those who might defy oath-taking, fail to exculpate themselves, or relapse into heresy after purgation, were to be judged by

12 See e.g. Hamilton 1981, 9; Segl 1993, 3–7.
13 See e.g. Arnold 2001, 77–79; Ames 2009, 16; Sullivan 2011, 211, n. 68.
14 Kieckhefer 1995, 39, 53–59.
15 Sparks 2014, xii.
16 Kieckhefer 1979, 72.

the bishop and handed over to the secular arm.[17] This division of labour was enforced in the canons of the Fourth Lateran Council in 1215.[18] This, and the incorporation of *Ad abolendam* into Gregory IX's Decretals meant that the bishops' jurisdiction over heresy was codified into canon law and remained in force.[19]

In the aftermath of the Albigensian Crusade (1209–1229), a new type of judge specialized in heresy emerged: inquisitors of heresy (*inquisitores heretice pravitatis* [inquisitors into heretical depravity]), commissioned directly by the pope. In 1231 Pope Gregory IX began to commission Dominicans and Franciscans in Germany, France, Spain and Italy as delegated judges tasked with the prosecution of heresy.[20] Some scholars have proposed that Gregory's intention was not to create a "papal inquisition" but to encourage a more effective campaign against heresy within the ramifications of existing legislation and the ecclesiastical hierarchy.[21] Nevertheless, these commissions are often regarded as the beginning of the medieval inquisition of heresy,[22] and recently Vasil Bivolarov has again stressed the special status of papal inquisitors of heresy as "eine neue Gemeinschaft von Richtern".[23] Whatever the intention of Gregory IX may have been, the elaboration of both inquisitors' powers and the definitions of heresy continued in the following decades. The church councils of Tarragona, Narbonne and Béziers in 1242, 1243 and 1246 respectively dealt with the problem of heresy and the measures required against it. Furthermore, papal legislation on heresy was systematized under the papacies of Innocent IV (1243–1254) and Alexander IV (1254–1261).[24]

My focus in this essay is not on the powers, organization and practice of the papal inquisitors,[25] but rather their relationship to bishops. The first generation of inquisitors in France and Italy was granted exceptional powers, allowing them partial exemption from the jurisdiction of bishops, who were not to intervene with the work of the inquisitors.[26] The jurist Guido Fulcodii, who later became Pope Clement IV (1265–1268), was of the opinion that in matters of heresy the power of the papal inquisitors was greater than that of local bishops, and in the case of competing inquiries, the bishop should give up his own prosecution in favour of the inquisitors.[27]

17 X.5.7.9. Ed. also in Selge 1967, 26–29.

18 Ragg 2006, 71–72. The heresy was discussed in canon 3. (*De haereticis*), see *COD* 1973, 233–235.

19 Kurze 1993, 134.

20 Recently summarized, with references to relevant editions, in Bivolarov 2014, 257–258.

21 Kurze 1993, 149, 169–170; see also Kelly 1989, 439–440; Kieckhefer 1995; Arnold 2001, 33.

22 See e.g. Patschovsky 1981, esp. 644; Kolmer 1982, 111; Ragg 2006, 73.

23 Bivolarov 2014, 258.

24 Arnold 2001, 33–47; summarily in Ragg 2006, 72–77.

25 These have been recently minutely described by Bivolarov 2014, 256–310.

26 E.g. *Pre cunctis* by Alexander IV, 5 November 1256: "Non obstantibus aliquibus litteris diocesanis [...] quas auctoritate praesentium revocamus"; in Martène & Durand 1717, V, 1815; see also Bivolarov 2014, 90, n. 2, 260–261.

27 *Consilium* of Guido Fulcodii, Q. I, Q. IV; ed in Bivolarov 2014, 229–230, 235, see also his commentary, at 261.

Towards the end of the 13th and in the beginning of the 14th century, the power of inquisitors was limited, partially due to abuses, and papal inquisitors were required to co-operate with local bishops. According to the decree, *Per hoc generaliter*, of Boniface VIII (1294–1303), both were allowed to conduct inquiries of their own or in common, and give joint sentences. If they disagreed, they should refer the matter to Rome. The same decree commands that, in their process, the bishops or their delegates should follow the same common law, special concessions, and orders of the Apostolic See as the papal inquisitors.[28] Boniface VIII also forbade the inquisitors from prosecuting bishops or other superior prelates without an explicit mandate from the pope.[29] Further restrictions followed in the Council of Vienne (1311–1312). Clement V decreed that neither the (papal) inquisitor nor the bishop could alone order harsh imprisonment, torture or final sentences without the other's (or their delegate's) agreement.[30] In Clement's decrees the existence of episcopal inquisitors of heresy is acknowledged: the new minimum age of 40 years (also a measure to prevent abuses) was henceforth required both for papal inquisitors and judges commissioned by bishops.[31] The inquisitors seem to have accepted the limitations grudgingly: although Bernard Gui in his *Practica inquisitionis* (1323) does admit that both bishops' and inquisitors' processes are to be free from each other's intervention, he concludes by listing authorities such as Guido Fulcodii to prove the superiority of the mandate of inquisitors of heresy.[32]

Germany was an exception in the general development of the *inquisitio heretice pravitatis*. Although it had been amongst the first European regions where inquisitors appointed by Pope Gregory IX had operated, the situation changed after the murder of the inquisitor, Konrad von Marbourg, in 1233. After that, the repression of heresy remained the responsibility of diocesan bishops until the 14th century.[33] Papal inquisitors of heresy came to Bohemia in 1318 when John XXII appointed the Dominican, Colda of Colditz, and the Franciscan, Hartmann of Pilsen, as inquisitors in the dioceses of Prague and Olomouc.[34] In German-speaking parts of the Empire the re-instating of papal inquisitors took place a generation later. In 1348 Pope Clement VI nominated the Dominican, Johannes Schadland, lector in the convent of Strasbourg, as general inquisitor of Germany.[35] In 1368 Urban V ordered the bishops, John II of Strasbourg and Johannes Schadland (who had become the bishop of Hildesheim), to commission the Dominicans, Ludwig de Caliga, Heinrich de Argo, Walter Kerlinger, Johannes de

28 VI.5.2.17, ed. Friedberg 1959, II, 1076; see also Bivolarov 2014, 261.
29 VI.5.2.16, ed. Friedberg 1959, II, 1076.
30 *Clem.* 5.3.1, ed. Friedberg 1959, II, 1181.
31 *Clem.* 5.3.2, ed. Friedberg 1959, II, 1182.
32 Gui 1886, 211.
33 Tönsing 1989, 289; see also Patschovsky 1981, 689–690.
34 Patschovsky 1975, esp. 22–25, 43–44, 191–193 (the edition of the commission).
35 Tönsing 1989, 289.

Moneta, and other suitable men from the Order of Preachers as inquisitors of heresy in the church provinces of Mainz, Trier, Cologne, Salzburg, Bremen, Magdeburg and Riga, as well as the dioceses of Cammin, Bamberg and Basel.[36] After 1372 there were regularly appointed papal inquisitors in Germany. The need to appoint new inquisitors was above all a reaction against the beguines and beghards, and the imagined sect of the Free Spirit, the most infamous heresy in the minds of 14th-century clergy.[37]

In the 14th century Empire the papal and episcopal inquisitors co-existed and, as canon law prescribed, conducted both separate and joint processes. In particular, in Bohemia one finds more co-operation than rivalry between the papal and episcopal inquisitors.[38] At the time of the archbishop of Prague Arnošt of Pardubic (1343–1364),[39] Gallus of Jindřichův Hradec, a Dominican, was acting as papal inquisitor of heresy, as is demonstrated by Pope Clement VI's letter to the archbishop, exhorting him to provide Gallus with prisons.[40] Nevertheless, Arnošt of Pardubic commissioned in different instances at least two inquisitors of heresy with episcopal mandate: Zyfridus, the *lector* of the Franciscan convent in Görlitz; and a Dominican, named Rudolf.[41] In the synodal statutes of 1343, Arnošt orders that heretics and their supporters are to be denounced to him or to inquisitors "a sede apostolica vel a nobis specialiter deputatis" (commissioned especially by the Holy See or by ourselves),[42] thus recognizing the existence of both papal and diocesan inquisitors. In Strasbourg, beguines and their confessors were examined over 1368–1369 by a duo of an *inquisitor heretice pravitatis* (probably Heinrich de Argo) and an episcopal commissary.[43]

How did the inquisition of heresy work at the diocesan level? The trial against a Waldensian family in Regensburg in September–October 1395 may serve as an example.[44] Usually, the bishops saw no need to maintain regular inquisitors of heresy. Instead, the diocesan tribunals against heresy were usually created *ad hoc* to inquire into a specific incident. This was the case with the Regensburg inquisition as well.

36 Ed. in Patschovsky 1974, no. 10, 161–163; see also Tönsing 1989, 290.

37 Kieckhefer 1979, 5–6, 19–48; on the heresy of the Free Spirit, see the classic study of Lerner (1972).

38 Patschovsky 1975, 29.

39 Arnošt of Pardubic was bishop of Prague in 1343–1344 and archbishop from 1344 when Prague was elevated to the status of archdiocese.

40 30 June 1346; see the *regesta* in Patschovsky 1979, 124; on the institution of papal inquisitors in Bohemia, see Patschovsky 1975, 15–65.

41 For Zyfridus, see Tadra 1880, 330; Rudolf's commission is edited in Patschovsky 1975, 193–194.

42 Ed. in Polc & Hledíková 2002, 109.

43 Patschovsky 1974, 81, 114–115.

44 The course of the trial has been described by Finke 1890; and Kieckhefer 1979, 131–132. The trial documents have not been edited, but are preserved in Vienna, Austrian National Library, Cod. 3748, fols. 145^{r}–155^{v}.

The impetus came from another heresy trial, also an episcopal inquisition, which had taken place in Eichstätt. The bishop of Eichstätt held a Waldensian called Johannes Örtel in custody. Örtel came from the nearby town of Donauwörth, whence he had fled because Waldenses had been persecuted there in 1393.[45] During his first interrogation in May 1395, Örtel not only confessed to holding the Waldensian heresy, but also revealed worrying details about Konrad Huter, a citizen of Regensburg and a former Waldensian. The two men had met when Örtel had fled through Regensburg. Apparently Huter was unwilling to help Örtel, and when caught the latter tried to implicate the former, saying that he considered it more likely than not that Huter still held heretical opinions.

He succeeded: in the second hearing of Johannes Örtel, which took place on 20 September 1395, the representatives of Regensburg were present: Canon Albert Stauffer, the bishop's vicar *in spiritualibus*, and the public notary Konrad Pünharter. A copy of the depositions was produced to serve as a basis for an inquisition against Huter,[46] and Örtel revealed further details about the Regensburg citizen. He had supposedly first met Konrad Huter in 1391 in Donauwörth, where both had stayed with Konrad's sister. There, Huter had cursed the Waldensian Brethren, stating that he was willing to get them burned because they had caused so much trouble to his mother-in-law. Since then, Huter's sister had been burnt as a relapsed heretic, and Huter and his wife had taken their now orphaned niece into their custody. And so, Johannes Örtel had fled Donauwörth, seeking help from Konrad Huter in Regensburg, where Konrad had (literally) turned his back on Örtel.

The inquisition of Konrad Huter followed on very quickly. Only a week later, on 27 September, Huter was called to the episcopal curia. Bishop Johann I von Moosburg was himself present, as was his above-mentioned vicar, Albert Stauffer, as well as a licentiate *in decretis* and three other canons. Friedrich Süssner, parson of St. Ulrich in Regensburg, master of arts and bachelor of theology, acted as "inquisitor heretice prauitatis per predictum nostrum episcopum deputatus" (the inquisitor into the heretical depravity appointed by our aforesaid bishop). Konrad Pünhater, whom we have already met, was again the notary, and three honourable citizens of Regensburg witnessed the trial. Huter was interrogated about Waldensian heresy, how he was introduced to it and how he had abjured it. He consistently maintained that he had not relapsed since his abjuration and absolution.

A second trial, by almost the same composition of the tribunal, followed on 2 October, when the denunciation of Örtel was presented to Huter. He denied that he knew the man, claimed that he lied, and admitted only that he had visited his sister's

45 On the inquisition in Donauwörth, see Kieckhefer 1979, 71; Smelyansky 2016, 10–11.

46 A reproduction of it was attached to Konrad Huter's trial documents: see Vienna, Austrian National Library, Cod. 3748, fols. 148^{r}–149^{v}.

house in Donauwörth when many others had stayed in the town as well (apparently a market was taking place). Among them there were former heretics, but Huter had believed that they and his sister had not relapsed.

On 9 October the niece and foster daughter of Konrad Huter, Margareta, was questioned, and on October 20 Elizabeth, Konrad's wife, was called to answer to the charges. The commission was almost the same, but the bishop himself did not bother to attend the interrogations of these two women. Both denied the charges, Elizabeth maintaining that she had not relapsed since she had confessed some 14 years earlier to the inquisitor Martin of Prague, and Margareta asserted that she had never been introduced to Waldensianism either by her deceased mother or by her foster parents.[47]

What followed these interrogations reveals a great deal about the difficulty of prosecuting heresy and the need for specialized inquisitors. Apparently the episcopal commission was not confident enough to proclaim the accused guilty or innocent. The depositions were sent to Martin of Prague, who at the time seems to have been an inquisitor *a sede apostolica deputatus,* at least so the letter sent from Regensburg assumes. Martin saw nothing inculpating in the depositions, and adds that his information from the recently converted Walsensian Brethren confirmed the claim of Konrad and Elizabeth Huter that they have not been in contact with the heretics after their abjuration. After receiving Martin's answer in May 1396, Albertus Stauffer, vicar *in spiritualibus*, read it in the presence of the accused, the inquisitorial commission and the witnesses, and, with the authority of Bishop Johann, released Konrad and Elizabeth Huter from the bishop's prison and declared them free of all charges against them. Margareta was declared a faithful Christian and she was released without having to abjure heresy.[48]

The trial against the Huter family demonstrates how a bishop took action when rumours about heresy in his diocese emerged. An inquisitor of heresy and a commission of high diocesan officials were appointed, and the bishop himself took part in the first two questionings. The inquisitor and the commission professed expertise in theology and canon law. The heresy was, however, a complicated matter to prosecute. When the consultation of an experienced inquisitor, and in this case the same inquisitor who had once absolved the accused, was available, the bishop did not hesitate to trust an expert.

If papal inquisitors were available, the bishop could naturally turn to them. When, in 1399, the city council of Fribourg was alarmed by the rumours of heresy concerning its own citizens which had emerged from a heresy trial in Bern, they wrote to their bishop, Guillaume of Menthonay. The council assured his grace that the city was faithful, and asked him to start an investigation over these rumours that had sullied their reputation. The bishop ordered a commission which again was a combination of a papal inquisitor with diocesan officials: the inquisitor was the Dominican, Hum-

47 Vienna, Austrian National Library, Cod. 3748, fols. 153^{r}–155^{v}.

48 Vienna, Austrian National Library, Cod. 3748, fols. 149^{v}–150^{r}.

bert Franconis, assisted by William of Vufflens, guardian of the Franciscan convent in Lausanne, both specially commissioned by Bishop Guillaume to inquire into heresy within Fribourg; these two were joined by the bishop's own man, Aymo of Taninges, licenciate *in legibus*. The inquisitors seem to have run in trouble with the local community, and in the end all the accused could expurgate themselves.[49] The bishop, however, did not forget the existence of heresy after the unsuccessful inquisition. In December 1403, he approached the famous Dominican preacher Vincent Ferrer in Geneva, and asked him to start a preaching campaign in his diocese "where there are many valleys of the heretics in the borderland of Germany and Savoy", heretics who "are very heedless and daring."[50] The bishop of Lausanne was thus fulfilling his duties as bishop in uprooting heresy. He commissioned a tribunal to inquire into heresy, and when it failed he tried a different approach: he invited a famous preacher.

The eager archbishops

In Regensburg in 1395 and in Fribourg in 1399 the bishops were reacting to rumours of heresy, as they were required to do already after *Ad abolendam* (1184). At the end of the 14th century there were, however, also prelates who took the initiative into their own hands and acted as the *primus motor* of the repression of heresy. Jennifer K. Deane has drawn scholars' attention to the significant persecution of Waldenses in and around Mainz between 1390 and 1393. Until Deane's studies, 14th-century German Waldensianism and its repression were perceived primarily as a rural phenomenon of Eastern and Southern Germany and Austria, where the so called itinerant inquisitors hunted the heretics down. Deane pointed out that in Mainz the persecution was initiated prior to the conversion of several Waldensian Bretheren and the appearance of inquisitors Petrus Zwicker and Martinus of Prague in Erfurt in 1391, which has often been regarded as the starting point of the wave of inquisitions against Waldensian heresy.[51]

From the perspective of this article, it is even more intriguing that Deane has been one of the few to emphasize the role of bishops in the inquisition of heresy. Explaining why the Waldenses were persecuted precisely at that point, when the dissidents had lived relatively undisturbed for decades, she explores the rise of an unexpected candidate, Konrad von Weinsberg, to the archiepiscopal see. In the extraordinary circumstances of the Great Western Schism and its shifting obediences, a mere member of the cathedral chapter without notable property or family connections was able to beat the

49 The commission is edited in Utz Tremp 2000, 585–587, the course of the inquisition is described at 195–244; see also Utz Tremp 1991.

50 Reported by Vincent himself in a letter, ed. in Hodel 2006, 203; see also Utz Tremp 2006; Välimäki 2016, 201–202.

51 Deane 2006, 205–206 *et passim*; see also Kolpacoff 2000, 211–247; cf. esp. Kieckhefer 1979, 55–57; Modestin 2007a, 1–9.

candidate of the local noble house, Johannes von Nassau, and assume the lofty position of the archbishop of Mainz.[52] The new archbishop and his supporter, Count Palatine Rupert II, were united in their loyalty to the Roman obedience and their commitment to securing orthodoxy and repressing dissidents. The inquisitions against the Waldenses began within months after the election of Archbishop Konrad. Again we see the co-operation of prelate, diocesan officials and papal inquisitor, as Nikolaus Böckeler, a Dominican inquisitor, took charge of the prosecution.[53] In 1392 the archbishop initiated another campaign, this time appointing his "own" inquisitors: Bishop Frederick of Toul, dean of the collegiate church of St. Stephan Nicholas von Sauwelnheim; and Wasmud von Homburg, altar chaplain of Mainz Cathedral.[54] Later the University of Heidelberg was involved, when two laymen from Bingen were interrogated by the papal inquisitor, Nikolaus Böckeler, and members of the University faculty.[55]

This Nikolaus Böckeler had been appointed as papal inquisitor for the archdiocese of Mainz, yet his primary interest was not in hunting down Waldenses, but rather in bringing to trial an itinerant and rather troublesome Prussian priest and preacher, Johannes Malkaw.[56] This, and the fact that the persecution of the Waldenses started almost immediately after Archbishop Konrad was elected, have led Deane to propose (and from whose conclusions I do not demur), that the initiative for the trials came from the archbishop. Moreover, an important character in the inquisitorial commissions, Wasmud von Homburg, came from the same cathedral chapter that had elected Konrad, of which, moreover, he had been a member for many years. The attack on Waldensianism, that notoriously anti-clerical heresy, fits perfectly into the programme of Archbishop Konrad, who had witnessed the anti-clerical atmosphere of Mainz in the 1380s during the uprisings against the privileges of the clergy, and who also during his time in office attempted to secure clerical interests in the city.[57]

Still, even before the archbishop of Mainz, another important prelate had been paying attention to the Waldenses: Jan of Jenštejn, archbishop of Prague (1379–1396). In 1381, he had penned a letter in his capacity as papal legate to the bishops of Bamberg, Regensburg and Meissen, urging them to nominate inquisitors, since there were supposed to be "very pestilential heresies, and especially of the sect of the Sarabaites and those rustic damned Waldenses" in their dioceses.[58] The absolution of Konrad and

52 Deane 2006, 208–210; Kolpacoff 2000, 107–121.

53 Deane 2006, 210–212.

54 Deane 2006, 214; in 1398 Wasmud von Homburg also wrote a tract on heresy, edited by Schmidt (1962).

55 Deane 2006, 215–216.

56 Kieckhefer 1979, 80; Deane 2006, 218; on the trial of Johannes Malkaw, see Tönsing 2004, 20–125; on Nikolaus Böckeler, see esp. Modestin 2007c.

57 Deane 2006, 217–221.

58 Höfler 1862, 26–27; cf. a new critical edition by Polc & Hledíková 2002, 215.

Elisabeth Huter by Martinus of Prague in the early 1380s mentioned in the Regensburg trial documents of 1395 may well have been a consequence of precisely this letter.[59] In the same year, 1381, Jenštejn expressed his concern over Waldensian heresiarchs in the diocese of Oloumouc in a letter to its bishop.[60] The archbishop himself held heretics in custody, most likely Waldenses, and Magister Matthew of Kraków preached about their errors to the citizens of Prague in January 1384.[61] In the 1390s, a Waldensian called Wenceslaus of Sušany abjured heresy before an inquisitor in the archiepiscopal curia in Prague, swearing an oath to God, Pope Boniface IX, Archbishop Jan of Jenštejn, and to the unnamed inquisitor himself.[62] Although the fragment does not reveal if the inquisitor acted with papal or episcopal commission,[63] the trial obviously took place within the archbishop's sphere of influence. Moreover, when operating in Stettin in 1392–1394, Petrus Zwicker, probably the most important inquisitor of our period, held a commission from the archbishop of Prague in addition to that from the bishop of Cammin within whose diocese Stettin with its surroundings belonged—and even the bishop of Cammin was actually a resident of Prague: Johannes Brunonis, chancellor of King Wenceslaus.[64] If the archbishop of Mainz was an initiator of persecution in his city and its surroundings, the influence of Prague's metropolitan see reached far beyond its borders.[65]

Struggle over authority

One of the smaller inquisitions against Waldenses took place in Augsburg in 1393. The prosecution of 34 heretics was initiated by a wandering preacher (*Pfaffe*)—revealed to be the same Heinrich Angermayr who later ran into conflict with the bishop of Würzburg in Rothenburg ob der Tauber—who turned his sermon on usury into

59 Austrian National Library, Cod. 3748, fols. 153^{r}–154^{v}. In Strasbourg in 1400 there was an accused who remembered that he had been absolved by Martinus in Regensburg "wol xx jor", see Modestin 2007b, p. [88].

60 Loserth 1877, 368.

61 Patschovsky 1979, 318–323.

62 Hlaváček 1998, 130–131; for the dating see 119.

63 It is possible that either Martinus of Prague or Petrus Zwicker was the inquisitor, see Soukup 2006, 140; Välimäki 2016, 146.

64 In addition, the bishop of Lebus is mentioned. See Kurze 1975, 235; also Välimäki 2016, 42, 160.

65 What is known of contemporary Silesian inquisitions supports this conclusion. In the 1390s, Bohemian Dominican inquisitors were active in Silesia, which (against the wishes of Emperor Charles IV and the archbishops of Prague) had remained a part of the Polish diocesan structure. Alexander Patschovsky sees the Silesian inquisition as an instrument of control that was not possible for Prague at the level of the conventional church hierarchy, see Patschovsky 1993, 240–242; and 1992, 363 *et passim*.

an anti-heretical homily and convinced Bishop Burkhard von Ellerbach to give him a commission to inquire into heresy in Augsburg.[66] Moreover, this trial might have included a possibility of conflict and struggle over authority, this time between the bishop and his city. Like Mainz, Augsburg had also attempted to gain more independence, and a war had waged between the city and its bishop during the 1380s. Eugene Smelyansky has seen the inquisition as an occasion for the bishop to impose his sacral authority on the rebellious city.[67] Although evidence is scarce—the sources describing the trial and its aftermath are later chronicles—yet one feature implies that there was such a conflict: some time after the trial itself, 14 of those convicted approached the bishop with money in order to mitigate their public penance of wearing visible crosses by making it a secret penance. The bishop agreed, but the city council saw this as relapse, and burned the heretics who had offered money to the bishop. The motives remain unclear, but obviously there was a struggle over jurisdiction.[68] From the perspective of canon law, the city council overstepped its authority: although the corporal punishment of heretics was a responsibility of secular power, he who imposed penance had every right to alleviate it according to his own judgement.

Whilst Heinrich Angermayr succeeded in convincing the bishop of Augsburg to grant him the commission of inquisitor, he failed with Gerhard von Schwarzburg, bishop of Würzburg (1372–1400). In the autumn of 1394, a wealthy citizen of Rothenburg ob der Tauber, Hans Wern, was accused of Waldensian heresy. The inquisitor was this same Heinrich Angermayr, who had been invited to Rothenburg by city council. Behind the invitation was the city's leading burgher, Heinrich Toppler, and Ludwig Schnurrer has been able to demonstrate that in this case the accusations of heresy were completely political: Hans Wern and Heinrich Toppler had been entangled in a prolonged conflict, and Toppler tried to resolve it by accusing his rival of heresy.[69]

Two things saved Hans Wern: first, that he was well connected to the religious institutions of his surrounding; and, second, that Heinrich Angermayr entered the diocese of Würzburg without either gaining the permission or seeking a commission from the bishop. When the news of the trial reached the latter, he would not tolerate such a violation of his jurisdiction. Bishop Gerhard sent his vicar *in spiritualibus*, Walter Schubel *doctor decretorum* to Rothenburg. Schubel started a process of his own in November 1394. He made clear that not only did he act "ex speciali itaque commissione dicti domini nostri domini Gerhardi episcopi Herbipolensis [...] secundum sacrorum canonum instituta in huiusmodi negocio" (from the particular commission of the afore-mentioned Gerhard, bishop of Würtzburg, our lord ... according to the

66 Modestin 2011, esp. 51–43, 66–67; Smelyansky 2016, 2–3.
67 Smelyansky 2016, 10.
68 Smelyansky 2016, 18.
69 Schnurrer 2001, esp. 29–31, 43–44.

laws of the sacred canons in an affair of this type), but that, further Magister Heinrich was "se nominantis inquisitorem heretice pravitatis" [a self-appointed inquisitor of heresy]. Heinrich Angermayr was thus reduced from inquisitor to denouncer, and Schubel questioned Hans Wern on all the articles of faith and sacraments, finding the accused free of heresy. In the end Wern expurgated himself by an oath, with the help of impressive amount of compurgators: an abbot; ten priests, secular and regular; and 50 laymen.[70] Although the city council was in turn forced to free Wern of charges, the matter was by no means laid to rest. Heinrich Angermayr stayed in the city, preparing new charges; Wern again sought help from the bishop, who advised him to stay in Würzburg where Walter Schubel and the documents of the trial were at hand. Although Heinrich Angermayr eventually abandoned Rothenburg, the conflict between Hans Wern and the city council (led by Heinric Toppler) continued through a trial in the secular courts, most likely to prevent the bishop's intervention.[71] This case of Hans Wern is an excellent example of how a medieval bishop guarded his authority and jurisdiction over heresy.

In order to understand the operation of inquisitors, it is vital to remember that the limits of the commission had to be respected. In Stettin, Petrus Zwicker encountered a similar problem as inquisitor to that which had frustrated Heinrich Angermeyr, but he was much more cautious and prepared. Towards the end of inquisitions in Stettin in March 1394, a group of Waldenses from the Polish diocese of Poznań appeared in front of Zwicker, apparently in the hope of getting light punishments by appearing voluntarily. As mentioned above, Zwicker had a commission from and for the archdiocese of Prague and dioceses of Cammin and Lebus, but not from Poznań. Zwicker nevertheless decided to question, absolve and order penance for these heretics for the benefit of souls and the church universal, but adding carefully formulated apologies to the protocols stating that he wished not to make any exception of the law or establish a precedent on behalf of the bishop or his inquisitor.[72] It is notable that Zwicker not only avoided overstepping his mandate, but saw the bishop and *his* inquisitor as primarily responsible for the prosecution of heresy.

Although the late medieval canon law granted bishops the power to prosecute heresy and absolve from it (and the many examples cited in this article leave no doubt that bishops would invoke these powers), there was at times confusion concerning how the

70 The trial document is edited in Weigel 1916, 83–86; see also Schnurrer 2001, 32–33.

71 Schnurrer 2001, 33–42.

72 "Frater Petrus provincialis fratrum ordin(is) Celestinorum, per Alamaniam, inquisitor pravitatis heretice a reverendis in Christo patribus et dominis, Pragensi, Lubucensi et Caminensi, archiepiscopo et episcopis constitutus [...] nullam predicto domino episcopo, eius inquisitori seu alii cuicquam derogacionem seu preiudicium [voluit] facere seu quomodolibet attemptare, solum ut animarum saluti et universali ecclesie suo officio provideatur." See Kurze 1975, 235–236.

tasks should be divided. In September 1394, bishop of Olomouc Nikolaus von Riesenburg asked Pope Boniface IX to grant him permission to absolve Waldensian heretics in his diocese, because although there were many willing to convert, the constitutions of Pope Benedict XII prevented their being absolved "sine licencia apostolice sedis speciali" (without the express licence of the Apostolic See).[73] The legislation concerning heresy, its prosecution, and absolution from it, had grown extremely complicated, and perhaps the petition of Bishop Nikolaus was simply a precaution to ensure that he did not overstep his authority.

The bishop in the background

Many medieval bishops, and this applies to German bishops in particular, were also secular lords and princes, and delegated much of their power to vicars and officials (termed *vicarius*, *officialis*). In later medieval diocesan reforms much of the daily administration was transferred to these office-holders and the division of labour became more sophisticated and professional.[74] Although the examples above show that even the mighty *Fürstbischöfe* took a personal interest at times in matters of heresy, it is not surprising to also find instances where the bishop acted through his official. Such a case is the inquisition against the Upper Austrian Waldenses from 1395 onwards.

Petrus Zwicker was again the responsible inquisitor, prosecuting the Waldenses in Oberösterreich from 1395 until 1398. From the copies of the sentences he declared, known to scholars since the 19th century, we know that he was commissioned by Georg von Hohenlohe, bishop of Passau (1389–1423).[75] The recent discovery of Zwicker's formulary for the diocese of Passau, compiled around 1395–1396,[76] reveals a more diverse picture. The piece that opens the formulary is entitled *Forma instituendi seu faciendi inquisitoris* (The formula for the institution or appointing of an inquisitor; fol. $88^{ra–va}$). It is directed to the clergy of the diocese listing the customary rights and powers of the inquisitors Petrus Zwicker and Martinus of Prague, and exhorting all receivers to give all help in their power to these men. The mandate comes, of course, in the name of Bishop Georg, but it is issued by an official, whose name is difficult to discern from the negligent later copy. The heavily abbreviated name refers to one "Johannes" who was a "canon of the churches of Regensburg and Passau and the

73 *Monumenta Vaticana*, 469, no. 858; see also the *regesta* of the letter in Patschovsky 1979, 129. Benedict XII (1334–1342) was the famous Jacques Fournier who, as bishop of Pamiers, was responsible for the well-known inquisition in his diocese. I have not been able to establish the constitutions to which the bishop of Olomouc is referring.

74 Hledíková 2006, 130–131.

75 See e.g. the sentence edited in Haupt 1890, 404; on Georg von Hohenlohe, see Schmid 2001.

76 St. Florian, ms. XI 234, fols. $88^{ra}–90^{vb}$, see Välimäki 2016, 147–161, 174–177.

official of Passau's curia".[77] The first name is almost certainly a mistake, the most probable person in question being Leonhard Schawr, licenciate of the decretals, who held canonicates in both dioceses and acted as the official for the diocese of Passau between at least 1388 and 1401.[78] He could be the same person, *commissarius Io*[*annes*], who had to reconcile between Zwicker and an unnamed vicar from the diocese of Passau whom Zwicker had excommunicated because of contumacy and reluctance to follow his orders.[79] Another possible person would be Johann von Rottau, dean of Enns from 1394 to 1398.[80] Whoever the episcopal commissary was, Zwicker's formulary demonstrates how the practicalities of episcopal inquisition of heresy could be organized in a large diocese with a developed administrative structure. The officials, vicars and commissaries (and the inquisitor himself was such commissary with a specific mission), wielded the bishop's power.

Conclusions

There can be no doubt that the late medieval German bishops took interest in the prosecution of heresy. Their level of involvement varied, from active promotion of the inquisition of heresy in their own diocese and beyond, to passive reactions when faced by persistent rumours or direct accusations of heresy. The expertise of bishops with their officials also differed from place to place: the bishop of Würzburg and his expert canon lawyer Walter Schubel had no hesitation in deposing the self-appointed Heinrich Angermayr from his usurpation of the role of inquisitor, but the bishop of Olomouc was unsure if he was even allowed to absolve heretics without a special papal licence.

The bishops were far from the only initiators of persecution, acting together (and at times against) itinerant preachers, papal inquisitors, cathedral chapters and universities. It would be exaggeration to raise the bishops to being the primary agents of the persecution of Waldenses, but it would be equally wrong to shuffle them off into background. In several cases the initiative of a bishop (or lack of it) significantly affected the overcome. No bishop remained completely inert when the *fama* of heresy

77 St. Florian, ms. XI 234, fol. 88ra: "Io[annes] t[alis] Rat[isponensis] et pat[auiensis] ecc[les] ia[rum] ca[noni]cus, offic[ialis] cur[ie] pat[auiensis]."

78 This is attested by several documents that he either issued or witnessed: Stiftarchiv Göttweig, 1388 VIII 20; 1388 V 27; 1401 III 31; HHStA Wien, Aggsbach Kartäuser (1281–1780), 1393 I 27; St. Pölten, Augustiner Chorherren (976–1668), 1388 VIII 31. Accessed through *Monasterium.net*.

79 The excommunication, its aggravation and absolution by the episcopal commissary has been preserved in the same formulary, see St. Florian, ms. XI 234, fols. 89^{rb}–90ra, 90^{rb}–90va. No names or dates have been preserved, and it is unclear if these formulas refer to actual events.

80 Zinnhobler 1982, 38.

emerged in his diocese. As the articles of this volume show, medieval bishops were many things, from aristocrats and military commanders to scholars and reformers of their dioceses. To complete the picture this essay may remind us that one of their roles was the persecutor of heretics.

BIBLIOGRAPHY

Manuscripts

Vienna, Austrian National Library, Cod. 3748.

St. Florian, ms. XI 234.

Printed texts

Ames, C.C. 2009. *Righteous persecution: Inquisition, Dominicans, and Christianity in the Middle Ages* (Philadelphia: University of Pennsylvania Press).

Arnold, J.H. 2001. *Inquisition and power: Catharism and the confessing subject in medieval Languedoc* (Philadelphia: University of Pennsylvania Press).

Audisio, G. 1999. *The Waldensian dissent: Persecution and survival, c. 1170–c. 1570* (Cambridge: Cambridge University Press).

Biller, P. 2001. *The Waldenses, 1170–1530: Between a religious order and a church*, Variorum Collected Studies Series (Aldershot: Ashgate).

Bivolarov, V. 2014. *Inquisitoren-Handbücher. Papsturkunden und juristische Gutachten aus dem 13. Jahrhundert mit Edition des Consilium von Guido Fulcodii*, Monumenta Germaniae Historica. Studien und Texte 56 (Wiesbaden: Harrassowitz).

Cameron, E. 2000. *Waldenses: Rejections of holy church in medieval Europe* (Oxford: Blackwell).

Deane, J.K. 2006. 'Archiepiscopal inquisitions in the Middle Rhine: Urban anticlericalism and Waldensianism in late fourteenth-century Mainz', *The Catholic Historical Review* 92:3, 197–224.

Deane, J.K. 2011. *A history of medieval heresy and inquisition*, Critical Issues in History (Lanham, Maryland: Rowman & Littlefield).

Doležalová, E. 2013. 'The inquisitions in medieval Bohemia: National and international contexts', in *Heresy and the making of European culture: Medieval and modern perspectives*, eds. A.P. Roach & J.R. Simpson (Woodbridge: Ashgate), 299–311.

Finke, H. 1890. 'Waldenserprocess in Regensburg, 1395', *Deutsche Zeitschrift für Geschichtswissenschaft* 4, 345–346.

Friedberg, A. ed. 1959. *Corpus iuris canonici: Editio Lipsiensis secunda post Aemilii Ludouici Richteri curas ad librorum manu scriptorum et editionis romanae fi-*

dem recognouit et adnotatione critica. Pars 2: *Decretalium collectiones*, Vol. II (2 vols., Graz: Akademische Druck- u. Verlagsanstalt).

Given, J.B. 2001. *Inquisition and medieval society: Power, discipline, and resistance in Languedoc* (New York: Cornell University Press).

Gonnet, J. & A. Molnár, 1974. *Les Vaudois au Moyen Âge* (Torino: Claudiana).

Gui, B. 1886. *Practica inquisitionis heretice pravitatis*, ed. C. Douais (Paris: A. Picard).

Hamilton, B. 1981. *The medieval inquisition* (London: Edward Arnold).

Haupt, H. 1890. 'Waldenserthum und Inquisition im südöstlichen Deutschland seit der Mitte des 14. Jahrhunderts', *Deutsche Zeitschrift für Geschichtswissenschaft* 3, 337–411.

Hlaváček, I. 1998. 'Zur böhmischen Inquisition und Häresiebekämpfung um das Jahr 1400', in *Häresie und vorzeitige Reformation im Spätmittelalter*, ed. F. Smahel, Schriften des Historischen Kollegs, Kolloquien 39 (München: R. Oldenburg), 109–131.

Hledíková, Z. 2006. 'Strukturelle Reformen der Prager Erzbischöfe im 14. Jahrhundert. Bistumsverwaltung, Geistlichkeit, Reform', in *Kirchliche Reformimpulse des 14./15. Jahrhunderts in Ostmitteleuropa*, eds. W. Eberhard & F. Machilek (Köln [u.a.]: Böhlau), 125–141.

Hodel, P.-B. 2006. 'D'une édition à l'autre. La lettre de saint Vincent Ferrier à Jean de Puynoix du 17 décembre 1403', in *Mirificus praedicator: À l'occasion du sixième centenaire du passage de Saint Vincent Ferrier en pays romand: Actes du colloque d'Estavayer-le-Lac, 7–9 octobre 2004*, eds. P.-B. Hodel & F. Morenzoni (Roma: Istituto storico domenicano), 189–203.

Höfler, C. ed. 1862. *Concilia Pragensia = Prager Synodal-Beschlüsse* (Prague).

Kelly, H.A. 1989. 'Inquisition and the prosecution of heresy: Misconceptions and abuses', *Church History* 58, 439–451.

Kieckhefer, R. 1979. *Repression of heresy in medieval Germany* (Liverpool: Liverpool University Press).

Kieckhefer, R. 1995. 'The office of inquisition and medieval heresy: The transaction from personal to institutional jurisdiction', *Journal of Ecclesiastical History* 46, 36–61.

Kolmer, L. 1982. *Ad capiendas vulpes: Die Ketzerbekämpfung in Südfrankreich in der ersten Hälfte des 13. Jahrhunderts und die Ausbildung des Inquisitionsverfahrens* (Bonn: Röhrscheid).

Kolpacoff, J.M. 2000. 'Papal schism, archiepiscopal politics and Waldensian persecution (1378–1396): The ecclesio-political landscape of late fourteenth-century Mainz', Ph.D. thesis, Northwestern University.

Kurze, D. ed. 1975. *Quellen zur Ketzergeschichte Brandenburgs und Pommerns* (Berlin: de Gruyter).

Kurze, D. 1993. 'Anfänge der Inquisition in Deutschland', in *Die Anfänge der Inquisition im Mittelalter. Mit einem Ausblick auf das 20. Jahrhundert und einem Beitrag über religiöse Intoleranz im nichtchristlichen Bereich*, ed. P. Segl, Bayreuther Historische Kolloquien 7 (Köln-Weimar-Wien: Böhlau), 131–193.

Lambert, M. 2009. *Medieval heresy: Popular movements from the Gregorian Reform to the Reformation* (3rd edn, Oxford: Blackwell).

Lerner, R.E. 1972. *The heresy of the free spirit in the later Middle Ages* (Berkeley: University of California Press).

Loserth, J. 1877. 'Beiträge zur Geschichte der husitischen Bewegung I. Der Codex Epistolaris des Erzbischofs von Prag Johann von Jenzenstein', *Archiv für österreichische Geschichte* 55, 267–400.

Martène, E. & U. Durand, eds. 1717. *Thesaurus novus anecdotorum: tomus quintus: complectens SS. Patrum, aliorumque auctorum ecclesiasticorum omnium fere saeculorum, a quarto ad decimum-quartum*, vol. V (Paris: sumptibus Florentini Delaulne, Hilarii Foucault, Michaelis Clouzier, Joannis-Gaufridi Nyon, Stephani Ganeau, Nicolai Gosselin).

Modestin, G. 2007a. *Ketzer in der Stadt: Der Prozess gegen die Strassburger Waldenser von 1400*, Monumenta Germaniae Historica, Studien und Texte, Bd. 41 (Hannover: Hahnsche Buchhandlung).

Modestin, G. ed. 2007b. *Quellen zur Geschichte der Waldenser von Strassburg (1400–1401)*, Monumenta Germaniae historica, Quellen zur Geistesgeschichte des Mittelalters, Bd. 22 (Hannover: Hahnsche Buchhandlung).

Modestin, G. 2007c. 'Ein Mainzer Inquisitor in Straßburg: Ketzerverfolgung und Ordensreform auf dem Lebensweg von Nikolaus Böckeler OP (1378–1400)', *Mainzer Zeitschrift. Mittelrheinisches Jahrbuch für Archäologie, Kunst und Geschichte* 102, 167–173.

Modestin, G. 2011. 'Der Augsburger Waldenserprozess und sein Straßburger Nachspiel (1393–1400)', *Zeitschrift des Historischen Vereins für Schwaben* 103, 43–68.

Modestin, G. 2013. 'The anti-Waldensian treatise *Cum dormirent homines*: Historical context, polemical strategy, and manuscript tradition', in *Religious controversy in Europe, 1378–1536*, eds. M. Van Dussen & P. Soukup, Medieval Church Studies 27 (Turnhout: Brepols), 211–229.

Monasterium.net Europas virtuellem Urkundenarchiv, http://icar-us.eu/cooperation/online-portals/monasterium-net/ [accessed 22 February 2016].

Monumenta Vaticana Res Gestas Bohemicas Illustrantia. Tomus V. Acta Urbani VI. et Bonifatii IX. 1378–1404 (Pragae: Typis Gragerianis, 1903).

Patschovsky, A. 1974. 'Straßburger Beginenverfolkungen im 14. Jahrhundert', *Deutsches Archiv für Erforschung des Mittelalters* 30, 56–198.

Patschovsky, A. 1975. *Die Anfänge einer ständigen Inquisition in Böhmen. Ein Prager Inquisitoren-Handbuch aus der ersten Hälfte des 14. Jahrhunderts* (Berlin-New York).

Patschovsky, A. ed. 1979. *Quellen zur böhmischen Inquisition im 14. Jahrhundert*, Monumenta Germaniae historica, Quellen zur Geistesgeschichte des Mittelalters 11 (Weimar).

Patschovsky, A. 1981. 'Zur Ketzerverfolgung Konrads von Marburg', *Deutsches Archiv für Erforschung des Mittelalters* 37, 641–693.

Patschovsky, A. 1992. 'Spuren böhmischer Ketzerverfolgung in Schlesien am Ende des 14. Jahrhunderts', in *Historia docet. Sborník prací k poctì šedesátých narozenin prof. PhDr. Ivana Hlaváèka*, eds. M. Polívka & M. Svatoš (Praha), 357–387.

Patschovsky, A. 1993. 'Über die politische Bedeutung von Häresie und Häresieverfolgung im mittelalterlichen Böhmen', in *Die Anfänge der Inquisition im Mittelalter*, ed. P. Segl (Köln-Weimar-Wien: Böhlau), 235–251.

Polc, J.V. & Z. Hledíková, eds. 2002. *Pražské synody a koncily předhusitské doby* (Praha: Univerzita Karlova).

Ragg, S. 2006. *Ketzer und Recht: die weltliche Ketzergesetzgebung des Hochmittelalters unter dem Einfluss des römischen und kanonischen Rechts* (Hannover: Hahnsche Buchhandlung).

Schmid, A. 2001. 'Georg von Hohenlohe', in *Die Bischöfe des Heiligen Römischen Reiches 1198 bis 1448. Ein Biographisches Lexikon*, ed. E. Gatz (Berlin: Duncker & Humblot), 548–561.

Schmidt, A. ed. 1962. '*Tractatus contra hereticos beckardos, lulhardos et swestriones* des Wasmud von Homburg', *Archiv für mittelrheinische Kirchengeschichte* 14, 336–386.

Schnurrer, L. 2001. 'Der Fall Hans Wern. Ein spätmittelalterlicher Elitenkonflikt in der Reichstadt Rothenburg ob der Tauber', *Jahrbuch für fränkische Landesforschung* 61, 9–53.

Segl, P. 1993. 'Einrichtung und Wirkungsweise der inquisitio haereticae pravitatis im mittelalterlichen Europa. Zur Einführung', in *Die Anfänge der Inquisition im Mittelalter. Mit einem Ausblick auf das 20. Jahrhundert und einem Beitrag über religiöse Intoleranz im nichtchristlichen Bereich*, ed. P. Segl, Bayreuther Historische Kolloquien 7 (Köln-Weimar-Wien: Böhlau), 1–38.

Selge, K.-V. ed. 1967. *Texte zur Inquisition*, Texte zur Kirchen- und Theologiegeschichte 4 (Gütersloh: Gütersloher Verlagshaus G. Mohn).

Smelyansky, E. 2016. 'Urban order and urban other: Anti-Waldensian inquisition in Augsburg, 1393', *German History* 34:1, 1–20; doi:10.1093/gerhis/ghv143 [accessed10 August 2016].

Soukup, P. 2006. 'Die Waldenser in Böhmen und Mähren im 14. Jahrhundert', in *Friedrich Reiser und die "waldensisch-hussitische Internationale" im 15. Jahrhundert: Akten der Tagung Ötisheim-Schönenberg, 2. bis 4. Oktober 2003*, eds. A. de Lange & K. Utz Tremp (Heidelberg-Ubstadt-Weiher-Basel: Regionalkultur), 131–160.

Sparks, C. 2014. *Heresy, inquisition and life-cycle in medieval Languedoc*. Heresy and Inquisition in the Middle Ages 3 (York: York Medieval Press).

Sullivan, K. 2011. *The inner lives of medieval inquisitors* (Chicago-London: University of Chicago Press).

Tadra, F. ed. 1880. 'Cancellaria Arnesti. Formelbuch des Ersten Prager Erzbischofs Arnest von Pardubic. Nach einer Handscrift der K.K. Universitäts-bibliothek zu Prag', *Archiv für österreichische Geschichte* 61, 267–597.

Tönsing, M. 1989. 'Contra hereticam pravitatem. Zu den Luccheser Ketzererlassen Karls IV. (1369)', in *Studia Luxemburgensia. Festschrift für Heinz Stoob zum 70. Geburtstag*, ed. B. Fahlbusch & P. Johanek (Warendorf: Fahlbusch), 285–311.

Tönsing, M. 2004. *Johannes Malkaw aus Preussen (ca. 1360–1416): Ein Kleriker im Spannungsfeld von Kanzel, Ketzerprozess und Kirchenspaltung*, Studien zu den Luxemburgern und ihrer Zeit, Bd. 10 (Warendorf: Fahlbusch).

Utz Tremp, K. 1991. 'Der Freiburger Waldenserprozeß von 1399 und Seine Bernische Vorgeschichte', *Freiburger Geschichtsblätter* 68, 57–85.

Utz Tremp, K. ed. 2000. *Quellen zur Geschichte der Waldenser von Freiburg im Üchtland (1399–1439)*, Monumenta Germaniae historica, Quellen zur Geistesgeschichte des Mittelalters, Bd. 18 (Hannover: Hahnsche Buchhandlung).

Utz Tremp, K. 2006. 'Predigt und Inquisition. Der Kampf gegen die Häresie in der Stadt Freiburg (erste Hälfte des 15. Jahrhunderts)', in *Mirificus praedicator: À l'occasion du sixième centenaire du passage de Saint Vincent Ferrier en pays romand. Actes du colloque d'Estavayer-le-Lac, 7–9 octobre 2004*, eds. P.-B. Hodel & F. Morenzoni (Roma: Istituto storico domenicano), 205–232.

Utz Tremp, K. 2008. *Von der Häresie zur Hexerei: "Wirkliche" und imaginäre Sekten im Spätmittelalter* (Hannover: Hahnsche Buchhandlung).

Välimäki, R. 2011. '"Hereticum iudicamus" Kättardomen över Botulf vid rättegången i Uppsala ärkestift 1310–1311', *Historisk Tidskrift för Finland* 96, 110–130.

Välimäki, R. 2016. 'The awakener of sleeping men. Inquisitor Petrus Zwicker, the Waldenses, and the retheologisation of heresy in late medieval Germany', Ph.D. thesis, University of Turku.

Weigel, H. 1916. 'Ein Waldenserverhör in Rothenburg Im Jahre 1394', *Beiträge zur Bayerischen Kirchengeschichte* 23, 81–86.

Zinnhobler, R. 1982. 'Die Inhaber von Pfarre und Dekanat Enns im Mittelalter', in *Die Dechanten von Enns-Lorch*, eds. R. Zinnhobler & J. Ebner (Linz), 24–52.

Bishops and bad behaviour:

Scandinavian examples of bishops who violated ecclesiastical norms

Kirsi Salonen

Introduction

Numerous archival documents as well as various literary texts, such as the *Decameron* or *The Canterbury tales*, include stories about the multitude of sins and crimes committed by medieval clerics. The existence of such documentation is somewhat controversial due to the fact that according to ecclesiastical norms, members of clergy—and especially bishops as their superiors—should abstain from sins and crimes because they were expected to set a good example of how Christians should conduct their lives.[1] However, as these texts testify, the ideal of well-behaving clergy never became universally true and numerous clerics and bishops from all over the Latin West failed to behave according to the norms—and Scandinavian bishops did not make an exception to this rule.

This article will deal with bad behaviour of Scandinavian bishops in the Middle Ages, although first we should define when an ecclesiastical person was behaving badly. Since it is impossible to judge their table manners or attitude towards others, I have taken as my starting point the regulations of medieval canon law and defined "bad behaviour" as simply being a violation of relevant ecclesiastical regulations.

It is difficult to say what might have been the most common way for bishops to behave badly, because they must have committed many sins and crimes in secret, and these left no traces in written documentation. However, using the existing sources, it is possible to distinguish three sins or crimes committed relatively often by medieval Scandinavian bishops, namely: 1) disregard for celibacy regulations; 2) violating the principles regarding the position and obligations of a bishop; and 3) violent behaviour.

Most of the information on Scandinavian bishops' misbehaviour comes from ec-

1 In *Liber Extra*, promulgated by Pope Gregory IX in 1234, see for example X 3.1–4 and X 5.8–39, in *Corpus Iuris Canonici*, coll. 449–464, 790–913.

clesiastical source material, which includes both local sources and documentation in the central archives of the Catholic church, the Vatican Secret Archives. In addition to the usual papal register series, the Registers of supplications,[2] the Lateran Registers[3] and the Vatican Registers,[4] the registers of the Apostolic Penitentiary[5] which was the so-called "supreme tribunal in the matters of conscience", offer us real glimpses of everyday life and of clerics who were guilty of crimes or sins and therefore turned to the authority of the office in order to plead pardon from their misbehaviour. All of these sources together with local source materials have been used in this contribution.

Breaking celibacy

According to the ideal of clerical celibacy developed in the spirit of the Gregorian reform, the Second Lateran Council (in 1139) stipulated that men in the higher holy orders (sub-deacons, deacons and priests) were supposed to live chastely.[6] Despite these regulations, as Ludwig Schmugge has pointed out, it was common in all parts of Christendom that priests kept concubines and had children by them even though they could not have all the same rights as children born in legitimate marriages had. It has often been thought that priests who broke the celibacy rules were less-educated rural priests, who did not care—or perhaps even know—about the ecclesiastical regulations, but this is not true. There are numerous examples from all over the Latin West of members of higher clergy, including abbots, bishops and even popes (the best example of them being the Borgia pope, Alexander VI), who had offspring with their concubines. But a general problem for evaluating the sexual continence (or actually: incontinence) of priests and bishops has been the lack of suitable source material describing this issue. Fortunately, the archives of the Apostolic Penitentiary contain hints about the reality behind the celibacy regulations.[7]

Based on the spirit of the Gregorian reform, canon law stipulated that an illegitimate child could not become priest.[8] Since there was a large number of illegitimate children in the Middle Ages and many of them were qualified for and eager to enter an ecclesiastical career, the church introduced the possibility of receiving a papal dispensation which allowed illegitimate children entrance to the priesthood. It was Pope Gregory IX (1227–1241) who reserved the right to grant such dispensations to papal

2 *ASV*, *Reg. Suppl.*
3 *ASV*, *Reg. Lat.*
4 *ASV*, *Reg. Vat.*
5 *APA*, *Reg. Matrim. et Div.*
6 Canons 6 and 7, edited in *COD*, 198.
7 Schmugge 1995, 17–22, 25–31, 33, and *passim*; Schmugge *et al.* 1996, 147–151; Salonen 2001, 157–159.
8 On legislation concerning illegitimate children, see Landau 1994, *passim*.

authority, and his successors delegated this authority to the officials of the Penitentiary.[9] The right to grant such dispensations offers an excellent possibility for researchers, because thanks to the delegated authority, the late medieval records of the Penitentiary contain almost 38,000 petitions from illegitimate children, who needed such a dispensation.[10] Illegitimate children turning to the Penitentiary were not guilty of any criminal or sinful acts, but these petitions are relevant for the theme of this article when the illegitimacy of the petitioners arose from the fact that their fathers were bishops.

In fact, illegitimacy petitions in the Penitentiary registers always mention—in addition to obvious information such as the name and home diocese of the petitioner—the social background of the parents of the supplicant, that is, the reason why he or she was an illegitimate child.[11] The Penitentiary sources list a few reasons for illegitimacy. First, a child could be result of an extramarital relationship, when the parents could not marry since one or both of them was married. Secondly, the parents might both be unmarried—either because they did not want to get married or because they could not marry for some reason, such as due to the existence of one of the ecclesiastical marriage impediments. Or thirdly, the parents could not be married because the father belonged to the upper clergy which could not marry. The last category includes also references to bishop-fathers.[12]

The corpus of almost 38,000 petitions to the Penitentiary from the year 1449 until the year 1533 contains as many as 117 examples of bishop-fathers from different parts of Christendom, which means that it was neither common for bishops to have children but nor was it unheard of, either.[13] Most of the bishop-fathers mentioned in the Penitentiary sources originated from the central areas of Christendom, but the material also included one Scandinavian case. This indicates that northern bishops were not less attracted to women than their much more numerous southern peers. The Scandinavian illegitimacy petition to the Penitentiary is dated to January 1484 and it is a direct testimony concerning a Scandinavian bishop who had not respected the celibacy regulations. With this petition, a certain Petrus Johannes from the Danish diocese of Århus requested a dispensation from illegitimacy stating that his father was a bishop and his mother an unmarried woman.[14] The text of this short petition does, however,

9 The Penitentiary had the powers to grant dispensations from illegitimacy from the pontificate of Gregory IX (1227–1241) onwards. Göller 1911, I, 20–23; Schmugge 1995, 33–40; Salonen 2001, 196–197.

10 Schmugge 1995, *passim*.

11 Some examples of illegitimacy petitions in the Penitentiary registers are edited in Salonen & Schmugge 2008, 126–134.

12 Schmugge 1995, 181–196.

13 Schmugge 1995, 183, 214–219.

14 *APA*, *Reg. Matrim. et Div.* 33, fol. 255^{r}: Petrus Johannes scolaris Arusiensis diocesis de episcopo genitus et soluta. Fiat de speciali, Julius Episcopus Bretonoriensis, regens (Peter John, student

not reveal anything about the identity of the father. The only mentioned detail is the fact that he was a bishop.

There are, fortunately, some possibilities to try to unveil the identity of the anonymous bishop-father of Petrus. Since it was typical for Scandinavian petitioners to identify themselves in the Penitentiary petitions with their first name and patronym, Petrus Johannes (even though it is not in the genitive as usual, but this is probably just a mistake of the scribe) could indicate that the first name of Petrus's father was Johannes—or Jens, Hans or Jöns in Danish. A check on the names of Danish bishops from the second half of the 15th century[15] revealed that the most probable candidate as Petrus's episcopal father would be Bishop Jens Iversen Lange of Århus—which also fits well because Århus was Petrus's home diocese.[16] What makes this case interesting—also for scholars interested in medieval genealogy of the Danish nobility—is that medieval sources or modern biographies based on them do not mention anything about possible offspring of Jens Iversen Lange.[17]

Perjury

In some specific cases bishops could commit a crime connected to the obligations related to their position. This might sound strange, but is true. A typical crime of this kind was perjury. According to canon law, a person who had sworn an oath (*iuramentum*) was bound to keep it and had to act in accordance with what he had promised. If he failed to keep the promise, he was considered a perjurer and was punished by ecclesiastical sanctions. The church considered perjury such a severe violation of canon law that it belonged to the group of sins which could be absolved only by the pope. Clerics guilty of perjury were typically punished, in addition to excommunication and irregularity bound to it, by a lifetime suspension from their office and benefice.[18]

But how could a bishop become guilty of perjury simply by being a bishop? When

from Århus diocese, born from bishop and unmarried woman [requests for a dispensation from illegitimacy]. Granted by special [powers given to the Penitentiary], Julius, bishop of Bertinoro, *regens*).

15 *Hierarchia catholica*.

16 The only other Danish bishop with the first name Jens, Hans or Jöns was Bishop Jens Pedersen Jernskjæg of Roskilde (bishop 1431–1448). He is, however, a less obvious candidate for Petrus's father if we take into consideration the fact that dispensations from an illegitimate birth were typically petitioned by young men before they intended to receive the priestly ordination, which usually took place when they were (at least) 25 years old. If Petrus had been at the age of *c*. 25 when he presented his petition to the Penitentiary in 1484, he would have been born at the end of the 1450s, which is some ten years after Bishop Jens Pedersen's death, in 1448: Erslev 1894, 455.

17 Jexlev & Andersen 1979–1984; Netterstrøm 2012.

18 Zapp 1986; Helmholz 1996, 145–173; Salonen 2001, 152–153.

a bishop received his appointment from the pope, he had to swear an oath to visit the Holy See regularly in order to report to the pope about the state of affairs in his diocese. These visits are known as *visita ad limina sanctorum apostolorum Petri et Pauli*. The frequency of paying these visits varied depending on how far away one's bishopric was situated from the papal curia: Italian bishops had to make their *visita ad limina* each year, those living north of the Alps every second year, and those living across the sea (like the Scandinavian bishops) had to visit the curia every third or fifth year, depending on what the pope demanded. If a bishop did not pay these visits regularly, he broke his oath and was guilty of perjury.[19]

We know from the Vatican sources that the popes were not too strict in checking the frequency of various bishops's visits *ad limina* or in insisting upon the fulfilment of the promise. Nor was it obligatory to make these visits personally, and a bishop could authorize someone else to take care of the visit on his behalf. Despite the flexibility—or perhaps because of it—some bishops did not take care of their visits and were therefore accused of perjury. This was not an accusation one could take lightly, because a perjurer incurred excommunication, which in the case of a bishop automatically meant that he was considered irregular and could not perform his episcopal functions before he had reconciled with the pope and received absolution and dispensation.

The Vatican sources contain references to the case of Bishop Konrad Bitz of Turku, a good example of such a violation. Konrad Bitz received his episcopal consecration in 1460 from Pope Pius II in Siena and promised to visit the Holy See every fifth year—which he did not do. When the Finnish bishop in 1473—some 13 years later—finally sent his representative to Rome, Pius II's successor, Sixtus IV, was not amused by the delay. The pope declared that Bishop Konrad was perjured and thereby excommunicated and irregular. In order to lift the ecclesiastical punishments, the representative of Bishop Konrad formulated a petition to the pope and asked for absolution from his sin and for dispensation so that he could continue in his ecclesiastical career. In addition to that, the petition of the Finnish bishop included a request for a permit that he should not pay a visit to the Holy See for the next 20 years. On 4 June 1473, Pope Sixtus agreed with the two first requests—because that was what the papal curia usually did if the request was canonically correct and composed in the right way—but he refused to grant the perjured bishop a licence to ignore his future visits. The representative of Bishop Konrad understood the subtle hint and eleven days later renewed the petition of his superior for absolution and dispensation and, wisely, no longer mentioned the wish to ignore the visitation. This time Pope Sixtus was clement and granted Bishop Konrad the requested absolution and dispensation, and in addition to that, the pope decided—on his "own" initiative which was the correct way to proceed in these cases—that Bishop Konrad should visit the papal curia every fifth year, but that

19 Paravicini Bagliani 1998, 14.

he was absolved from the first visit. We do not know whether Bishop Konrad visited the papal curia in 1483—that is ten years from the previous one—but papal sources tell that he had done so at least during 1488—and these sources do not mention any subsequent accusations of perjury.[20]

Violent behaviour

Since the Ten Commandments and the teachings of Jesus condemned violent behaviour of Christians, the members of clergy were obviously supposed to avoid the use of violence and especially not to kill anyone. Canon law punished violent clerics severely with excommunication, irregularity and suspension.[21] A priest or bishop could not underestimate the consequences of these punishments, because they banned the guilty person from carrying out his priestly or episcopal functions and consequently he was in danger of losing his office, and thereby his income. Those guilty of such offences had to apply to the pope in order to gain absolution and dispensation, which would eventually restore the sinner to his priestly or episcopal rights.[22]

Despite the ecclesiastical norms forbidding clerical violence, many bishops were involved in violent acts, especially in warfare, and their behaviour did not change over the course of centuries. One of the first well-known cases of a bishop guilty of violent deeds is that of the Finnish bishop Thomas, who had to resign his position in 1245 because he had ordered someone to be mutilated, which resulted in the death of the victim. It is questionable whether this alone forced him to resign, because a papal document related to his early retirement refers also to the fact that he had admitted falsifying a papal letter. Unfortunately, the short source text is so imprecise that we do not know what had made the bishop order the mutilation of the deceased but it is enough to testify that bishops have been guilty of violence and that they had to carry the consequences of their actions.[23]

20 *FMU* vol. IV, 3547 (= *ASV*, *Reg. Suppl.* 691, fols. 117^{v}–118^{r}); *FMU* vol. IV, 3549 (= *ASV*, *Reg. Suppl.* 691, fol. 269$^{r–v}$). See also Salonen 2005, 436–440; 2014, 86–87.

21 The ecclesiastical legislation concerning the use of violence, both by clergy and towards them, is enormous. The most well-known decree regarding violence towards clerics is the constitution 15 ("Si quis suadente diabolo") of the Second Lateran Council celebrated in Rome in 1139. It ruled that anyone who laid violent hand on members of the clergy or monastic orders incurred automatic excommunication, which could be absolved only by the pope. For a short but comprehensive presentation of the ecclesiastical norms, see Clarke 2011.

22 If a cleric participated in a violent act, he was immediately (*ipso facto*) excommunicated and considered irregular because of the defect of perfection of leniency (*ex defectu perfectae lenitatis*). In order to lift the excommunication and the irregularity, violent clerics had to turn to the pope, who alone could grant them absolution from the excommunication and dispensation which liberated them from the irregularity. These tasks were typically delegated to the officials of the Apostolic Penitentiary from 1360s onwards: Salonen 2001, 128–132.

23 *FMU* vol. I, 88: "[...] quendam fecerit mutilari, qui hujusmodi occasione mortem incurrit, ac quasdam litteras apostolicas persumpserit diabolico instinctu falsare [...]".

Bishop Konrad Bitz of Turku, whom we met earlier, was in his turn guilty of participation in warfare. The papal documentation from his representative's visit to Rome during 1473, mentions that, in addition to being a perjurer and many other things, Bishop Konrad was under excommunication because he had participated in warfare by sending his troops against his enemies and by consenting to the capture of the archbishop of Uppsala.[24] The wars mentioned in the bishop's petitions refer to the ongoing civil war in Sweden between the supporters of Swedish and Danish kings from the middle of the 15th century onwards.

Bishop Konrad had to answer to the pope for his violent behaviour and he received the necessary absolution and dispensation, so that we have written testimony about his misbehaviour. But in his defence, it must be stressed that he was certainly not the only Scandinavian bishop guilty of such a crime. It is a well-known fact that most Swedish bishops participated in internal political struggles and thus they should have incurred ecclesiastical sanctions too. However, there is very little information about their cases in the Vatican source material.

The best example of a Swedish bishop who was involved in political wars in Scandinavia is probably Hemming Gadh of Linköping. Gadh was a well-known curialist, who had established excellent networks within the papal curia while he was staying in Rome for years as the representative of the Swedish Regent, Sten Sture the Elder. The latter rewarded his faithful servant by installing him into the See of Linköping in 1501. Hemming Gadh, however, never became a consecrated bishop, but was forced to act as *electus* until the end of his career because Pope Alexander VI refused to consecrate him. We do not know the reason for the refusal of the pope but can only guess his motivations. Perhaps he did it because of Hemming Gadh's misbehaviour, perhaps for some other reason—rumours said, for example, that it was Hemming who had assassinated his predecessor. In addition to this it is known that Electus Hemming was actively participating in warfare on Swedish soil.[25]

However, it must be underlined, in defence of both Hemming Gadh and Konrad Bitz, that their active participation in warfare and intrigues resulted partly from the fact that they were bishops. According to Swedish customs, bishops were automatically members of the State Council and as such they immediately became part of the political conflicts in the country. As a result, it was impossible for men in their position to keep out of controversies.

24 *FMU* vol. IV, 3547 (= *ASV*, *Reg. Suppl.* 691, fols. 117^{v}–118^{r}); *FMU* vol. IV, 3549 (= *ASV*, *Reg. Suppl.* 691, fol. 269$^{r–v}$). For further examples of bishops' military exploits, see Villads Jensen, and Skoog, in this volume.

25 Regarding Hemming Gadh, see Carlsson 1915; and further Balzamo in this volume.

Conclusions

What we have had until now are single stories about Scandinavian bishops who were guilty of crimes and sins a bishop should not have committed. As the head of a diocese one expects to find a bishop who was a good model for the faithful in his bishopric, but this was not always the case. Bishops were human and sometimes they were drawn to the pleasures of the flesh, as the case of the bishop-father, Jens Lange of Århus, has demonstrated.

We also saw that sometimes the sins committed by bishops were connected to their office. Had Konrad Bitz not been a bishop, he would not have sworn to the pope to visit the papal curia regularly and thus become a perjurer when he failed to do so. But we also saw that the position of a bishop in the Scandinavian kingdom(s) as a member of the Swedish Council of Realm could easily cause the bishops to be guilty of violence, because they almost automatically had to participate in warfare, as we saw with the examples of Konrad Bitz of Turku or Hemming Gadh of Linköping. It is clear that these persons did not necessarily enjoy leading armies but their presence—be that actual or only instigating—in warfare was an integral part of their leading position in the society.

Since the aim of this article is not to try to explain away the incorrect behaviour of bishops, I will close with a prime example of a Scandinavian bishop who might simply have been an unpleasant person—so to say the Alexander VI of Scandinavia—and violated in many different ways both ecclesiastical law and the local civil law.

Johannes Gerechini—or in Scandinavian Jöns Gerekesson/Jón Gerreksson—was born somewhere in Denmark around 1380. He studied at the University of Cologne and started his ecclesiastical career as a canon in Århus. Later he became the chancellor to the Union King Eric of Pomerania, who in 1408 appointed Johannes as archbishop of Uppsala against the will of the Uppsala chapter. Johannes, who from the very beginning was disliked by his chapter, did not make himself more popular by ignoring his duties and preferring to dedicate himself to pleasure. According to medieval sources—which we have to interpret with caution because they are written by his political adversaries—he lived a luxurious life accompanied by women of dubious morals and did not hesitate to use violence against his enemies. When he ran out of money, he not only took bribes and borrowed money without paying it back, but also embezzled church property. He also kept a young woman from Stockholm as his concubine and had two children with her. We know all this because his abuses led to an official complaint from the Uppsala chapter to Pope Martin V, who commissioned the bishop of Riga to investigate the situation—and against all expectations, the papal commissioner eventually found Johannes not guilty. Nevertheless, Johannes Gerechini drew the right conclusion and abdicated from the See of Uppsala in 1421.

His ecclesiastical career did, however, not end with the abdication: he was subsequently appointed bishop to the Icelandic diocese of Skálholt in 1426. Four years later he arrived at the island and was formally ordained. In Iceland as in Uppsala, the locals soon tired of him, particularly the anti-English policy he led on the island. The surviving sources do not say anything direct about the motives or the details of events but describe briefly how he finished his days: on 20 July 1433, the locals took the law into their own hands, captured their bishop, stuffed him in a sack, and drowned him.[26]

BIBLIOGRAPHY

Archival sources

Archivio della Penitenzieria Apostolica, Vatican City (*APA*)

Reg. Matrim. et Div. 7–11, 13.

Archivio Segreto Vaticano, Vatican City (*ASV*)

Reg. Lat.

Reg. Suppl. Reg. Vat.

Edited sources

Corpus Iuris Canonici editio Lipsiensis Secunda post Aemilii Ludovici Richteri curas ad librorum manu scriptorum et editionis Romanae fidem recognouit et adnotatione critica: pars II. Decretalium collectiones, ed. A. Friedberg (2nd edn, Graz: Akademische Druck- u. Verlagsanstalt, 1959).

Hierarchia catholica medii aevi sive summorum pontificum, S. R. E. cardinalium, ecclesiarum antistitum series ab anno 1431 usque ad annum 1503 perducta, ed. C. Eubel (2nd edn, Münster: Libraria Regensbergiana, 1914).

Secondary literature

Carlsson, G. 1915. *Hemming Gadh: En statsman och prelat från sturetiden. Biografisk studie* (Uppsala: Uppsala Universitet).

Clarke, P. 2011. 'The medieval clergy and violence: An historiographical introduction', in *Violence and the medieval clergy,* eds. G. Jaritz & A. Marinković, CEU Medievalia 16/Medium Aevum Quotidianum, Sonderband 23 (Budapest: CEU), 3–16.

Erslev, K. 1894. 'Jernskjæg, Jens Pedersen', in *Dansk biografisk Lexikon* VIII, (Copenhagen: Gyldendal), 455.

Göller, E. 1911. *Die päpstliche Pönitentiarie von ihrem Ursprung bis zu ihrer Umgestaltung unter Pius V.* Bibliothek des Königl. Preuss. Historischen Instituts in Rom 3–4, 7–8 (Rome: Loescher).

26 See Losman n.d.

Helmholz, R.H. 1996. *The spirit of Classical canon law* (Athens and Georgia: University of Georgia Press).

Jexlev, T. & J.O. Andersen, 1979–1984. 'Jens Iversen Lange', in *Dansk Biografisk Leksikon* 3 (Gyldendal), http://denstoredanske.dk/index.php?sideId=293224 [accessed 22 December 2015].

Landau, P. 1994. 'Das Weihehindernis der Illegitimität in der Geschichte des kanonischen Rechts', in *Illegitimität im Spätmittelalter*, ed. L. Schmugge, Schriften des Historischen Kollegs, Kolloquien 29 (Munich: de Gruyter), 41–53.

Losman, B. n.d. 'Johannes Gerechini', in *Svenskt biografiskt lexikon*, sok.riksarkivet.se/sbl/artikel/12111 [accessed 12 January 2017].

Netterstrøm, J.B. 2012. 'Jens Iversen (Lange)' in *Danmarkshistorien.dk*, http://danmarkshistorien.dk/leksikon-og-kilder/vis/materiale/jens-iversen-lange/ [accessed 22 December 2015].

Paravicini Bagliani, A. 1998. 'Ad limina', in *Dizionario enciclopedico del Medioevo*, eds. A. Vauchez & C. Leonardi (Rome: Città Nuova), I, 14.

Salonen, K. 2001. *The penitentiary as a well of grace in the late Middle Ages: The example of the Province of Uppsala, 1448–1527*, Suomalaisen Tiedeakatemian Toimituksia—Annales Academiae Scientiarum Fennicae 313 (Helsinki: Academia Scientiarum Fennica).

Salonen, K. 2005. 'Benefici, omicidi, pellegrinaggi: I finlandesi nella Curia nel tardo medioevo', in *Kurie und Region. Festschrift für Brigide Schwarz zum 65. Geburtstag*, eds. B. Flug, M. Mattheus & A. Rehberg (Stuttgart: Franz Steiner), 435–450.

Salonen, K. 2014. 'Pyhiinvaeltajia, pahantekijöitä ja pappeja. Suomalaiset Roomanmatkaajat myöhäiskeskiajalla', in *Suomalaisten pyhiinvaellukset keskiajalla*, eds. S. Katajala-Peltomaa, C. Krötzl & M. Meriluoto-Jaakkola (Helsinki: SKS), 85–105.

Salonen, K. & L. Schmugge 2008. *A sip from the "well of grace": Medieval texts from the apostolic penitentiary*, Studies in Medieval and Early Modern Canon Law 7 (Washington, D.C.: Catholic University of America Press).

Schmugge, L. 1995. *Kirche, Kinder, Karrieren. Päpstliche Dispense von der unehelichen Geburt im Spätmittelalter* (Zürich: Artemis & Winkler).

Schmugge, L., P. Hersperger & B. Wiggenhauser, 1996. *Die Supplikenregister der päpstlichen Pönitentiarie aus der Zeit Pius' II. (1458–1464)*, Bibliothek des Deutschen Historischen Instituts in Rom 84 (Tübingen: de Gruyter).

Zapp, H. 1986. 'Eid. A. II Kanonistische Eideslehre', *Lexikon des Mittelalters* III (Munich: Artemis), 427–428.

Bishops and the court:

The Castilian episcopacy and *conversos*, 1450–1465

Rosa Vidal Doval

For all the undoubted importance of bishops in late medieval Castile, they remain curiously understudied as a group. As elsewhere, Castilian bishops were "prelates, magnates, landlords, administrators, statesmen, and saints"—albeit Castile could count few in the last category.[1] They enjoyed an institutionally defined role in the governance of the kingdom that went beyond the pastoral and jurisdictional oversight of their dioceses. By virtue of a social status akin to that of the high nobility, they had privileged access to the royal court and participated in such central institutions of government as parliament (*Cortes*) and the royal council (*Consejo Real*).[2] Yet outside of a number of studies of individual figures, the role of the Castilian episcopacy in the turbulent events of the period has been only partially explored. Moreover, in most cases, this exploration has disregarded the religious remit of the episcopacy, treating bishops simply as representatives of the noble classes. Bishops, however, had their own distinctive spiritual obligations that could inform their actions at court.[3] At issue was the ways in which service at court could be made compatible with the successful discharge of episcopal duties, particularly in a context where bishops were often royal appointees.[4] Additionally, in an age characterized by conflict between monarchy and nobility, the pastoral concerns of bishops could impact upon their involvement in political factionalism.[5] This article investigates such ideas through the lens of debates concerning religious orthodoxy, in particular the status of descendants of converts from Judaism or *conversos*. This was by far the most significant religious question of

1 Swanson 2016, 29. Saintly bishops: Vauchez 1981.

2 García de Valdeavellano 1968, 328–329, 416, 458.

3 There is a general discussion of the role of bishops at court in Rurale 1998.

4 A point made with regard to late medieval England by Bernard 2012, 52–53. Royal appointments in Castile: Díaz Ibáñez 2006, 207.

5 Factionalism: Quintanilla Raso 1997, 15–36.

the period and one that offers fertile ground for the study of the interactions between episcopal, noble, and royal power.[6] Following a brief survey of the origins of controversies about *conversos* this article reviews two case studies: evidence of an anti-*converso* episcopal faction in Alonso de Espina's *Fortalitium fidei*; and the activities of Alonso Carrillo, archbishop of Toledo.

The religious history of 15th-century Castile was shaped by the responses to a series of mass conversions of Jews to Christianity. The first occurred in the aftermath of a series of pogroms that spread throughout the kingdom in 1391. From 1411–1412 there were further waves of mass baptisms after attempts, sponsored by the monarchy and the papacy, to bring about the conversion of the remaining Jews in the kingdom through preaching and the enforcement of restrictive legislation. Although Christianity had long cherished the prospect of the conversion of Jews, the arrival of large numbers of new converts into the main Christian fold proved to be problematic for late medieval Castilian society. The scale of the conversions was such that the New Christians or *conversos* could not be readily assimilated and they remained a distinct group, often in conflict with both their old and new coreligionists. Since baptism conferred full rights upon the neophytes, *conversos* gained access to occupations barred to Jews, to the universities, civil administration, and the church. Although there is evidence of frictions between New and Old Christians in the first half of the 15th century, in the main around the issue of socio-economic competition, integration still seemed a possible prospect.[7]

The situation changed dramatically in the central years of the 15th century, when a series of voices began to offer a systematic challenge to the place of *conversos* in Christian society. In particular, criticisms were aimed at the religious practices of the *conversos*: they were accused of being heretics who practised Judaism in secret, of corrupting their own and others' morals, and of harbouring a hatred towards good Christians that they shared with the Jews. Although these accusations first appeared in the context of a rebellion against royal authority in Toledo in 1449, they soon became the focus of a textual debate about the religiosity of *conversos* and their place within Castilian society.[8] While discussion took place among different groups in the church–involving particularly mendicants and the episcopate–, both sides appealed to the crown either as a defender of *conversos* against discrimination or as guardian of religious orthodoxy. The royal court was central to these controversies as the scene of some of the debates that would later become written works, as the setting from which policy and legisla-

6 For a wider discussion of the ideology underpinning the relationship between church and monarchy in Castile during this period, see Nieto Soria 1988, 198–204.

7 There are narrative accounts of these developments in Benito Ruano 2001, and Nirenberg 2013, 218–245.

8 Toledo revolt: Vidal Doval 2013b, 215–236 and bibliography therein. Textual debates: Rábade Obradó 1999, 239–272.

tion emanated, and as the very place where some of the most powerful and influential *conversos* operated.

The role of bishops in shaping attitudes towards *conversos* remains understudied. Narrative histories focus primarily on how, acting against the wishes of the crown and the ecclesiastical élites, the mendicants attempted to whip up popular resentment against the descendants of converts from Judaism. The episcopate has been largely understood to be a defender of *conversos* during this period.[9] Bishops, particularly those in the most powerful and wealthy dioceses, were usually members of the nobility, a group where *converso* extraction was not uncommon.[10] Yet whilst bishops often upheld the values of the noble class to which they belonged and displayed solidarity with their kin groups, they were also church officials with distinct duties and expertise. A study of the episcopate, therefore, should not assume that bishops were always willing to subordinate or neglect their pastoral duties in favour of secular agendas nor that their aims and the means through which they pursued them should necessarily map perfectly onto those of the secular nobility. Likewise, the easy identification of the bishops' aims with the nobility's underplays the existence of sectors of the episcopate hostile to *conversos*.[11]

The article will reveal the complexity of positions held by bishops with regard to *conversos* in Castilian society in the 15th century. In so doing, it will call into question some of the dominant narratives about the chronology and evolution of the persecution of and discrimination against *conversos*. The main interpretive focus will be the actions of bishops at the royal court, understood as the political space that surrounds the person of the monarch as well as the narrower institutional setting.[12] Study of the interactions of the bishops with royal power allows a richer perspective on the interface between pastoral activities and political actions. Having probed in my earlier work the development of the notion of wholesale heresy and faithlessness among *conversos*, in this essay I will consider instead how such contested notions could penetrate Castilian political life within two decades.

Evidence of anti-*converso* episcopal activity in the 1450s and 1460s reveals the importance of ideology, rather than an increase in instances of violence, to account for the worsening position of New Christians. Likewise, these instances of episcopal activity reveal, first, the importance attached by those with anti-Semitic agendas to obtain full and effective collaboration from the royal government and, second, a symbiotic

9 See, for instance, Netanyahu 2001, e.g. 941–942.

10 Díaz Ibáñez 2006, 199–204.

11 A point only hitherto explored in McKendrick 1987.

12 For a definition and discussion of the late medieval concept of the royal court in Castile, see Nogales Rincón 2013, 304–305. For recent studies on Iberian courts see the special issue *La sociedad cortesana en la Península Ibérica (siglos XIV–XV)*, Beauchamp & Narbona Cárceles 2015.

relationship between bishops and friars. The model put forward in Espina's work is essentially collaborative in nature: all elements of ecclesiastical and royal power are to work to the same end. A study of Carrillo's actions and policies towards *conversos* in the same period offers insight into the shift from pro- and anti-*converso* factionalism to a situation where such boundaries were much less clearly defined. At the same time, it reveals the extent to which the language of exclusion and persecution came to permeate all demands and debates concerning New Christians. Overall, this study will highlight some of the mechanisms whereby solving the problems posed by *conversos* became synonymous with the good governance of Castile.

Episcopal factions in Alonso de Espina's *Fortalitium fidei*

Fortalitium fidei, written between 1458–1464 by the Observant Franciscan Alonso de Espina (d. *c.* 1466), is one of the central works in the *converso* debate. In it Espina characterizes New Christians as part of an assault on Castile by all enemies of the faith – heretics, Jews, Muslims, demons and witches.[13] A well-known preacher active at court, Espina enjoyed the confidence of two successive monarchs and used his closeness to Enrique IV to further his vision of religious reform. Taking a hard line, Espina sought to equate New Christians with Jews arguing that the former were heretics who kept practising Judaism in secret and who maintained close ties of solidarity with the latter. His ultimate aim was to eradicate this supposed *converso* heresy and to reduce the Jewish presence and influence in Castile to a bare minimum. In *Fortalitium fidei* he denounced what he perceived to be the status quo and offered remedies to solve the grave religious crisis that engulfed Castile. Through a series of contemporary episodes, Espina painted a picture of *converso* heresy and Jewish criminality that was largely met with disinterest and inaction by the episcopate and the judiciary. To counter the latter he advocated the close co-operation of church and crown, where the former, led by a spiritual élite of preachers such as the Observant Franciscans, would work to eradicate error through inquisitorial activity and enforcement of legislation.

Achieving such co-operation was an arduous task. Espina was clear that many prelates were on the side of *conversos*. He criticized those bishops whose seeming indifference to the *converso* problem amounted to a defence.[14] Worse still were those church-

13 For what follows see Vidal Doval 2013a, and bibliography therein. Now see also Cavallero 2016.

14 Criticism of bishops: Alonso de Espina, fol. 9^{v}, "intraverunt, Domine, gregem tuum lupi rapaces, quia pauci sunt pastores multi mercennarii, et quia mercennarii sunt non est eis cura de ovibus tuis pascendis sed tondendis; vident enim lupos venientes et fugiunt" (ravening wolves have entered, o Lord, upon your flock, because the shepherds are few and the hirelings many, and since hirelings do not take care to graze the sheep but to shear them, they see wolves come and they flee [all translations are my own]). On Espina's self-portrait as true preacher,

men who, through their writings, actively defended *conversos*. *Fortalitium fidei* offers a reply to their ideas, in particular those of the bishop of Burgos, Alonso de Cartagena (d. 1456) in his *Defensorium unitatis christianae* (1450), Cardinal Juan de Torquemada (d. 1468) in his *Tractatus contra madianitas et ismaelitas* (1450) and, indirectly, to Alonso de Oropesa (d. 1468) in his *Lumen ad revelationem gentium* (1466).[15] Espina offers a series of accounts set in the mid to late 1450s where he had collaborated with certain Castilian bishops to sound warnings against Jews through accusations of heresy and ritual murder. Implicit in these accounts is the issue of existing divisions among Castilian bishops, some of whom aligned themselves firmly with Espina's anti-*converso* stance.[16] Through these episodes he provided a model of episcopal behaviour contrasting to that he maintained was the prevailing one. Bishops ought to be diligent in their canonical duties as guardians of the faith, to conduct regular inquisitions to root out error and to enlist the co-operation of the secular authorities in those tasks.[17] Espina was both constructing a model of the ideal bishop and opposing it to his depiction of a failing Castilian episcopate.

Accounts of *converso* heresy in *Fortalitium fidei*'s Book II highlight these tensions and divisions; decisive action by the episcopate was rare. When it happened, particularly with the support and guidance of figures such as Espina, it resulted in punishment and revealed the extent of error among New Christians. Yet Espina had to acknowledge in his accounts that inquisitorial measures were not universally supported by the faithful. The most relevant example of episcopal intervention is the case brought in front of the bishop of Palencia, Pedro de Castilla (1440–1461) in 1458.[18] It involved a *converso* barber from Frómista, Fernando Sánchez, who stood accused of denying the divinity of Christ and claiming to believe only in God, creator of the universe, and who had only recanted his beliefs for fear of death. Espina had been involved in these inquisitorial proceedings ("inquisicione") at the behest of the bishop, who had provided him with a notarized version of the documents, so that he would determine the appropriate sentence.[19] Espina had recommended ten years' imprisonment but claims he had to commute the sentence to exile after a popular outcry. In the absence of further details in the text and any other external evidence, there arise questions about the case that cannot be fully answered. These concern, in particular, Espina's involvement and the circumstances surrounding the moderation of the penalty. In the case of the former, it is possible to posit a Franciscan network that may have fought to bring the

opposed to false ones who failed in their duties, see Cavallero 2011.

15 Vidal Doval 2013a, 33–65, 87–145.

16 The discussion that follows is indebted to McKendrick 1987, 125–172.

17 Proposals for inquisitors to investigate heresy: Alonso de Espina 1471, fols. 68^{r}–70^{r}.

18 Alonso de Espina 1471, fol. 53$^{r–v}$. A biography of Pedro de Castilla may be found in Villarroel González 2007.

19 For further examples of this form of inquisition, see Välimäki in this volume.

case to the bishop's attention in the first place and secured Espina's involvement as a well-known preacher and advocate of inquisition. As for the latter, while Espina only speaks of the pressure applied by many ("multorum"), other cases in *Fortalitium fidei* suggest he was hinting at a lobby of powerful *conversos* and their allies amid the local authorities. This case provides a notable contrast with others reported by Espina where no prosecutions were forthcoming.[20] For instance, in Segovia in 1459, a local law official (*alguacil*) had witnessed how many *conversos* had attended the synagogue wearing Jewish clothes to take part in the celebration of the Feast of the Tabernacles. Espina introduces a note of frustration into his account when he comments that this eyewitness was prepared to tell his story in public to whomever would listen.[21] Heretics were acting with total impunity because the ecclesiastical authorities, and particularly the bishops, were letting the testimony of reliable witnesses go unheeded.

If Espina saw the problem of heresy as grave and urgent, he presented the issue of Jewish criminality and *converso* complicity as even more alarming. In some of the best-known and most studied passages of *Fortalitium fidei*, Espina brings forth accusations of ritual murder against the Jews of contemporary Castile. He provides details of three crimes that had taken place in the 1450s alongside earlier testimonies from elsewhere in Europe. Although the details of the episodes were very similar, the outcomes could not be more different: Espina highlights how, in all Castilian cases, the culprits had escaped unpunished. By mustering the accusation of ritual murder, Espina was following a long-established pattern of anti-Semitic agitation whereby intense pressure was brought to bear upon Jewish communities. Such accusations, when successful, could then lead to forced conversions, the worsening of the legal standing of Jews, and even the expulsion of entire communities.

The myth of ritual murder appeared for the first time in the last third of the 12th century in England and France.[22] Accusations of blood libel spread through Europe eastwards until prosecutions reached a climax in the lands of the Holy Roman Empire during the 15th and 16th centuries. Although no country was spared, they were more rare in Italy and Spain where most cases were clustered in the 15th century, spurred by the preaching of friars. The blood libel depicted Jews torturing and bleeding children

20 The bulk of Espina's evidence about the heresy of *conversos* comes from an inquiry ("pesquipiam" *sic*) conducted in Toledo: Alonso de Espina 1471, fol. 52^{r}. He does not specify its context of production but it is possible that it was related to proceedings conducted during the rebellion of 1449. This was an un-canonical inquest conducted without the authority of the archbishop, Alonso Carrillo, and thus as evidence of correct procedure was problematic: Meyuhas Ginio 1998, 125; Valle Rodríguez 2008, 22–23. For further examples elsewhere, see Välimäki in this volume.

21 Alonso de Espina 1471, fol. 53^{r}: "omnia predictus algazelus omnibus volentibus audire publice affirmabat."

22 Hsia 1988; Rose 2015.

to death in order to use the blood for ritual, medicinal, or magic purposes. To these narratives of murder there were soon added those of host desecration, where Jews were said to procure consecrated hosts to torture and injure Christ. The motives behind the first documented accusation remain unclear, but the idea that Jews as a collective murdered Christian children proved to be an enduring one. Ritual murder would become the most potent weapon of medieval anti-Semitism. Its power was twofold. First, it fed on the terror associated with child murder. Second, it allowed for criminal charges to be brought against Jews, placing them in particularly vulnerable positions, where blame for specific crimes attached itself not just to unfortunate individuals but to entire communities. Though accusations of ritual murder led to the persecution and even elimination of certain Jewish communities, written accounts of such episodes often advanced wider agendas with authors putting forward overt political messages and striving to shape public opinion. For example, texts produced in 1470s Germany about the murder of Simon of Trent and the host desecration of Passau argued against the toleration of all Jews and even criticized their protectors amongst the ruling élites.[23]

A model for Espina's use of accusations of ritual murder comes from the Observant Franciscan Giovanni Capestrano (d. 1456).[24] His activities during his preaching tour of Bavaria, Austria and Bohemia of 1451–1454 stand out because they provide an example for Espina's agenda and plan of action.[25] As a special papal envoy, Capestrano had the task of reforming and cleansing through inquisition a region where the Hussite Utraquist heresy was seen to thrive. Capestrano's brand of reform brought along significant changes in attitudes towards the Jews: in his wake there were challenges to the legal status of Jewish communities, outbreaks of violence, and expulsions. Perhaps the most notable episode was the host desecration trial in Wrocław (Breslau) in 1453. A thief's confession was the catalyst for an investigation led by Capestrano as inquisitor and assisted by royal and local authorities that supposedly uncovered a wide-ranging Jewish conspiracy including a ritual murder committed decades before. The authorities moved decisively against the Jews, ordering the execution of 44 individuals, the forced baptism of all children under seven, and the expulsion of the remainder of the community.

Espina had similar aims to Capestrano: elsewhere in *Fortalitium fidei* he advocated severely restricting the freedoms and privileges of the Jews, he considered the convenience of forcibly baptizing their children, and he speculated on the possibility of a Castile without Jews.[26] Importantly, through his accounts of ritual murder, Espina sought to highlight the ties of solidarity between *conversos* and Jews and their shared aim of

23 Hsia 1988, 42–44, 52–53.

24 On Espina's self-conscious following of the tradition of mendicant charismatic preacher see Vidal Doval 2013a, 26–29. On Capestrano's self-representation see Gecser 2010, 145–159.

25 Rubin 1999, 119–126.

26 Alonso de Espina 1471, fols. 147^{r}–152^{v}, 153^{v}–154^{r} and discussion in Vidal Doval 2013a, 112–117.

harming Christians. He revealed how *conversos*, whom he had argued were heretics in their greater part, were successful in helping those Jews guilty of the most atrocious crimes evade justice. Although no Castilian *converso* wields the knife in Espina's accounts, many shared in the guilt of murderous Jews. This *converso* complicity in ritual murder operated at the highest levels; counsellors and judges at the *audiencia* (i.e. the royal tribunal in Valladolid) refused to prosecute ritual murder cases and thus failed in their most fundamental duty to protect Christians.

If Espina's censure of prelates and royal officials has an anti-élitist tone, his accounts of ritual murder nevertheless highlight the importance of obtaining the co-operation of the authorities and the centrality of the royal court in bringing about successful prosecutions. Espina's depictions of ritual murder follow the well-established patterns and contain many of the stock characters of such accounts but they are particularly detailed in their discussion of failures to bring any culprits to justice.[27] This very fact exposes all the more clearly the fault lines in the relation between the various parties involved in these events. In Espina's accounts bishops endorse and validate the claims of murder and provide examples of clergy willing to take a stance against Jewish and *converso* criminality, even when that happens outside their diocese. The royal court, meanwhile, is the most important arena to bring these cases to justice, and the place where these claims can transcend the local and become national concerns altering the perceptions and attitudes of the ruling élites.

Espina lists two separate reports of attempted ritual murders in Toro in 1457, referred by "Alonso" (*sic*) de Vivero, bishop of Salamanca, and by a "simple man", respectively.[28] In the first and longer account by the bishop, some Jews had attempted to harm two children. In their haste, they had only succeeded in cutting a piece of flesh from the leg of one of the boys, the son of one of the bishop's men, but the Jews had evaded justice by fleeing to Zamora. In the second account, a man described how his son had been abducted by a Jew and had been saved by some passers-by who had heard his cries for help. Despite reporting the attack to the local officials, who had referred it on to the royal council, the case had stalled. Both stories reveal Espina as a gatherer of complaints about breaches of justice concerning Jews and their *converso* sympathizers, and as a figure willing and, to some degree, able to bring new attention to cases that had been deemed of no merit by the authorities. As well as lacking the co-operation of the secular justice, the bishop of Salamanca was unable to act against a crime committed in his diocese when the Jews moved to a neighbouring one, where the diocesan authorities must have seen no merit in the accusations. Meanwhile, the man from Toro

27 For comments about the use and adaptation of stock characters and events, see Rose 2015, 11, and, focused on host desecration accounts, Rubin 1999, 70.

28 Alonso de Espina 1471, fol. 126^{r-v}. There is an error in the text: the bishop of Salamanca was Gonzalo Pérez de Vivero (1447–1482). Biography in Martín Martín 2013, 147–162.

had produced a written account of events, probably at Espina's instigation, which the friar intended to lodge at the royal council.

Espina plays a similar but more prominent role in the case of ritual murder uncovered in 1454 in the lands of Luis de Almansa.[29] The bishop of Lugo, García Martínez de Bahamonde (1441–1470), together with a local knight, Rodrigo Díaz de Mendoza, reported the events claiming they had received a full account of the episode in a letter from the local lord.[30] A chance discovery of a child's shallow grave by dogs had led to an inquest ("diligentem inquisicionem") by Luis de Almansa. After being put to torture, a local, red-haired Jew had confessed to the murder of a child in order to obtain his heart and, as part of a ritual alongside other Jews, drink its ashes mixed with wine. Despite such evidence, the king had ordered in a letter that proceedings be halted, as *Fortalitium fidei* implies, after pressure from the local Jewish community.[31] At this point, Espina seems to have become interested in the case, and he claims to have caused a stir in Valladolid when he preached a sermon criticizing such a flagrant breach of justice. A scandal of sorts seems to have ensued, where, as Espina would have it, *conversos* at the royal chancery (*audiencia*) had the murder suspect transferred to the public prison and the case taken over by the royal tribunal.[32] There, through a mixture of bribery and sympathy towards Jews, the *converso* faction that dominated the tribunal conspired in an outcome favourable to the murderer: two of the three judges appointed were *conversos* who succeeded in stalling proceedings.[33]

A similar strategy for attracting public attention to a case in one of the key locales of royal justice, such as Valladolid, is behind Espina's report of two cases of ritual murder that had taken place in Italy.[34] He claims to have obtained testimony of the murders

29 Alonso de Espina 1471, fols. 125^{v}–126^{r}.

30 Biography of Martínez de Bahamonde: Flórez *et al.* 1754–1879, XLI, 136–141. I have not been able to identify either Luis de Almansa or Rodrigo Díaz de Mendoza.

31 Alonso de Espina 1471, fol. 126^{r}: "Cumque vellet facere iusticiam de eodem, iudei qui non dormiebant velocissime itinerantes a rege literas habuerunt in quibus aduocabat causam ad se et mandabat militi quod non procederet ultra" (When he [Luis de Almansa] wished to bring him to justice [the red-haired Jew], the Jews, who do not sleep, rushed to obtain letters from the king in which he called the case to himself and ordered the knight not to proceed further).

32 Alonso de Espina 1471, fol. 126^{r}: "Propter quod sic factum est quod iudeus ille ductus fuit ad predictam villam vallisoletanam, procurantibus aliquibus de genere suo, qui pro tunc magnam partem in cancelaria regis habebant, ut colore iusticie ipsum liberarent [...]. Positus ergo est in carcere publico." (Because of this he [the red-haired Jew] was taken to the aforesaid city of Valladolid, and those of his people [*conversos*], who were the greater party at the royal chancery, had him freed under the guise of justice. He was thus placed in the public gaol.)

33 Alonso de Espina 1471, fol. 126^{r}: "et duo illorum erant de genere illo [...] nichil usque nunc in execucione iusticie factum est" (and two of them [the judges] were of his people [...] and nothing has been done until now to carry out justice).

34 Alonso de Espina 1471, fols. 124^{v}–125^{v}.

in 1456 while residing at the Franciscan house in Valladolid from a Jew called Emmanuel who was seeking to convert to Christianity. The figure of the convert who gives an account of the secret activities of his former coreligionists is typical of ritual murder narratives and was seen to provide legitimacy to the accusations. In this instance, Emmanuel revealed how he had learned from his family about the first murder, and confessed to participating, alongside his father and other Jews, in the second. These revelations, which Emmanuel had first made to Espina and another friar, became a public spectacle when he repeated them in front of an audience of ecclesiastical and lay notables. Among these was the bishop of Lugo, García Martínez de Bahamonde, who acted as Emmanuel's godfather, and was a figure clearly sympathetic to Espina's anti-Semitic agenda.

Espina's accounts paint a picture of collaboration with the bishops of Lugo and Salamanca in order to establish the idea that ritual murders were being committed in Castile. This collaboration reveals how preachers and bishops reinforced each other when trying to stir up anti-Semitic feeling and translate it into action. Thus, whatever the motivations behind these bishops' concerns, it is clear that they were seeking Espina's involvement to make these cases well-known in instances where they were not able to act directly—primarily because the crimes had not been committed in their dioceses. In Espina's case, the bishops provided validation to a series of claims about the dangers of the Jewish presence in Castile that had hitherto failed to persuade the authorities. That he was not successful in these instances either is due to the resistance of the king and royal justice to take accusations of ritual murder at face value.[35] We can detect a unity of purpose between Espina and the bishops who, through their anti-Semitic agitation, were criticizing a monarchy that they saw as the protector of Jews and *conversos*.

Fortalitium fidei provides an insight into some of the key issues surrounding the discrimination of *conversos* during the 1450s. In particular, it reveals how Espina had failed to activate in Castile the kind of anti-Semitic forces that figures such as Capestrano had employed with dramatic consequences elsewhere in Europe. Although Espina's aims had some supporters amongst the episcopate, at the time of his writing, he had failed in his attempts to persuade the majority of prelates and, in particular, the crown of the *converso* danger and of New Christians' enduring ties with the Jews. In the Castilian church there were, alongside a series of prestigious and influential bishops such as Alonso de Cartagena or Lope de Barrientos, well known for their defence of *conversos*, a number of less influential figures that took the opposite view.[36] The model

35 For a brief discussion of the crown's policies towards Jews during this period see, Monsalvo Antón 1985, 308–311.

36 Alonso de Cartagena: see Fernández Gallardo 2002. Lope Barrientos: consult Martínez Casado 1994.

of co-operation proposed by Espina between ecclesiastical and secular authorities was not the current one. Accusations of ritual murder revealed that, if anything, the crown was unwilling to accept ecclesiastical meddling in the affairs of secular justice and the status of religious minorities. Such would change significantly in the following decade.

Alonso Carrillo, inquisitions and political factions

The 1460s were decisive for the hardening of attitudes towards *conversos*. Those years saw the triumph of two associated ideas that cemented the treatment of *conversos* as one of the central concerns in Castilian politics throughout subsequent decades. First, that inquisition was the only solution to the problem of heretical New Christians. Second, that the willingness to tackle this problem was a sign of good secular and ecclesiastical governance. The triumph of these two notions is closely linked to events at the royal court and the development of political factions that sought to challenge and direct the rule of King Enrique IV. In time, these would lead to his deposition in June 1465 and the subsequent civil war.[37] Alonso Carrillo, archbishop of Toledo 1446–1482, was a central figure in these events. Seen as a staunch defender of New Christians, his involvement in debates surrounding the status of *conversos* during those years and, in particular, his fostering of inquisitorial activity, offer a means to study some of these key developments.

Alonso Carrillo de Acuña, a younger son from a noble family of middling means, was destined from an early age to a career in the church under the auspices of his uncle, Alonso Carrillo de Albornoz, Cardinal of Saint Eustace.[38] Such patronage helped launch a rapid ascent that included his appointment as protonotary apostolic in 1434 and bishop of Sigüenza in 1436. It was, however, the support of Álvaro de Luna, Juan II of Castile-León's powerful favourite, which led to Carrillo reaching the highest ecclesiastical office in Castile as archbishop of Toledo. As Spain's primate, Carrillo remained at the centre of ecclesiastical and political power for nearly four decades. He was a member of the *Consejo Real* and the greatest ecclesiastical landholder in the kingdom. Carrillo remains best known for his central and disruptive role in the turbulent politics of the reign of Enrique IV. A full account of Carrillo's political manoeuvrings exceeds the limits of this study; in a time of shifting alliances and complex political dealings, he remained a critic of the king's government and led efforts to force a series of reforms to curtail the monarch's powers.[39] The most enduring result of Carrillo's efforts was Enrique IV's recognition of his half-sister Isabel, the future Isabel I, as heir to the Castilian throne to the detriment of his own daughter Juana.

37 There is an account of the events in Suárez Fernández 1964.

38 Political biography: Franco Silva 2014.

39 Franco Silva 2014, 57, 67, explains Carrillo's hostility towards the king as the result of political motivations and a wish to regain influence and power at the court.

Carrillo's role as archbishop—both in its pastoral and administrative elements—has been much less studied. Even the religious element of his enmity towards Enrique remains under-recognized and under-studied.[40] The best-known element of Carrillo's religious agenda has been his firm defence of New Christians.[41] As archbishop of the city where the greatest disturbances involving *conversos* had taken place, Carrillo had no choice but to seek to eliminate a major cause of conflict.[42] His interests in the issue, however, did not restrict themselves to Toledo or to a narrow understanding of the problems surrounding the assimilation of *conversos* into society. A particularly notable example of his wider interests is his literary circle, a group that formed under Carrillo's patronage around 1460 and remained active until around 1474.[43] This group of humanist writers, many of them *conversos*, produced a series of works that advanced further the defence of New Christians started by the authors of an earlier generation such as Alonso de Cartagena. Writers in Carrillo's circle such as Gómez Manrique, Juan Álvarez Gato, Rodrigo Cota or Pedro Guillén de Segovia argued for the equality of Old and New Christians while offering a sustained critique of the increasing persecution of *conversos*. More widely, the ideology underpinning this circle's literary production has been seen to reflect one of the central elements of Carrillo's political positioning, where he sought to assert the independence of the church against encroachment by royal power.[44]

Carrillo's stance as a defender and patron of *conversos* in Toledo is seemingly at odds with his actions at national level as leader of the nobles' uprisings of the 1460s against Enrique IV. Previously, calls for inquisition had been made by those opposed to *conversos* and by factions that asserted the existence of widespread heresy amid New Christians. Carrillo was embracing elements of the language of his supposed opponents. Such positioning is not just the result of the adoption of pragmatic policies by Carrillo and the rebel party; instead it should be interpreted as a deliberate attempt to shape the religious policy of Castile to conform to the bishops' own pastoral concerns. A study of Carrillo's handling of disputes around *conversos* in the years 1460–1465 helps to reveal how a socio-religious problem became one of the central issues in Castilian politics.

While inquisitorial activity around *conversos* in the 1450s was linked to hard-line approaches, the 1460s saw the adoption of inquisition as a solution by those proposing moderate positions. The question became not whether an inquisition was appropriate

40 There is a summary in Liss 1992, 51.
41 Gil Ortega 2015, 138–155.
42 For an overview of anti-*converso* conflicts in Toledo see Benito Ruano 1961.
43 Kaplan 2002, 64–73.
44 Gil Ortega 2015, 141–142. On the political activities of Carrillo's circle see also Round 2013, 149–174.

but what type was most suitable.[45] Should bishops order that inquests be conducted in their sees or should the pope be petitioned to appoint judge delegates (*inquisitores hereticae pravitatis*) to investigate the heresy of *conversos*?[46] A case in point comes from the demands at court for an inquisition in 1460 that would lead in the following year to the first series of co-ordinated efforts to offer a judicial response to the problem of *converso* heresy. This episode has obscure origins; in particular there is doubt concerning which specific event may have triggered this petition.[47] But the episode reveals the existence of three different views of the nature and functioning of an ecclesiastical tribunal with the task of investigating heresy; and these differing views were largely the expression of a desire to control the proceedings and the remit on the part of their instigators.

In 1460, a group of Observant Franciscans that included Alonso de Espina had alerted Enrique IV to the grave peril posed by Jews and Muslims living unhindered amid Christians and by the growth of *converso* heresy.[48] They had requested the king enforce segregationist legislation and act against heretics through an inquisition "akin to that operating in France".[49] Such precision points towards the Franciscans' preferred shape for the proceedings: they were most likely referring to a tribunal led by papal appointees, and thus operating beyond direct episcopal control. That arrangement would allow mendicants to direct the tribunal's workings and to circumvent those bishops they perceived as hostile to their purificatory agenda. The king had originally been receptive to such a request but, in time, had demurred. The following year, the Franciscans hoped to reignite the issue by enlisting help from the Hieronymites. Whilst the latter agreed to support this petition, the two groups appeared at court separately, and do not seem to have held a common position.

The Franciscans' intervention at court was nothing short of disastrous; the brand of anti-Semitic agitation that Espina had essayed throughout the kingdom proved unacceptable to Enrique IV. A member of the delegation, Hernando de la Plaza, claimed in a sermon to have evidence of widespread circumcision amid *conversos*, in the form

45 On these debates see Pastore 2003 and 2010.

46 The two options are often referred to as episcopal and papal inquisition respectively, although this terminology is problematic, and 15th-century Castilian sources tend not to draw this distinction. Discussion of terminology: Peters 1989, 67–68. Inquisitorial activity in late medieval Spain: Kamen 1998, 43.

47 Coussemacker 1993, 110 n. 2 observes that an unedited Hieronymite source (Juan de La Cruz, *Historia de la Orden de San Jerónimo*, 1591) speaks of clashes between Old and New Christians in Toledo in 1460. No other document records such events.

48 The fullest account appears in a 17th century work: Sigüenza 2000, I, 430–435. For a briefer but contemporary account, see *Crónica del rey don Enrique*, 130.

49 Sigüenza 2000, I, 431: "se haga inquisicion en este reino según como se hace en Francia y en otros muchos reinos y provincias de cristianos" (that an inquisition be made in this kingdom as it is made in France and in many other Christian kingdoms and provinces).

of the foreskins of many male children born to New Christian parents. When he was unable to furnish the king with this evidence, the Franciscans were evicted from the court. The more moderate Hieronymites, led by Alonso de Oropesa, prevailed, and were able to advance their understanding that episcopal tribunals were the appropriate means to hinder factionalism.[50] The king then asked Oropesa to oversee a kingdom-wide investigation of all heretical practices that was to be conducted by the bishops.[51] Carrillo, keen to close the rift between Old and New Christians in Toledo, delegated the inquisitorial task to Oropesa and the bishop of Coria, Íñigo Manrique. After an investigation that lasted until 1462, the inquisitors allocated blame to both parties: if New Christians were guilty of faithlessness, Old Christians indulged in intolerance. They also identified two aggravating factors in the polluting presence of Jews living amid Christians and the intransigence of Franciscans, who had done much to inflame public opinion. Carrillo understood formal investigation, carried out under circumstances that allowed for a degree of his supervision, to be a necessary step in healing those rifts. This measure, applied in the primatial city, would serve not just to address a local conflict but also as an example for other bishops in Castile. Nonetheless, the archbishop must have recognized the need to counter the arguments made by extremists such as the Franciscans. Thus, he encouraged Oropesa to complete a work in defence of *conversos* that the Hieronymite had begun in 1449. Oropesa's treatise of 1466, *Lumen ad revelationem gentium*, would be the most thorough and theologically far-reaching of all the texts produced in the *converso* debate.[52]

The events of 1461 helped persuade Enrique IV of the potential for the *converso* problem to be subject to factionalism and manipulation as well as the utility of controlling and guiding the actions of inquisitors. With such aims in mind, in December 1461 he requested from Pope Pius II that the papal nuncio Giacopo Antonio Venier (Jacobo Antonio de Veneris) and the bishop of Cartagena Lope de Rivas, alongside other inquisitors, be given authority to act in Castile.[53] The terms of the petition reveal that the monarch had intended this to be a tribunal that would be significantly different from both papal and episcopal tribunals. In effect, Enrique IV wished to create a new body, under close royal supervision, where ecclesiastics chosen and appointed by the crown investigated lapses in Christian doctrine under a secular legal framework.[54]

50 Sigüenza 2000, I, 433, which highlights Oropesa's view that bishops were the only legitimate judges on matters of faith. See also Pastore 2003, 10–19 and, for an alternative interpretation of this episode, Liss 1992, 54–55.

51 Sigüenza 2000, I, 433–434. See Coussemacker 1993, 109–112 for an account based on alternative unedited sources.

52 For an introduction to the *Lumen* and its inception see Vidal Doval 2013a, 39–41 and bibliography therein.

53 For this and what follows see Nieto Soria 1996, 214–219.

54 Enrique IV's petition to the pope speaks of inquisitors "de consensu expresso ejusdem regis

The papacy was unwilling to relinquish such levels of control over inquisitorial activity and, in a bull of 1462, presented the crown instead with a fully ecclesiastical tribunal staffed with papal appointees. Since such a structure could not fulfil Enrique's expectations, it was never implemented. If the inquests of 1461 did not mark the birth of the Spanish Inquisition, nevertheless that year proved a watershed in the adoption of repressive measures against *conversos* across Castile. The next step took place with the events surrounding the noble uprising against Enrique IV that began in 1464 and would culminate in his deposition in 1465.

These revolts would add a new element to the discourse of political rebellion. From this point onwards, good governance in Castile was inextricably linked with solving the problems presented by *conversos*. Beginning in 1462 there were increasing signs of noble discontent that, two years later, crystallized into a rebellion led by Archbishop Alonso Carrillo, the Marquis of Villena Juan Pacheco (d. 1474), and his brother Pedro Girón (d. 1466).[55] Around this triumvirate formed a noble league that would, by the time of the king's deposition, include the larger part of the magnates (*grandes*), including the most powerful and influential prelates. Although presenting itself as a challenge to the monarch and his new favourite, Beltrán de la Cueva, the rebellion is best understood as an instance of noble resistance to the centralizing and absolutist tendencies of the late medieval Castilian monarchy.[56] Against a background of the loss of some traditional roles at court in favour of functionaries (*letrados*) who were often *conversos*, the nobility was re-stating its claim to participate in government, to be defenders of the realm and the king's counsellors.[57] Nonetheless, the rebel party was unable to offer a fully coherent position: the pursuit of individual and familial advantage trumped any kind of collective interests.

Throughout the rebellion, texts were deployed to make demands on the king and to ratchet up pressure on him.[58] The production and dissemination of documents were integral parts of a rebellion where the noble league sought a radical change in government to place royal rule under noble tutelage. The sequence of texts opens with the 'Manifiesto de Alcalá de Henares' (16 May 1464), the record of a confederation among

eligantur [...] in omnibus et per omnia procedant secundum juris communis" (Beltrán de Heredia 1961, 45; chosen with the express consent of their king [...] so that they proceed in and through all cases according to common law).

55 There is an analysis of the events in Suárez Fernández 2001, 265–342.

56 Quintanilla Raso 2005, 543–546. Parsing the full background and development of events goes beyond the remit of this study. The crisis happened against a context of economic difficulty, with the rapid rise of inflation, and was further aggravated by the interference of King Joan II of Aragon: Suárez Fernández 2001, 266–267.

57 According to Quintanilla Raso 2005, 547, the grandees were losing "la batalla de la competencia técnica" (the battle of technical competence).

58 There is an outline of the contents and an analysis of each of these texts in Quintanilla Raso 2005, 550–555. See also Franco Silva 2012.

Carrillo, Pacheco and Girón that put forward the need for the king to rule with the agreement of the *grandes*.[59] Their demands served as the rallying point for the formation of a noble league that, in September 1464, presented Enrique IV with a proposed programme of reform, the 'Pronunciamiento de Burgos', that contained a list of strongly worded accusations against the king and his rule.[60] Alongside demands for the monarch to exile from the court his favourite Beltrán de la Cueva and other questions that concerned primarily the interests of the nobility, there were accusations that Enrique was neglecting his duties as Christian ruler. The 'Pronunciamiento' cast him as a protector of heretical *conversos* and an oppressor of the church.

The end result of the pressure exerted on Enrique by the rebels through the 'Pronunciamiento' and the threat of military action was capitulation. The king agreed to remove his favourite from the court, to hand over Prince Alfonso to the rebels, and to establish a commission to set out a new form of government where the king would operate under the tutelage of the *grandes*. The commission, formed by two representatives of the nobility, two of the king, and Alonso de Oropesa as arbiter, produced in January 1465 the 'Sentencia de Medina del Campo'.[61] This document has been described as a Magna Carta of sorts, since it limited and altered significantly the system of royal government. It also defined the monarchy as a fundamentally Christian institution and the kingdom as the community of the baptized, and sought to establish the church as totally independent from secular power.[62] Enrique's ultimate rejection of the 'Sentencia', which contained an implicit threat of deposition should its premises be rejected, would lead to his overthrowing by the noble league at the so-called 'Farsa de Ávila' on 5 June 1465.[63]

Both the 'Pronunciamiento' and the 'Sentencia' contain prominent demands about *conversos* and inquisition.[64] The former depicts a court dominated by individuals who are Christians only in name; they deny the afterlife and blaspheme against God, the Virgin Mary, and the saints.[65] In failing to punish these heretics, Enrique

59 Full text in *Memorias*, II, 302–304.

60 Suárez Fernández 2001, 289. Full text in *Memorias*, II, 327–334.

61 *Memorias*, II, 355–479.

62 Suárez Fernández 2001, 298–299.

63 On the 'Farsa' see most recently Devaney 2015, 32–37, and bibliography therein.

64 *Memorias*, II, 328–329, 366–367 §4–5.

65 *Memorias*, II, 328: "aver personas en vuestro palacio é cerca de vuestra persona infieles enemigos de nuestra santa fe católica é otras aunque cristianos por nombre, muy sospechosos en la fe, en especial que creen é dicen é afirman que otro mundo non aya si non nascer é morir como bestias" (to have people at your palace and near your person who are infidels, enemies of our holy Catholic faith and others who, although Christians by name, are very suspect in their faith. Particularly they believe, they say, and hold that there is no afterlife, other than to live and die as beasts). For a discussion of the accusation that many *conversos* did not believe in the afterlife, see Márquez Villanueva 1994, 273–293.

was gravely neglecting his most fundamental duties as king. By virtue of the oath taken at his enthronement, he had pledged to protect and to defend the Christian faith. In addition, since heresy was a source of corruption for the entire kingdom, Enrique was endangering the entire body politic.[66] The 'Sentencia' treated New Christians as one of the most urgent problems facing the kingdom; in a document organized in 129 chapters, the remedies for the *converso* issue occupy chapters four and five. It proposed that inquests be carried to seek out and punish those it calls "bad Christians, suspect in their faith", who keep the ceremonies of unbelievers against the faith and its sacraments.[67] The king was to request that the episcopate conduct inquisitions throughout the kingdom. He was also to facilitate the punishment of those found guilty and to put their confiscated property to appropriate use, namely funding the crusade against Granada or redeeming Christian captives from Muslim hands. The text also insisted on the role of ecclesiastics, noting particularly the need for the three archbishops to lead the inquisitorial efforts.[68] Perhaps more surprising for a document produced under such strained circumstances, the 'Sentencia' highlights the need to avoid investigations becoming a cause for factionalism. It specifically instructs archbishops, bishops, and other ecclesiastical authorities to conduct inquests impartially and to allocate

66 *Memorias*, II, 329: "la abominación é corrupción de los pecados tan abominables, dignos de non ser nombrados, que corrompen los aires é desfasen la naturalesa humana son tan notorios que por non ser punidos, se teme la perdición de los dichos regnos" (the abomination and corruption of such abominable sins, unworthy of being named, that corrupt the air and destroy human nature, are so notorious that, unless they are not punished, they risk the loss of said kingdoms [Enrique IV's]"). Franco Silva (2012, 87–88) reads this passage as a warning that heresy engenders sodomy which, in turn, endangers the kingdom.

67 *Memorias*, II, 366: "malos cristianos é sospechosos en la fe". Gil Ortega 2015, 147, suggests that the deliberate avoidance of the term *conversos* is a trace of Oropesa's non-factional approach. Although the 'Sentencia' insists that all instances of heresy ought to be investigated, its language leaves no doubt that *conversos* were the primary targets of the inquests: "fagan la dicha inquisición [...] do sopieren que hay algunos sospechos é defamados de heregia, é non viven como cristianos católicos, é guardan los ritos é ceremonias de los infieles contra nuestra santa fe católica é contra la santa madre eglesia é contra los sacramentos de ella" (that they may conduct said inquisition [...] anywhere they know there are those suspected of heresy or infamous as heretics; that they do not live as Catholic Christians and keep the rites and ceremonies of the infidels against our holy Catholic faith, and against the holy mother church, and against her sacraments) *Memorias*, II: 366. *Cf*. the references to *conversos* in 'Pronunciamiento', above, note 64, and 'Peticiones originales hechas al señor rey D. Enrique IV por diferentes Arzobispos, Obispos, Caballeros y Grandes de estos reinos. Cigales 5 de diciembre de 1464', in *Colección*, XIV, 372.

68 *Memorias*, II, 366: "é esortamos é encargamos á los señores Arzobispos Metropolitanos que con toda diligencia entiendan cerca de la orden é forma que se ha de tener en la inquisicion é pugnicion" (and we exhort and entrust their lordships the metropolitan archbishops that they concern themselves with the utmost diligence about the order and means of the inquisition and punishment).

blame and punishment fairly in order to avoid public scandals and discrimination.[69] Likewise, it forbade any attempts by ecclesiastics or the laity to hinder investigations as a result either of bribes or of their own personal sympathies.

Although the 'Pronunciamiento' and the 'Sentencia' had turned the *converso* issue into a "matter of state" the reasons why this occurred remain underexplored.[70] Complaints about the presence of *conversos* at court can be readily understood as self-serving, where noblemen were seeking to eliminate certain rivals from key posts on the basis of their alleged heresy.[71] The idea that demands for an inquisition served to widen the appeal of these documents beyond the narrow confines of the noble élite into the sphere of popular concerns seems plausible.[72] Yet it is insufficient to explain the precise remit of the proposed inquisition. The language of the 'Sentencia', with its insistence on an operation that avoided factionalism and discrimination, recalls the approach taken by Oropesa in Toledo in 1461–1462. It is possible that, persuaded of the relative success of that inquest, Carrillo may have wished to employ the same method elsewhere in the kingdom to thwart extremist positions and attempt to solve the problem of the on-going discrimination of *conversos*. Within the logic of the 'Sentencia', inquisition and good governance were synonymous.

Enrique IV may have approved of the shape and aims of the proposed inquisition, for they were similar to the one he had ordered in 1461, but the rebels' demand for such inquisition was a central strategy of their challenge to the legitimacy of his rule. As early as 1462, there existed the idea that the monarch could be deposed if he failed to reform his government; such a notion underpins the 'Sentencia' as the alternative to the programme it proposes.[73] The *converso* problem becomes a central element with which to challenge the monarch's authority. Accusing a king of consorting with heretics provided one of the few legitimate means to contest his right to rule; canon law stipulated that a temporal ruler who failed in his duty to punish heretics forfeited the loyalty of his vassals.[74] But the accusation that Enrique tolerated heretical *conversos* in his court also amounted to a suggestion that he was "Jew-loving", a well-worn trope

69 *Memorias*, II, 366: "con toda diligencia pospuesto todo amor é aficion é odio é parcialidad é interese fagan la dicha inquisición [...] é si algunos estan errados en ella sean pugnidos é corregidos, é los que non son culpantes, non sean infamados nin vituperados nin maltratados, nin entrellos se sigan robos nin escándalos" (that they conduct said inquisition with all diligence renouncing all love and affection and hatred and bias and personal interest [...] and if any err in their [faith] that they may be punished and corrected, and those who are not guilty they may neither be defamed nor vituperated nor mistreated, nor amongst them should follow thefts nor scandals).

70 Suárez Fernández 2001, 289: "razón de Estado".

71 Franco Silva 2012, 109.

72 See, for example, Phillips 1978, 78.

73 Suárez Fernández 1964, 253; 2001, 299.

74 See for example Mansi 1759–1798, XXII, 986–990.

of political rebellion with a long history in Castile. In seeking to undermine the monarch's position, the rebels had adopted a language similar to that employed by those who had risen against Juan II and *conversos* in 1449 in Toledo.[75] A letter from the Toledan rebels to King Juan of May 1449 had described heretical New Christians in similar terms to those of the 'Sentencia' and had invoked their continuing toleration as the reason to withdraw the city from royal obedience.[76]

By 1465, many of the premises held by the anti-*converso* party had become widely adopted. Thus the 'Sentencia', a document endorsed by two figures known for their moderate stance such as Carrillo and Oropesa, could rely on some of the same notions and textual strategies that had been first used by those who had taken an openly anti-*converso* approach. Definitions of what it meant to be a supporter of *conversos* had moved significantly from their meanings in the previous decade. The debate was not so much centred on the role of *conversos* within the church and Christian society but rather on the ways and means to punish those who would not comply with the precepts of the faith. Such questions were no longer the province of ecclesiastics but became firmly and permanently associated with political discourse and notions of just rule.

Conclusion

The events and disputes at court in the late 1450s and early 1460s reveal a shift in the ideology underpinning secular and ecclesiastical treatments of *conversos*. Some of the positions associated with those who had been more hostile to New Christians came to dominate debates, notably the need for thorough and frequent inquisitorial activity and its identification with good governance. Such notions triumphed because those who held more moderate positions accepted them, seemingly for pragmatic reasons. Less successful were the attempts to conflate *conversos* and Jews, presenting both as two sides of the same problem. In this instance, the moderate party did not adopt these views while the Jews could count on the protection of the crown.

More widely, these case studies reveal the importance of bishops in driving some of these changes and the depth of their collaboration with other groups within the church. These collaborations particularly highlight how the friars were not the dis-

75 Vidal Doval 2013b, 222. See also Nirenberg 2006, 421–422.

76 *Conversos* as heretics: "conuersos de linaje de los judíos [...], los quales por la mayor parte son fallados ser ynfieles e erejes, e han judaizado e judaizan, e han guardado e guardan los más dellos los ritos e cirimonias de los judios" ('Soplicación e requerimiento' in Benito Ruano 1961, 188; converts of Jewish descent [...], whom in their greater part are found to be infidels and heretics, who have judaized and judaize, and have kept and keep in the majority the rites and ceremonies of the Jews). Withdrawal of obedience: 'Soplicación e requerimiento' in Benito Ruano 1961, 189–190.

ruptive outsiders that they often depicted themselves to be but rather agents working in agreement with existing ecclesiastical powers. Finally, the court appears not simply as a political arena but also as an essential stage for the pursuit of the pastoral aims of bishops. In this environment, bishops could align themselves with noble factions not merely to safeguard familial or economic interests but also in pursuit of specifically ecclesiastical objectives.

In the short term, the agendas pursued by Espina and Carrillo failed. In the case of the former, the crown did not implement his demands for reform, as presented in 1464 in *Fortalitium fidei*, while the interest of ecclesiastical authorities in the alleged *converso* heresy remained uneven. Carrillo's attempts at erasing the divisions between Old and New Christians were unsuccessful. In 1467 there was an anti-*converso* riot in Toledo that revealed the extent of the animus between both groups of Christians and led to a further deterioration of the socio-religious climate in the city. Elsewhere in Castile, violence against *conversos* and the rise of factionalism continued and even worsened in the 1470s until the Catholic monarchs, circumventing the episcopacy, instituted the Spanish Inquisition in 1480 in a vain attempt to put an end to a problem that was nearly a century old.[77]

BIBLIOGRAPHY

Primary texts

Alonso de Espina. 1471. *Fortalitium fidei* (Strasbourg: Jean Mentelin).

Colección de documentos inéditos para la historia de España, ed. F. Navarrete *et al.*, 112 vols. (Madrid: Viuda de Calero, 1842–1895).

Crónica del rey don Enrique el Cuarto, in *Crónicas de los reyes de Castilla desde don Alfonso el Sabio hasta los Católicos don Fernando y doña Isabel*, ed. C. Rosell, 3 vols. (Madrid: M. Rivadeneyra, 1875–1878, III: 101–222).

Mansi, Joannes Dominicus. 1759–1798. *Sacrorum conciliorum nova et amplissima collectio*, 31 vols. (Florence: Antonium Zatta).

Memorias de don Enrique IV de Castilla: Contiene la colección diplomática del mismo rey compuesta y ordenada por la Real Academia de la Historia, 2 vols. (Madrid: Fortanet, 1835–1913).

Secondary literature

Beauchamp, A. & M. Narbona Cárceles, eds. 2015. *La sociedad cortesana en la Península Ibérica (siglos XIV–XV): Fuentes para su estudio* (= *Mélanges de la Casa de Velázquez* 45:2), (Madrid: Casa de Velázquez).

77 I am grateful to Elena Carrera, Trevor Dadson, and Martin J. Ryan for their comments and observations.

Beltrán de Heredia, V. 1961. 'Las bulas de Nicolás V acerca de los conversos de Castilla', *Sefarad* 21, 22–47.

Benito Ruano, E. 1961, *Toledo en el siglo XV: Vida política* (Madrid: Consejo Superior de Investigaciones Científicas, Escuela de Estudios Medievales).

Benito Ruano, E. 2001. *Los orígenes del problema converso* (2nd rev. edn, Madrid: Real Academia de la Historia).

Bernard, G.W. 2012. *The late medieval English church: Vitality and vulnerability before the break with Rome* (New Haven: Yale University Press).

Cavallero, C. 2011. 'Miles Christi: La construcción del *ethos* en el *Fortalitium fidei* de Alonso de Espina (Castilla, Siglo XV)', *Estudios de Historia de España* 13, 149–198.

Cavallero, C. 2016. *Los enemigos del fin del mundo: Judíos, herejes y demonios en el "Fortalitium fidei" de Alonso de Espina (Castilla, siglo XV)* (Buenos Aires: Miño y Dávila).

Coussemacker, S. 1993. 'Alonso de Oropesa et Fernando de Talavera: Deux hiéronymites du XVe siècle au service de l'État', in *Recherche sur l'histoire de l'État dans le monde Ibérique (XVe–XXe siècle)*, ed. J.-F. Schaub (Paris: Presses de l'École Normale Supérieure), 103–127.

Devaney, T. 2015. *Enemies in the plaza: Urban spectacle and the end of Spanish frontier culture, 1460–1492* (Philadelphia: University of Pennsylvania Press).

Díaz Ibáñez, J. 2006. 'Iglesia, nobleza y oligarquías urbanas', in *La monarquía como conflicto en la Corona castellano-leonesa (c. 1230–1504)*, ed. J.M. Nieto Soria (Madrid: Sílex), 197–252.

Fernández Gallardo, L. 2002. *Alonso de Cartagena (1385–1456): Una biografía política en la Castilla del siglo XV* (Valladolid: Junta de Castilla y León, Consejería de Educación y Cultura).

Flórez, H., *et al*. 1754–1879. *España sagrada: Theatro geográfico-histórico de la Iglesia de España*, 51 vols. (Madrid: Miguel Francisco Rodríguez).

Franco Silva, A. 2012. *Los discursos políticos de la nobleza castellana en el siglo XV* (Cádiz: Servicio de Publicaciones de la Universidad de Cádiz).

Franco Silva, A. 2014. *El arzobispo de Toledo, Alonso Carrillo: Un prelado belicoso del siglo XV, apasionado por la riqueza y el poder* (Cádiz: Universidad de Cádiz).

García de Valdeavellano, L. 1982. *Curso de historia de las instituciones españolas: De los orígenes al final de la Edad Media* (1st edn: Madrid: Revista de Occidente, 1968; Madrid: Alianza Editorial).

Gecser, O.S. 2010. 'Preaching and publicness: St John of Capestrano and the making of his charisma north of the Alps', in *Charisma and religious authority: Jewish, Christian, and Muslim preaching, 1200–1500*, eds. K.L. Jansen & M. Rubin (Turnhout: Brepols), 145–159.

Gil Ortega, C.C. 2015. 'Alfonso Carrillo de Acuña: Un arzobispo proconverso en el siglo XV castellano', *eHumanista/Conversos* 3, 138–155.

Hsia, R.P. 1988. *The myth of ritual murder: Jews and magic in Reformation Germany* (New Haven: Yale University Press).

Kamen, H. 1998. *The Spanish Inquisition: A historical revision* (New Haven: Yale University Press).

Kaplan, G.B. 2002. *The evolution of converso literature: The writings of the converted Jews of medieval Spain* (Gainesville: University Press of Florida).

Liss, P. 1992. *Isabel the queen: Life and times* (New York: Oxford University Press).

Márquez Villanueva, F. 1994. '"Nasçer e morir como bestias" (criptoaverroísmo y criptojudaísmo)', in *Los judaizantes en Europa y la literatura castellana del Siglo de Oro,* ed. F. Díaz Esteban (Madrid: Letrúmero), 273–293.

Martín Martín, J.L. 2013. 'Un prelado medieval y su corte: Gonzalo de Vivero (Salamanca, 1447–1480)', in *El historiador y la sociedad: Homenaje al profesor José María Mínguez*, eds. P. de la Cruz Díaz, F.L. Corral & I. Martín Viso (Salamanca: Ediciones Universidad de Salamanca), 147–162.

Martínez Casado, A. 1994. *Lope de Barrientos: Un intelectual en la corte de Juan II* (Salamanca: Editorial San Esteban).

McKendrick, G. 1987. The Franciscan Order in Castile, *c.* 1440–*c.* 1560, unpublished Ph.D. thesis, University of Edinburgh.

Meyuhas Ginio, A. 1998. *La forteresse de la foi: La vision du monde d'Alonso de Espina, moine espagnol (?–1466)* (Paris: Cerf).

Monsalvo Antón, J.M. 1985. *Teoría y evolución de un conflicto social: El antisemitismo en la Corona de Castilla en la Baja Edad Media* (Madrid: Siglo Veintiuno).

Netanyahu, B. 2001. *The origins of the Inquisition in fifteenth century Spain*, (2nd edn, New York: New York Review of Books).

Nieto Soria, J.M. 1988. *Fundamentos ideológicos del poder real en Castilla, siglos XIII–XVI* (Madrid: EUDEMA).

Nieto Soria, J.M. 1996. 'Enrique IV de Castilla y el pontificado (1454–1474)', *En la España Medieval* 19, 167–238.

Nirenberg, D. 2006. 'Figures of thought and figures of flesh: "Jews" and "Judaism" in late-medieval Spanish poetry and politics', *Speculum* 81, 398–426.

Nirenberg, D. 2013. *Anti-Judaism: The Western tradition* (New York: Norton).

Nogales Rincón, D. 2013. 'Los escenarios del pacto y de la negociación política: La Corona de Castilla (1369–1506)', in *Pacto y consenso en la cultura política peninsular, siglos XI al XV*, eds. J.M. Nieto Soria & O. Villarroel González (Madrid: Sílex), 283–318.

Pastore, S. 2003. *Il vangelo e la spada: L'inquisizione di Castiglia e i suoi critici (1460–1598)* (Rome: Edizioni di storia e letteratura).

Pastore, S. 2010. *Una herejía española: Conversos, alumbrados e Inquisición (1449–1559)* (Madrid: Marcial Pons).

Peters, E. 1989. *Inquisition* (Berkeley and Los Angeles: University of California Press).

Phillips, W.D. 1978. *Enrique IV and the crisis of fifteenth-century Castile, 1425–1480* (Cambridge: The Medieval Academy of America).

Quintanilla Raso, M.C. 1997. 'Facciones, clientelas y partidos en España en el tránsito de la Edad Media a la modernidad', in *Poder, economía, clientelismo*, ed. J. Alvarado (Madrid: Marcial Pons), 15–50.

Quintanilla Raso, M.C. 2005. 'Discurso aristocrático, resistencia y conflictividad en el siglo XV castellano', in *Coups d'état à la fin du Moyen Âge?: Aux fondements du pouvoir politique en Europe occidentale. Colloque international, 25–27 novembre 2002*, eds. F. Foronda, J.-P. Genêt & J.M. Nieto Soria (Madrid: Casa de Velázquez), 543–573.

Rábade Obradó, M. del P. 1999. 'Judeoconversos e inquisición', in *Orígenes de la monarquía hispánica: propaganda y legitimación, ca. 1400–1520*, ed. J.M. Nieto Soria (Madrid: Dykinson), 239–272.

Rose, E.M. 2015. *The murder of William of Norwich: The origins of the blood libel in medieval Europe* (Oxford: Oxford University Press).

Round, N.G. 2013. 'Gómez Manrique's *Exclamación y querella de la governación*', in *Medieval Hispanic studies in memory of Alan Deyermond*, eds. A.M. Beresford, L.M. Haywood & J. Weiss (Woodbrige: Tamesis), 149–174.

Rubin, M. 1999. *Gentile tales: The narrative assault on late medieval Jews* (New Haven: Yale University Press).

Rurale, F. 1998. 'Introduzione', in *I religiosi a corte: Teologia, politica e diplomazia in Antico Regime. Atti del seminario di studi Georgetown University a Villa "Le Balze", Fiesole, 20 ottobre 1995*, ed. F. Rurale (Rome: Bulzoni Editore), 9–50.

Sigüenza, J. 2000. *Historia de la Orden de San Jerónimo*, rev. A. Weruaga Prieto, 2 vols. (Valladolid: Junta de Castilla y León, Consejería de Educación y Cultura).

Suárez Fernández, L. 1964. 'Los Trastámaras de Castilla y Aragón en el siglo XV (1407–74)', in *Los Trastámaras de Castilla y Aragón en el siglo XV*, ed. R. Menéndez Pidal (Madrid: Espasa-Calpe), 219–318.

Suárez Fernández, L. 2001. *Enrique IV de Castilla: La difamación como arma política* (Barcelona: Ariel).

Swanson, R.N. 2016. 'Apostolic successors: Priests and priesthood, bishops, and episcopacy in medieval Western Europe', in *A companion to priesthood and holy orders in the Middle Ages*, eds. G. Peters & C.C. Anderson (Leiden: Brill), 4–42.

Valle Rodríguez, C. 2008. 'La rebelión de Toledo, 1449', in *Díaz de Montalvo, La causa conversa*, eds. M. Conde Salazar, A. Pérez Martín & C. del Valle Rodríguez (Madrid: Aben Ezra Ediciones, Ayuntamiento de Arévalo), 13–68.

Vauchez, A. 1981. *La sainteté en Occident aux derniers siècles du Moyen Age: D'après les procès de canonisation et les documents hagiographiques* (Rome: École Française de Rome).

Vidal Doval, R. 2013a. *"Misera Hispania": Jews and "Conversos" in Alonso de Espina's "Fortalitium Fidei"* (Oxford: Society for the Study of Medieval Languages and Literature).

Vidal Doval, R. 2013b. '"Nos soli sumus christiani": *Conversos* in the texts of the Toledo Rebellion of 1449', in *Medieval Hispanic studies in memory of Alan Deyermond*, eds. A.M. Beresford, L.M. Haywood & J. Weiss (Woodbridge: Tamesis), 215–236.

Villarroel González, Ó. 2007. 'El reflejo léxico de las posturas políticas: Vaivenes políticos de un prelado de sangre regia', *Espacio, Tiempo y Forma. Serie III, Historia medieval* 20, 265–287.

In defence of the aristocratic republic:

The belligerent bishops of late medieval Sweden

Martin Neuding Skoog

During the 15th and early 16th centuries the seven bishops of Sweden were powerful political figures. They dominated the Council of the Realm (*Riksrådet*) and took a very active part in the internal political struggles. The overarching political framework in Scandinavian politics of this period was the Kalmar Union with Denmark-Norway. The Danish kings struggled to maintain the Swedish throne throughout the later Middle Ages, while several Swedish lords from time to time successfully contested them and ruled themselves—as kings or more frequently as regents ("governors of the realm"). The Swedish bishops tried to navigate between the rocks by promoting their own political programme. Herman Schück has argued that, in the aftermath of the Engelbrekt uprising in the 1430s, the prevailing political ideal established in Sweden was that of an "aristocratic republic", an ideal which continued into the 16th century.[1] The powerful bishops were the foremost promoters of this political programme. Built into it was a policy working against authoritarian rule of the regent, which aimed to deter any attempt towards establishing a centralized government, and whose ultimate goal was to leave government in practice to the Council of the Realm (i.e. mainly the bishops themselves).[2]

The purpose of this paper is to relate the "aristocratic republic" programme outlined by Schück to the military position of the bishops during the later Middle Ages and to the events leading up to the Swedish Reformation in 1527. First, I will present a general outline of the late medieval conflicts which emanated from the clash between the political ideal of the aristocratic republic and the ambitions of the temporal rulers of Sweden. Secondly, I will discuss both the military role played by the bishops and

1 Schück 2005, 238–249.

2 Gillingstam 1952, 354–488; Kellerman 1935, 190–214; Lundholm 1956, 138–169 (esp. 159–169); Olsson 1947, 102–129; Wieselgren 1949, 13–22.

how they invested in means of warfare and built impressive military organizations of their own. Thirdly, I will elaborate the long-term consequences of the clash between these two conflicting political programmes of the oligarchy and princely rule.

I

From the rise of Karl Knutsson (Bonde) (r. 1448–1457, 1464–1465 and 1467–1470) as Swedish king and afterwards, there were recurring conflicts between the regent and the bishops in the council, as is illustrated by the intermittent reigning periods of Karl Knutsson himself. In the mid-15th century the family group around the archbishop of Uppsala, Jöns Bengtsson (Oxenstierna) formed a political party, checking any attempts to strengthen the power of the king. Several years of political tension followed, and in 1457 Karl Knutsson suffered a surprise attack at Strängnäs by the combined forces of the archbishop and the bishop of Strängnäs. Knutsson was defeated, quickly overthrown and forced into Prussian exile, whereafter the king of Denmark, Christian I of Oldenburg, was invited to take up the crown of Sweden. The bishops' principal idea here seems to have been to prefer a distant moderate ruler—trusting the Swedish council to rule fairly independently—instead of an ambitious internal ruler diminishing the power of the council.

But Christian I's rule was more demanding and direct than anticipated by the council. In 1463 he even imprisoned the archbishop after a quarrel over extraordinary taxes.[3] The following year the bishop of Linköping, Kettil Karlsson, rebelled successfully against the king and defeated him at the battle of Haraker.[4] Shortly afterwards the king was also dethroned. But at this point other strong political forces arose in Sweden as well, and contrary to the wishes of the bishops' party, Karl Knutsson was called back from his Prussian exile.[5] Shortly after his return though, he was again deposed by the bishops' party, which resulted in several years of turmoil and civil war. It was not until Sten Sture the Elder defeated the returning King Christian at Brunkeberg in 1471 that the political balance seemed re-established. For the first two decades Sten Sture basically ruled the realm—as *primus inter pares*—according to the political programme of the aristocratic republic. But friction eventually arose as he gradually assumed the role of actual ruler.[6]

In the 1490s, and increasingly during Russian war of 1495–1496, Sten Sture ruled

3 Gillingstam 1952, 396–407; *BSH* III, cxlv–cli.

4 Skoog 2015, 105–144.

5 Lönnroth 1938. At this point the inhabitants of the mining district and Dalecarlia, the burgers of Stockholm and the powerful Tott family increasingly intermeddled in the internal conflicts, first supporting Karl Knutsson and later on the Sture party.

6 Palme 1950, 157–205.

contrary to the wishes of the council, demanding excessive military contributions from its members. The archbishop and his party tried to depose Sten Sture, and retreated to Stäket Castle while calling on the aid of Christian's son, King Hans of Denmark. He was a preferable alternative to the upstart prince the bishops saw in Sten Sture, who was eventually defeated in 1497.[7] A few years later the regency of Svante Nilsson (Natt och Dag) (r. 1504–1511) followed, characterized by a long war of attrition with King Hans of Denmark—again putting heavy demands regarding military contributions onto the members of the council. The response of the bishops was eventually to try to negotiate terms with King Hans and to attempt to oust Svante as regent in 1511, without success.[8] History repeated itself once again in 1516 when the newly elected archbishop Gustav Trolle declined to pay homage to the subsequent regent Sten Sture the Younger (r. 1512–1520). With his party the archbishop again withdrew behind the walls of Stäket and called on the aid of King Hans' son and successor, Christian II. This time, however, the Danish king was defeated at Vädla and Sten Sture retained power for a few more years before he was finally defeated by King Christian during his crusade-style campaign through Sweden in the early months of 1520. Shortly thereafter Gustav Vasa rebelled successfully against King Christian and was himself hailed as Swedish king in 1523—an event that heralded a new era in Swedish history. In order to secure his position he sought to outmanoeuvre the bishops and finally crushed their political power at the Swedish Reformation Diet of 1527.

II

Previous research has emphasized the Swedish bishops' central role in late medieval political struggles. Much has been written on the political standing of the heads of church, by Westman, Kellerman, Olsson, Wieselgren, Westin, Schück, and others.[9] As such, the details have been well-established; yet we may take our study further by inquiring as to what, precisely, the political power of medieval bishops really consisted. Political power does not exist on its own behalf. Certainly, the Papacy often provided the bishops with solid support in conflicts with the secular rulers, with the power to excommunicate even the mightiest sovereign. In their role as spiritual leaders the bishops could also exercise influence on the populace living in their bishoprics. They could also count on the support of the tenants living on their lands.[10] As leading members of the Council of the Realm the bishops could also assert a level of influence on the actual

7 Larsson 1997, 358–362, 375–382; Palme 1950, 206–242; *BSH* IV, cxcix–ccxxxii.
8 Olsson 1950, 39–87; Carlsson 1915, 241–348; Stensson 1947, 91–142; Westin 1957, 29–31.
9 Westman 1918; Kellerman 1935; Olsson 1947; Wieselgren 1949; Westin 1957; Schück 1959.
10 Reinholdsson 1998, 196–219 (esp. 205–212).

decisions of the council.[11] Nevertheless, it seems to me that the notion of the political power of the bishops is sometimes too vague, and cannot explain in a satisfying way the aggressive manner in which they acted in late medieval conflicts.

From my previous outline of these late medieval conflicts, we learn that on a number of occasions during the later Middle Ages the bishops put up a fierce fight against temporal rulers—several times actually defeating them on the battlefield. This would not have been possible had the bishops not commanded strong military forces. To understand the sources of political power, therefore I think it is rather fruitful to look at the bishops' military role and the resources for warfare they actually possessed. During the late medieval period the Swedish bishops were secular rulers at least as much as they were spiritual leaders. In the statute of Alsnö from 1280, and from several 14th century statues, it is clear that the bishops held a special military position in the realm, being allowed to ride with almost three times as large an armed retinue as were the temporal members of the council.[12] According to Magnus Eriksson's law from 1350 they were also responsible for negotiations with the peasantry in their bishopric in order to conscript men in times of war, which duty was also repeated in the law of King Christopher in 1442.[13] Additionally they were frequently the ones carrying out the muster of nobility in their own bishopric.[14] A proportion of the lesser nobility also seem to have been tied to the retinues of the bishops.[15] Hence, the bishops had a key regional military role.

But, most importantly, the bishops also built up impressive military organizations of their own; they invested heavily in artillery and even kept their own gunpowder

11 After the deposition of Karl Knutsson, the bishops in the council generously granted fiefs and allowances both to each other and their supporters (e.g.: Svenskt Diplomatariums huvudkartotek, 26966, 26967, 26968, 26994, 27080). Gillingstam 1952, 425, 441: during Bishop Kettil Karlsson's uprising against Christian I in 1464 he claimed the title as regent. After his death the following year, Archbishop Jöns Bengtsson claimed the title, and even called himself *princeps* of Sweden ("Sweriges förste").

12 Löfqvist 1935, 91, 162, 165f.

13 In the land law of Magnus Eriksson it is stated that in times of war, or when someone rebels against the crown, the bishops should call upon six noblemen and six peasants in their bishopric to decide what aid should be sent to the king ("[...] skal biskoper i laghsaghu huarre ok siæx af hofmannun ok siæx af almoghanum þet mællan siin væghæ huat hiælp almoghin skal ællæ ma göra konunge sinum": Schlyter 1862, 11). For the law of Christopher see: Schlyter 1869, 17.

14 Sörensson 1922, 106, n. 2.

15 See for instance the list of casualties suffered by the Åbo bishop at Viborg in 1495, comprising 37 names of which a dozen were lesser noblemen (*FMU* V, 4636).

manufacturers;[16] they built or bought ships equipped for war;[17] they strengthened old castles and built new ones, of which some (Läckö, Husaby, Stäket and Tynnelsö) were actually built on crown land held as fiefs by individual bishops;[18] they held hundreds of armed men in their service, both in times of war and peace. Through donations, land purchase and commercial activity the economic standing of the church organization increased throughout the late Middle Ages and up until the Reformation.[19] The cash flow meant access to military resources, and the growing economic surplus was to a large extent invested in military projects. These were the actual sources of political power.

The most essential military resource of course comprised the large retinues, which would serve as garrisons in the castles, personnel on the ships, or as mounted soldiers in field campaigns. When taking together a number of sources referring to the number of soldiers in the service of the seven bishops, the maximum number they were able to mobilize seems to have been closer to a thousand men in total.[20] In the conflict

16 The Skara bishop Brynolf Gerlaksson kept a gunpowder manufacturer in his service in 1500 (*DN* 22:1:6). In the records of Bishop Hans Brask, both gunpowder manufacturers and gunners are mentioned in his service (Arnell 1904, app. 1, p. 8; Hedberg 1975, 76), for the artillery park of the Linköping bishop, see also: *BSH* IV, 161; *GIR* II, 275; Schück 1959, 369–340, 392. In the inventory of 1443 from Tynnelsö Castle, belonging to the bishop of Strängnäs, a dozen heavy cannon and several smaller guns are recorded (Strömberg 1839; Hedberg 1975, 76). The inventory of the archbishop's castle of Biskops-Arnö from 1444 records several guns (Hedberg 1975, 75; Styffe 1867, 356, n. 4). Other sources also record the existence of artillery at Stäket Castle in 1517 and the Uppsala estate in 1521 (Hedberg 1975, 75; Klemming 1870, 30). In 1521, the bishop of Åbo aided the siege of Åbo Castle with artillery (Hedberg 1975, 76; Klemming 1870, 45).

17 There are several mentions of both the archbishop (*BSH* III, xciv; Klemming 1867–1868, 48; *FMU* VI, 4747), the bishop of Linköping (*BSH* V, 301, 302, 488; Grönblad 1857, no. 373; Schück 1959, 370, 393 (n. 82; *GIR* I, 43–44), that of Strängnäs (Strömberg 1839; *BSH* V, 516) and that of Åbo (*FMU* VI, 4747; *FMU* VII, 5469), all being in possession of ships equipped for war.

18 The castles were built in the hundreds of Kålland, Kinne, Selarö and the fief of Stäket, which were all crown fiefs. For a complete overview of the castles and fortified estates of the Swedish bishops, see Andrén 1999, 50.

19 Olsson 1947, 76–79, 89; Schück 1959, 356–357.

20 Accurate numbers are scarce, but scattered source references give some information. In *Karlskrönikan* it is stated that the Strängnäs bishop put 100 men into the field, while the archbishop brought 300 men (*BSH* III, lviii; Klemming 1866, 313). In 1515 the newly-elected archbishop, Gustav Trolle, made a request to the pope to keep 400 soldiers to protect his diocese, which was also granted by the curia (Wieselgren 1949, 61–62). In the diocese of Linköping, Bishop-Elect Hemming Gadh (1501–1512) regularly put around 60 men in the field in the early 1500s (*BSH* V, 90, 92, 120, 127, 227; *FMU* VI, 5277). In 1524 Gustav Vasa forced the bishop of Linköping, Hans Brask, to send 100 men on the expedition to Gotland (*GIR* I, 189–191; Gunneng 2003, no. 223)—both numbers must only account for a part of the total

with Sten Sture the Younger in 1517, for instance, Archbishop Gustav Trolle alone kept about 400 men in his service, including some German mercenaries.[21] During the later Middle Ages the bishops taken together could easily match the number of soldiers in the service of the regent. The Sture regents (*c.* 1470–1520) seem to have had at their disposal only around 500 soldiers, garrisoned in the castles of the crown.[22] Consequently the bishops, in possession of high quality military resources, were the single strongest group in the realm. The only way for the regents to check them in military conflicts was to call up the militias of the common estates or to hire foreign mercenaries.

One might argue that the military resources of the bishops were also an important addition to the forces of the realm, for defence against external threats. This is only true to the extent that the bishops were obliged to raise men at the disposal of the regent in proportion to the crown land they held as fiefs.[23] In most cases these fiefs only corresponded to a small proportion of the total amount of land of which the bishops were posssessed, and from which they could draw tithes, rent, taxes and so forth. The number of soldiers dispatched by the bishops at the crown's disposal in times of war usually only comprised of a small proportion—perhaps between 20 and 30 percent—of the total amount of soldiers in their own service.[24] This meant that large numbers

number of men held by the bishops of Linköping. According to a letter from 1364 the bishop of Åbo held 40 squires and lesser noblemen in his service, to which a much greater number of soldiers of humble origin must be added (Hausen 1890, no. 185). In 1495 the same bishop lost 37 soldiers in a sortie at Viborg, which must also represent only a fraction of the total (*FMU* V, 4636). In 1521 the same bishop requested to enlist 100–300 mercenaries in Reval (*FMU* VIII, 6067, 6714). Later Gustav Vasa estimated that the bishop of Åbo had previously held 100–200 men (Thyselius 1844–1845, 338). In 1507 the bishop of Västerås, with but a day's notice, sent 30 mounted crossbowmen to aid one of his servants in a local dispute (*ASB*, 267), a figure which must account for only a part of his full retinue. From the dioceses of Växjö and Skara, numbers are lacking, but the bishop of Skara must at least have kept a large number of soldiers to garrison his castles at Läckö and at Husaby and at the fortified estates of Brunnsbo and Säckestad.

21 Wieselgren 1949, 61–62.

22 This number is stated both in a Danish report from 1517, by Peder Swart, and later by Gustav Vasa himself (*BSH* V, 460; Klemming 1870, 124; *GIR* XV, 13).

23 See for instance Archbishop Jacob Ulvsson's reply to Sten Sture's demands in 1501 (*HH* VIII, no. 19, p. 60), or Bishop Hans Brask's statement while corresponding with Gustav Vasa in 1524 (Gunneng 2003, no. 223).

24 In 1496, the archbishop sent 40 men to Sten Sture's aid (*FMU* VI, 4702); in 1519, Hans Brask of Linköping sent 22 men to Kalmar (*BSH* V, 488); in 1505, the bishop of Skara sent 30 men (*BSH* V, 39); the same year, the bishop of Åbo sent 16 men (*FMU* VI, 5141); in 1507, the bishop of Västerås sent 16 men (*ASB*, 241); but the bishop of Växjö never sent more than ten men (*BSH* V, 77, 86), and once only three (*BSH* V, 195). For the bishop of Strängnäs, I have not found any figures. The great exception to this pattern was the notorious bishop-elect of Linköping, Hemming Gadh, who—to the great detriment of the other bishops—was firmly loyal to the Sture party, functioning as their "right hand" during the war with King Hans (1501–1511). During this period he regularly kept 60 men in the service of the crown (*BSH* V, 90, 92, 120, 127, 227; *FMU* VI, 5277).

of soldiers were kept in the realm without ever contributing to its outer defence. From a state military perspective, the bishops were not particularly useful, considering their vast lands and the economic resources at hand. So, if not to add to the defence of the realm, what was the purpose of this massive military build-up? I would argue that this was the bishops' precaution in order to defend their own political programme—the aristocratic republic—against any internal threat.

III

Eventually the military investments of the bishops would also be the cause of their downfall. The ascent of Gustav Vasa to the Swedish throne in 1523 (the first native Swedish king since the 1460s) and his conscious striving towards a centralized government of the realm soon proved to be the end of the aristocratic republic programme in Sweden. It is established that the Diet of Västerås in 1527 meant the final political defeat of the bishops in the internal struggle of the realm.[25] But what were the key decisions causing this?

In the king's introductory speech at the Diet his main point was that up until now the bishops had possessed too great a military power. They had abused their power in order to overthrow the rulers and had tried to act as rulers themselves. They had also invited foreign (i.e. Danish) kings in order to destroy the realm, and no Swedish ruler could ever be safe, always "sitting between two fires".[26] Gustav Vasa claimed that both Gustav Trolle and several previous archbishops had done so. Stating this, he echoed the words of Sten Sture the Younger who, while besieging Archbishop Trolle at Stäket Castle in 1517, also stated:

> Ath för then dropelige skade, och förderff, Sweriigis Riiche och tess inbyggere aff Stäkes sloth fongit haffue, sedhen thet försth bygdh var, som var j Erchebisp iöns tiid til konung Cristiern intagilse j Erchebisp iacops tiid til konungs Hans intagilse, Och nw j Erchebiscops göstaffs tiidh til then vnge konungs Cristierns intagilse, oss saa födde som ofödde til Ewigh fförderffuilse [...]
>
> Severe damage has been done to the realm by building this castle, which was built in the days of Jöns Bengtsson in order to bring King Christian into the realm; in Archbishop Jakob Ulvsson's time to bring in King Hans; and now used by Gustav Trolle to invite King Christian II into the realm, to condemn us all.[27]

25 Andrén 1999, 45–52.

26 *GIR* IV, 209, 214–215, 229.

27 *HSH* XXIV, 96. See also: *HSH* XXIV, 82: "[...] eij draga konwng cristiern her in i riikit med stäkes slot som erchebisp iöns giorde gamble konwng cristiern, gamble erchebisp Jacop konwng Hans, och nw stoorlige i wonom är, [...]".

In his mind the archbishop's strong castle, Stäket, was the root of all evil that had befallen the realm.[28]

The bishops' access to castles and military resources was a problem in itself. To protect the realm from future internal conflicts it was decided at the Diet of 1527 that the bishops should henceforth ride with no greater retinues than the king allowed.[29] When summoned to the Diet—before the reform was decided—the bishops were told to bring as many soldiers as possible, with their best horses and in full armour. Immediately after the Diet, still in Västerås, the soldiers were removed from the service of the bishops and enlisted into the king's own service. Bishop Brask for instance was only allowed to keep two servants for his personal safety to ride home from the Diet.[30] At the Diet, it was also decided that the bishops had to surrender their castles to the crown—officially only temporarily until the derelict castles of the crown were restored again. But of course none was ever returned. This also included additional artillery and other equipment which was also confiscated.

Right or wrong, the king also claimed that the church institutions owned two thirds of all land in Sweden, leaving only one third to the crown and the temporal nobility.[31] This also called for an extensive reduction of church land. In addition to this, in 1525 the king had started to demand accommodation for his own new-standing royal companies both on the bishops' estates, in the chapters' estates, with the local priests, and in the monasteries.[32] This demand was a violation both of the freedoms granted to the bishops in the Statute of Alsnö in 1280, and of the same freedom explicitly stated in the Recess of Kalmar as late as 1483.[33] Shortly after the Diet in 1527 this forced duty was finally transformed into a quite heavy taxation—called *Borglägertaxa*.[34] This

28 *HSH* XXIV, 84: "[...] Stäkes sloth som alt ondt aff begynt är i longligit tiid".

29 *GIR* IV, 229: "Samtycke wij alle fför oss och våre effterkommande att the effter thenna dagh icke skula rida med fflere karla aen som for:ne vår nadigista herre them föreseger"; *GIR* IV, 255.

30 *GIR* IV, 163, 167; *GIR* VII, 515–516; Klemming 1870, 134; Schück 1959, 154.

31 *GIR* IV, 209.

32 This practice was called "borgläger" and meant supplying the kings' soldiers with quarters, provisions and forage.

33 Löfqvist 1935, 74; Sjödin 1932, 443; Carlsson 1955, 20, 66: para. 30 states: "Jtem skal ey K nogra syne hoffuesinne eller smaswena laegge in til bisper Closter eller nogra syna godamaen som hans slot och laen haffua oppa tieneste then halle them widh sin slot och i the laen som til hans fatebwr ligge, hans swaenska hoffuesinnae til hans slot och laen j Suerige [...]".

34 The tax seems to have been imposed on the bishops right after the Västerås Diet. In the record of 1533—which leaves out the archbishopric—it adds up to 6,000 marks (Räntekammarböcker: RA/51306/vol. 5, 1533, 64–65) to which several thousand marks should be added for the archbishopric. The cathedral chapters were gradually forced to pay the tax during the autumn of 1527 (*GIR* IV, 301f, 317f, 367). In 1533 the tax from the chapters amounted to 3,850 marks (Räntekammarböcker: RA/51306/vol. 5, 1533, 64–65). The priests in the parishes paid the tax at least from 1530 and onwards (Hammarström 1956, 332; *GIR* VII, 18, 136, 148, 155,

might seem as a pure punishment of the church, but was actually just a rechannelling of their resources that had already been directed towards military expenditure. Previously the bishops had spent the same amounts on their own soldiers, and both priests and monasteries in the bishoprics had been obligated to house and feed the bishops' soldiers for periods.[35] At times the chapters had also paid the wages of the bishops' troops.[36] These costs were now transferred to support the new royal companies instead of the bishops' retinues.

Hugo Yrwing claims that the decision to confiscate church land in 1527 was less a question of increasing the wealth of the crown, than a matter of eliminating the economic foundations of the political power of the bishops.[37] I agree on this point, bur would like to add that at first hand the decision at the Diet of Västerås was a question of eliminating the *military* resources of the bishops. The vast economic surplus of the late medieval church institution meant access to military resources, which was the actual foundation of political power. When both the military resources and the means to finance them were removed, the political power of the bishops instantly came tumbling down as well. This effectively put an end to the aristocratic republic programme in Sweden.

From a European comparative perspective the Swedish example seems to stand out. On the one hand, it is well established that different bishops on the continent frequently took part in military campaigns. There are also instances where bishops had used armies to pursue their own political goals. But it is very hard to find examples where the total proportion of the qualified military resources of a single realm was mainly in the hands of its church leaders, and to such an extent used against the secular rulers of it. A closer look at other late medieval realms might render a few similar examples, but a larger comparative study would likely rather accentuate the relative exception of the Swedish case. From this perspective the decisions at the Diet of Västerås in 1527—to strip the bishops and the church institution of all of its military power—seem perfectly obvious to any temporal ruler with state-building ambitions.

173, 185, 235, 333, 353, 399). In 1533 this tax amounted to 5,260 marks (Räntekammarböcker: RA/51306/vol. 5, 1533, s 64–65; *GIR* VII, 185). From 1527 and during the subsequent years the monasteries also agreed on taxation in order to gain exemption from accommodating the king's soldiers (*GIR* IV, 305, 310f; *GIR* VI, 294; *GIR* VII, 185, 398; Forssell 1869, 156). Several of these taxes were collected in butter, which does not allow for any exact amount calculation, but the taxes in cash alone amount to almost 2,000 marks (Forssell 1869, 156). In total the tax for exemption from accommodating the king's companies—imposed on the church institution as such—was closer to 20,000 marks, which compares to the total early revenue of the crown which was about 80,000 marks (Forssell 1869, 151, 156).

35 Hammarström 1956, 326, 329–330; Olsson 1947, 50; Schück 1959, 394; Arnell 1904, 124–126, app. 1, pp. 32–36.

36 See for instance: *BSH* V, 470.

37 Yrwing 1956, 74, 114f.

BIBLIOGRAPHY

Archives

Stockholm, Riksarkivet, Räntekammarböcker: RA/51306/vol. V, 1533.

Stockholm, Riksarkivet, Svenskt Diplomatariums huvudkartotek, 26966, 26967, 26968, 26994, 27080.

Primary sources

Grönblad, E. 1857. *Nya källor till Finlands medeltidshistoria* vol. I (Copenhagen: Bianco Lunos Boktryckeri).

Gunneng, H. 2003. *Biskop Hans Brasks registratur* (Uppsala: Svenska fornskriftsällskapet).

Hausen, R. 1890. *Registrum ecclesiæ Aboensis eller Åbo domkyrkas svartbok*. (Helsingfors: Finlands statsarkiv).

Klemming, G.E. 1866. *Nya eller Karls-krönikan: Början av unionsstriderna samt Karl Knutssons regering, 1389–1452*, vol. II of *Svenska medeltidens rimkrönikor* (Stockholm: Norstedt).

Klemming, G.E. 1867–1868. *Nya krönikans fortsättningar eller Sturekrönikorna: Fortgången af unionsstriderna under Karl Knutsson och Sturarne, 1452–1520*, vol. III of *Svenska medeltidens rimkrönikor* (Stockholm: Norstedt).

Klemming, G.E. 1870. *Peder Swart: Gustaf I:s krönika: Fragment slutande med år 1533* (Stockholm: Norstedt).

Schlyter, C.J. 1862. *Corpus iuris sueo-gotorum antiqui. Samling af Sweriges gamla lagar, på kongl. maj:ts nådigste befallning utgifven afd. C.J. Schlyter*: vol. X (Lund: Berlingska boktryckeriet).

Schlyter, C.J. 1869. *Corpus iuris sueo-gotorum antiqui. Samling af Sweriges gamla lagar, på kongl. maj:ts nådigste befallning utgifven afd. C.J. Schlyter*: vol. XII (Lund: Berlingska boktryckeriet).

Strömberg, J.E. 1839. *Inventarium curiae Tynnelsö anno 1443 e libro ecclesiae Strengnensis hodie bibliothecae regiae Holmensis* (Uppsala: Regiæ Academiæ typographi).

Thyselius, P.E. 1844–1845. *Handlingar rörande Sverges inre förhållanden under konung Gustaf I:* vol. II. *1531–1561* (Stockholm: Bagge).

Secondary literature

Andrén, Å. 1999. *Sveriges kyrkohistoria*: III. *Reformationstid* (Stockholm: Verbum).

Arnell, E. 1904. *Bidrag till Biskop Hans Brasks lefnadsteckning* (Stockholm: Centraltryckeriet).

Carlsson, G. 1915. *Hemming Gadh: En statsman och prelat från Sturetiden: Biografisk studie* (Uppsala: Almqvist & Wiksell).

Carlsson, G. 1955. *Kalmar recess 1483* (Stockholm: Kungl. Vitterhets Historie och Antikvitets akademien).
Forssell, H. 1869. *Sveriges inre historia från Gustaf den förste: Med särskildt afseende på förvaltning och ekonomi* (Stockholm: Norstedt).
Gillingstam, H. 1952. *Ätterna Oxenstierna och Vasa under medeltiden: Släkthistoriska studier* (Stockholm: Almqvist & Wiksell).
Hammarström, I. 1956. *Finansförvaltning och varuhandel 1504–1540: Studier i de yngre Sturarnas och Gustav Vasas statshushållning* (Uppsala: Almqvist & Wiksell).
Hedberg, J. 1975. *Kungl. artilleriet. Medeltid och äldre vasatid* (Stockholm: Militärhistoriska förlaget).
Kellerman, G. 1935. *Jakob Ulvsson och den svenska kyrkan*: I. *Under äldre Sturetiden 1470–97* (Stockholm: Svenska kyrkans diakonistyrelse).
Larsson, L.-O. 1997. *Kalmarunionens tid: Från drottning Margareta till Kristian II* (Stockholm: Rabén Prisma).
Löfqvist, K.-E. 1935. *Om riddarväsen och frälse i nordisk medeltid: Studier rörande adelsståndets uppkomst och tidigare utformning* (Lund: Gleerup).
Lönnroth, E. 1938. 'Slaget på Brunkeberg och dess förhistoria', *Scandia* 11:2, 159–213.
Lundholm, K.-G. 1956. *Sten Sture den äldre och stormännen* (Lund: Gleerup).
Olsson, G. 1947. *Stat och kyrka i Sverige vid medeltidens slut* (Göteborg).
Olsson, G. 1950. 'Sverige och Danmark 1501–1508', *Scandia* 20:1, 39–87.
Palme, S.U. 1950. *Sten Sture den äldre* (Stockholm: Wahlström & Widstrand).
Reinholdsson, P. 1998. *Uppror eller resningar?: Samhällsorganisation och konflikt i senmedeltidens Sverige* (Uppsala: Studia historica Upsaliensia).
Schück, H. 1959. *Ecclesia Lincopensis: Studier om Linköpingskyrkan under medeltiden och Gustav Vasa* (Stockholm: Almqvist & Wiksell).
Schück, H. 2005. 'Sweden as an aristocratic republic', in *Kyrka och rike: Från folkungatid till vasatid*, ed. H. Schück (Stockholm: Sällskapet Runica et Mediævalia), 238–249.
Sjödin, L. 1932. *Gamla papper angående Mora socken*: II. *Arvid Siggessons brevväxling* (Västerås).
Skoog, M. 2015. 'Det andra slaget vid Hällaskogen 1464. Om krigföring och taktik i det senmedeltida Sverige', *Collegium Medievale* 28, 105–144.
Sörensson, P. 1922. 'Adelns rusttjänst och adelfanans organisation 1521–1680', *Historisk Tidskrift* 42, 105–151, 214–244.
Stensson, R. 1947. *Peder Jakobsson Sunnanväder och maktkampen i Sverige 1504–1527* (Uppsala: Almqvist & Wiksell).
Styffe, C.G. 1867. *Skandinavien under unionstiden: Ett bidrag till den historiska geografien* (Stockholm: Norstedt).

Westin, G.T. 1957. *Riksföreståndaren och makten: Politiska utvecklingslinjer i Sverige 1512–1517* (Lund: Gleerup).

Westman, K.B. 1918. *Reformationens genombrottsår i Sverige* (Stockholm: Svenska kyrkans diakonistyrelses bokförlag).

Wieselgren, G. 1949. *Sten Sture d.y. och Gustav Trolle* (Lund: Gleerup).

Yrwing, H. 1956. *Gustav Vasa, kröningsfrågan och Västerås riksdag 1527* (Lund: Gleerup).

Three bishops for a see

Elena Balzamo

> … le caractère essentiellement politique de la Réforme dans les pays scandinaves ne sera nulle part plus prononcé qu'en Suède …
> *Jules Martin*

The year 1531 was a special year in the history of the Swedish church and even in the history of the country: three archbishops claimed the right to occupy the primate's throne of Uppsala. Two of them were Catholics, one a Protestant.[1]

An unprecedented situation, still more surprising considering the size of this church and of the population in general. At that time Sweden was somewhat smaller than today: the southern provinces, Scania and Blekinge, belonged to Denmark, the north was scarcely inhabited, and the population (less than a million, including Finland) was almost completely concentrated in the central part.[2] In the first half of the century, Stockholm, the capital, comprised between five and six thousand souls. The country was divided into seven dioceses (today they number 13): Uppsala, Strängnäs, Västerås, Skara, Linköping, Växjö, as well as Åbo (today Turku) in Finland. (*Fig. 5*) The archbishop's see was (and still is) in Uppsala. A tiny church, and a tiny clergy, but still extremely powerful, constituting the economic, political and intellectual backbone of the country.

Economically it was the richest and the most independent of the three orders. Politically, because of its centralized supranational character: it counterbalanced the centrifugal tendencies of the aristocratic clans.[3] Culturally: since the country possessed a

1 On the Swedish Reformation in general, see Hoffman 1945; Schwaiger 1962; Kick 1990; Kouri 1995; Grell 2000; and the essays collected in Andrén 1973.

2 During the reign of Gustav Vasa (1523–1560) the population was around 800,000 in Sweden and around 200,000 in Finland; around 5% of the population lived in towns.

3 See Skoog, in this volume.

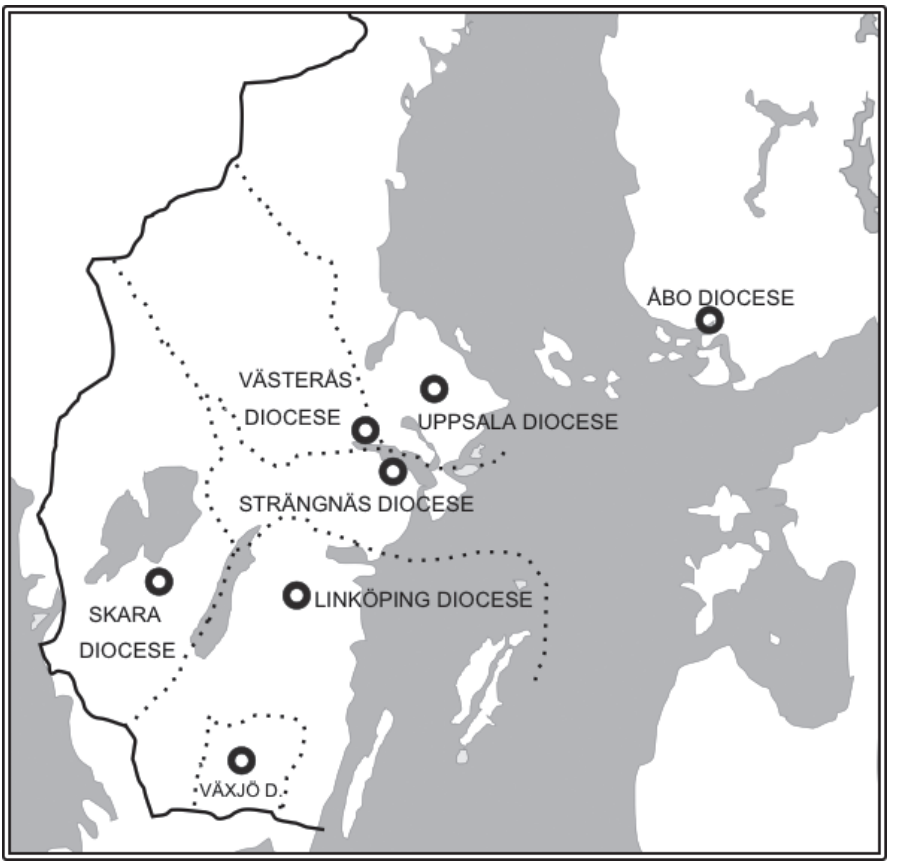


Fig. 5. The medieval dioceses of Sweden-Finland.

university only after 1477, future priests had to study abroad, studies and travels that, "lifted them above the level of the lay nobility, which in addition was divided into irreconcilable factions".[4]

And still: in a period of less than ten years this seemingly solid construction had totally collapsed. At the end of 1520s there was, on the one hand, a flagrant deficiency of competent clergymen and, on the other hand, no fewer than *three* candidates for the archbishop's see. What happened? Who were the three rivals? What do we know about their personality, their actions, and the relations between them? They are Gustav Trolle (1488–1535), Johannes Magnus (1488–1544), and Laurentius Petri (1499–1573).

4 Martin 1906, 27: "Leurs études et leurs voyages les rendaient aisément supérieurs aux membres laïques de l'aristocratie, ces derniers étaient en outre divisés en factions irréconciliables."

Much of what we know is due to the fact that two of them had brothers who were outstanding intellectuals and writers. Laurentius Petri was the brother of Olaus Petri, the instigator of the Reformation in Sweden and the author of the renowned *Svenska crönica* (composed around 1540, published in 1860);[5] whereas Johannes Magnus had a younger brother, Olaus (himself an archbishop, after Johannes' death), famous, among other things, for his *Historia de gentibus septentrionalibus* (1555). The third candidate, Gustav Trolle, had no literary brothers, and—contrary to the two others—left no written heritage.[6] Even if he is said to have been the first Swede to learn Greek, his talents lay in a different field: he was a man of sword, not of pen. So what we know about him is mainly reflections in more or less deforming mirrors.

Gustav Trolle and Johannes Magnus were born the same year, 1488; Laurentius Petri was eleven years younger. All three were highly educated, all three of course trained abroad: Gustav Trolle and Johannes Magnus, first in Germany, then (for Gustav Trolle) in Rome, where Johannes also spent several years as *chargé d'affaires* of Sten Sture the Younger (1493–1520), regent of Sweden (1512–1520). As for Laurentius Petri, he studied only in Germany, around 1518, in Wittenberg, and never got an opportunity to get to know southern Europe. Both the Petri brothers gained an early exposure to Lutheran doctrines and returned to Sweden as partisans of the Reformation.

Gustav Trolle was the first to return to Sweden. In 1513 he was appointed vicar in Linköping (to be succeeded by Hans Brask, one of the most fascinating figures of his time).[7] One year later, he became archbishop of Uppsala. He was 24 years old, and this dazzling ascent was primarily due to his social rank since he was the son of a former regent of Sweden, Eric Trolle. Further, he was the protégé of Jacob Ulvson, the powerful archbishop, desirous to retire due to his advanced age.

The social background constitutes the first capital difference amongst the three; the two who had spent time in Rome were similar in age and education, but Gustav Trolle belonged to the nobility, whereas Johannes Magnus, in spite of his own allegiances, was a descendent of people outstanding less for their origin than through their virtues: "virtute clariores", according to his brother, Olaus. In this aspect Johannes Magnus was closer to Laurentius Petri, a blacksmith's son.

Though born the same year as Gustav Trolle, Johannes seems to belong to a different epoch—he was a typical Renaissance intellectual: curious, urban, well-bred, a born diplomat. Whereas we might describe Gustav Trolle as a stereotypically medieval figure: a warrior, of unbendable will, with a violent character, driven by passions that pushed him to commit acts affecting not only his own career, but even the destinies of the whole country.

5 Klemming 1860. On Olaus Petri, see Yelverton 1958; Ingebrand 1964; Bergendorff 1965.

6 See Stenman 1996; Wieselgren 1949.

7 See Schück 1959.

The events which ultimately resulted in Sweden becoming a Protestant country are well known and have been thoroughly studied. In 1515, one year after his election, Trolle—who supported the cause of Christian II of Denmark's striving to preserve the Kalmar Union—became involved in an armed conflict with the regent, was defeated by him, deposed, and imprisoned. In 1520 the Danes invaded the country. Reappointed archbishop, Trolle crowned Christian king of Sweden on 4 November 1520. A week later, the ceremony was followed by a massacre known as the Bloodbath of Stockholm, of which Gustav Trolle was considered to be one of the main instigators.[8]

Both future historians Olaus Magnus and Olaus Petri were eyewitnesses of the slaughter. As for Johannes Magnus, he had been abroad since a couple of years; the reason for his absence was the political situation in the country. The conflict with Gustav Trolle made Sten Sture appear as a rebel against a primate whose election had been confirmed by the Holy See. An interdict was thrown upon him in 1517 (followed by excommunication two years later). At that very moment Johannes Magnus, just back from Germany, entered the scene. Instead of getting a charge, instead of taking care of his flock, instead of taking part in the church's life, he was sent by the regent to Rome to try to lift the ban.

After King Christian's departure, Gustav Trolle governed the country, but by September 1521 he was forced to flee.[9]

During the years Johannes Magnus stayed in Rome (1517–1523), the situation at home changed drastically. After the troubles caused by the Danish invasion, the Swedish church was in a pitiful state: Jacob Ulvson of Uppsala, dead; Gustav Trolle, in exile; Mattias of Strängnäs and Vincent of Skara, beheaded; Arvid of Åbo, drowned while trying to escape from the Danes; Ingemar of Växjö, old and infirm … Yet the main change consisted in Gustav Vasa's ascent to power and in the onset of Lutheran preaching, with Olaus and Laurentius Petri, now back from Germany, as key figures. So when Johannes returned from Rome, he found a disorganized church, Protestant propaganda in full swing and an ambitious king, eager to subdue the church, the principal political and economic force of the country.

Johannes came back to Sweden as a papal legate, but Gustav Vasa, badly in need of competent collaborators, proposed his election to the see of Uppsala. Johannes thus became *archielectus* (administrator) of the diocese. The nomination would have to receive confirmation from the pope, and his brother Olaus was sent to Rome charged with this mission. Meanwhile, Pope Adrian VI died, to be succeeded by Clement VII. The confirmation would be delayed for years, and during this time Gustav Trolle,

8 Stenman 1996, 47–77.

9 From now on his destiny would be entangled with that of the Danish monarch. Trolle would follow him to Norway in 1530, and after much feud and fighting, would be mortally wounded in a battle in 1535.

whose election *had* been confirmed, would formally remain the primate of Sweden.

The situation was still more complicated in that it has always presented an important political aspect. Paradoxically, in spite of its supranational character, the Swedish clergy, whose members were both ecclesiastic dignitaries *and* local potentates, were in favour of national independence and consequently hostile to the Kalmar Union. Whereas, Gustav Trolle, thanks to his family links, was closely related to the Danish monarchy—and thus a partisan of the supra-national Kalmar Union. Isolated as he was within the Swedish church, he could still reckon with important support outside it.

Although he was a willing collaborator with the king for the rebuilding of the country, Johannes was nevertheless strongly opposed to Lutheran propaganda, more-or-less openly supported by Gustav Vasa. A series of clashes forced him to leave Sweden in autumn 1526 and to settle in Danzig, where Olaus joined him soon afterwards. From this time on, Sweden had two archbishops, *both of them in exile*, while the kingdom rapidly moved towards a radical break: the Diet of Västerås, 1527, opened the way to the supremacy of Protestant religion in Sweden. Gustav Vasa gained the ability to raise taxes and control the nomination of bishops—and he made an extensive use of both.

Why, then, did he wait for another four years before appointing a Protestant archbishop? First, because Sweden was a country of "a tiny minority of inflexible Lutherans and an immense majority of badly organized Catholics," to quote a French historian.[10] Consequently, the king needed bishops that would be legitimate in the eyes of both the clergy and the rest of the population, and yet would not swear allegiance to the pope: "non papae, sed sibi", according to Gustav Vasa's chancellor Laurentius Andreae, who adds that "The main demand of the king consists in finding evangelical and not papist bishops, bishops according to the sayings of our Lord, and not according to the sayings of the pope".[11] Secondly, because the problem of the apostolic succession, the *continua successio apostolica, tradita per ordinationem episcopalem*, which had arisen as a direct consequence of the Diet of Västerås, remained unsolved.[12] For this, a solution had to be found, since for the royal wedding and coronation—and Gustav Vasa was badly in need of this kind of legitimization—one needed bishops, but apart from the decrepit Ingemar of Växjö, there was only one left in Sweden: Peder Månsson, bishop of Västerås, who had been consecrated in Rome in 1524. Hans Brask of Linköping and Johannes Magnus were in exile, and the other, newly-nominated, bishops of Skara, Strängnäs and Åbo, all with Protestant sympathies, were all still waiting for consecration.

Living abroad, his properties in Sweden confiscated, Johannes Magnus still cher-

10 Martin 1906, 393: "infime minorité de luthériens intransigeants et une immense majorité de catholiques non organisés".

11 Laurentius Andreae to Magnus Sommar, December 1527 (*GIR* IV).

12 Hoffman 1945, 165–167.

ished the hope that he might regain his place and role. But he did not want to return before his election was officially confirmed. Finally, the consecration took place in Rome on 27 July 1533. Johannes' immediate wish was to return to Sweden and to restore Catholic faith. Whether he really believed it was possible is not clear: after all he had not set foot there for eight years and, even if the brothers did their best to be kept informed about the state of things and although they still had some contacts at home, he could not possibly judge the situation. He wrote several letters to Gustav Vasa saying he was willing to come back provided he was given the freedom of action.[13] The king—who previously tried to persuade him to return—did not care to reply. No wonder: since 1531 the problem had been solved and the country had a new Protestant archbishop: Laurentius Petri. The apostolic succession has been formally preserved thanks to the presence of Peder Månsson. Laurentius Petri was to remain at the see of Uppsala until his death in 1573—a 42-year-long reign, the longest in the history of the Swedish church.

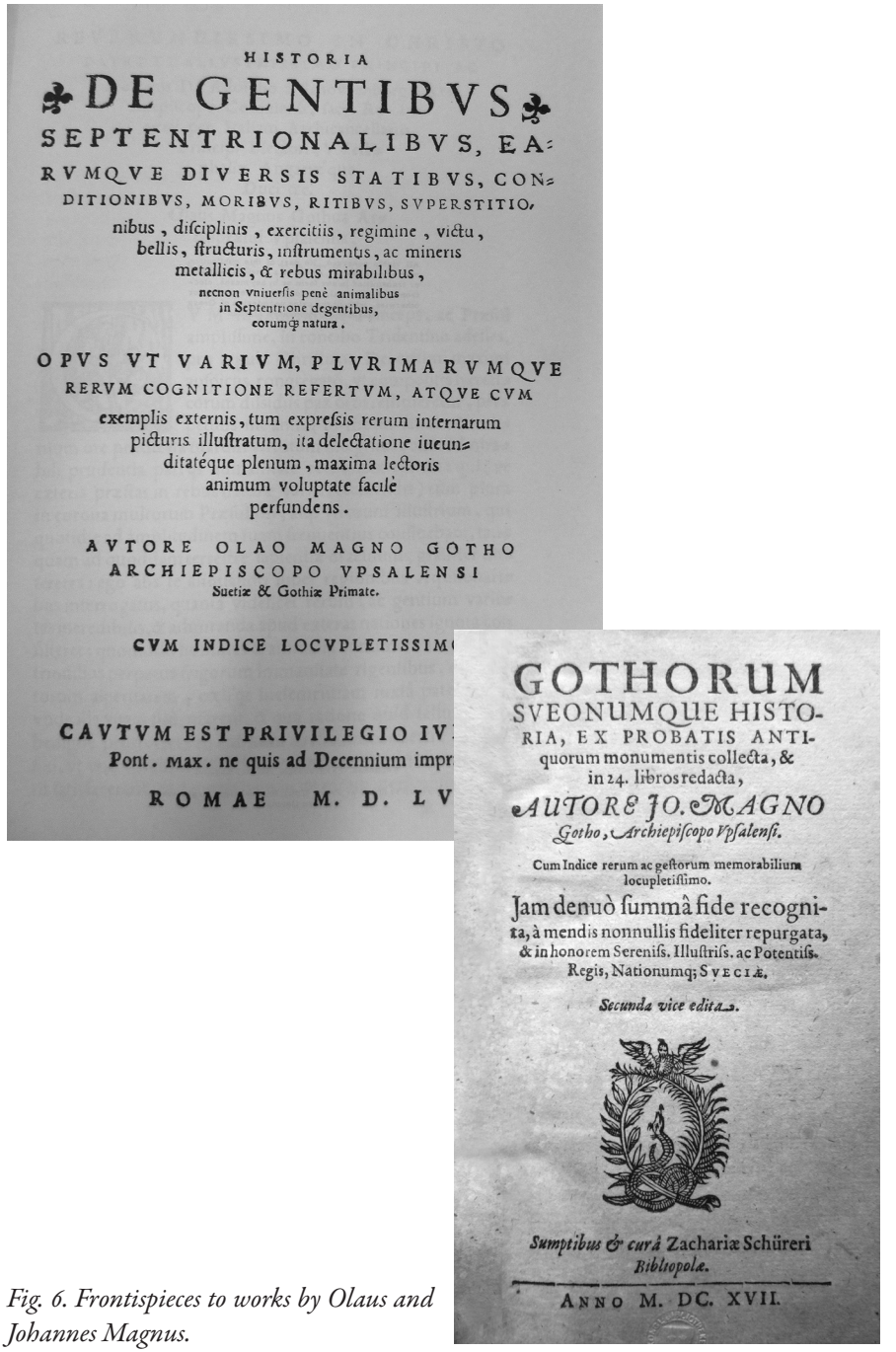
Did the three rivals ever meet? When Johannes Magnus returned to Sweden in 1517, Gustav Trolle was dismissed and imprisoned, and when the latter regained his freedom, Johannes was in Italy. The Petri brothers, as well as Olaus Magnus, certainly crossed his path in Stockholm around 1520–1521, under highly dramatic circumstances: the famous Bloodbath, of which Trolle is supposed to have been one of the principal actors and the three others terrified and helpless witnesses.

Johannes must certainly have met Laurentius Petri during his short period as administrator of Uppsala diocese in 1523–1526. At this time they were already declared enemies: the battle for Protestantism had started, and in 1525 Laurentius Petri's brother Olaus took himself a wife, which caused an enormous scandal and was strongly reproved by the church authorities, yet defended by Gustav Vasa.

That the two men appear in writings of their contemporaries is not surprising, considering the role they played. Moreover, they have been depicted by those who stood very near to them: Olaus Magnus and Olaus Petri. That both Olauses are positive about their brothers, and negative about their opponents is also evident, but what about Gustav Trolle? The warrior bishop remains a mysterious character, since the others' writings shed upon him only a scant and indirect light. He is portrayed both in Olaus Petri's *Crönica* and in the Magnus brothers' work: *Historia de gentibus septentrionalibus* (1555), by Olaus; *Historia de omnibus Gothorum Sueonumque regibus* (1554), and *Historia metropolitanae ecclesiae Upsalensis* (1557), by Johannes.

Olaus Petri depicts him as a "stiff and obstinate man, who refused to listen to anybody's advice and acted only according to his own will, which led to both his own and

13 Cf., for example, Johannes Magnus's letters dated 8 October 1534 and 10 December 1534, in *GIR* VIII, 376–377, 385–386.



HISTORIA

DE GENTIBVS SEPTENTRIONALIBVS, EARVMQVE DIVERSIS STATIBVS, CONDITIONIBVS, MORIBVS, RITIBVS, SVPERSTITIONIBVS, disciplinis, exercitiis, regimine, victu, bellis, structuris, instrumentis, ac mineris metallicis, & rebus mirabilibus, necnon vniuersis penè animalibus in Septentrione degentibus, eorumq; natura.

OPVS VT VARIVM, PLVRIMARVMQVE RERVM COGNITIONE REFERTVM, ATQVE CVM exemplis externis, tum expressis rerum internarum picturis illustratum, ita delectatione iucunditatéque plenum, maxima lectoris animum voluptate facilè perfundens.

AVTORE OLAO MAGNO GOTHO ARCHIEPISCOPO VPSALENSI Suetiæ & Gothiæ Primate.

CVM INDICE LOCVPLETISSIM

CAVTVM EST PRIVILEGIO IV Pont. max. ne quis ad Decennium impr

ROMAE M. D. LV

GOTHORUM SVEONUMQUE HISTORIA, EX PROBATIS ANTIquorum monumentis collecta, & in 24. libros redacta,

AUTORE IO. MAGNO Gotho, Archiepiscopo Vpsalensi.

Cum Indice rerum ac gestorum memorabilium locupletissimo.

Jam denuò summâ fide recognita, à mendis nonnullis fideliter repurgata, & in honorem Serenis. Illustris. ac Potentiss. Regis, Nationumq; SVECIÆ.

Secunda vice edita.

Sumptibus & curâ Zachariæ Schüreri Bibliopolæ.

ANNO M. DC. XVII.

Fig. 6. Frontispieces to works by Olaus and Johannes Magnus.

his country's decay",[14] relating the events in his usual matter-of-fact manner, emphasizing King Christian's evil rather than Trolle's reckless behaviour.

Olaus and Johannes Magnus for their part avoid direct disapproval: the only adjective Olaus uses when he mentions Trolle (which he does twice) is "most unfortunate": "infelicissimus Gostauus Trolle Archebiscopus Vpsalensis".[15] A question of solidarity? Perhaps. A Catholic, even an enemy, is still preferable to "heretics". Olaus' main reproach is that Trolle did not follow the example of his predecessor Jacob Ulvson who, after a long-lasting armed conflict with his political opponents, finally accepted a compromise:

> Si hac prudenti modestia erga juniorem Stenonem Sture in ortis controversiis, Gostavus Trolle ob publicam patriæ suæ quietem vsus fuisset Gostavus Trolle, eiusdem Iacobi immediatus successor, infinita strages, & cædes aversa, tranquilliorem regni & Ecclesiæ causam reliquisset.
>
> If, for the sake of peace, his successor Gustav Trolle had adopted the same wise tolerance in his struggles with Sten Sture Junior, much bloodshed could have been avoided and the state of the kingdom and that of the church would have been much more peaceful than it is now.[16]

This is a surprisingly careful wording from a usually rather outspoken author.

Johannes in his *Historia* is more vehement when talking about a conflict that "caused the ruin not only of both persons involved, but that of the whole country": "Both were young, both were of noble lineage and of vigorous character" ("erant ambo iuvenes, ambo illustrissimo sanguine nati, ambo vehementis spritis"). Nevertheless, Sten Sture is presented as more moderate and self-controlled, and Gustav as highly hard-hearted ("durior erat in Archiepiscopo animus"),[17] not inclined to follow the advice of the wise. On the other hand Johannes seems to totally exonerate Trolle from responsibility in the Bloodbath of Stockholm. Writing at the end of his *Historia* (XXIV:3) about the massacre in which the Swedish church was literally decapitated, the author simply omits to mention the archbishop, as if he had not been there, charging King Christian II with the entire responsibility for the crime.

---

14 Klemming 1860, 309: "Erchebiscop Göstaff war en stijff och eensinnat man, och han wille ingens mandz rådh lygha, vtan wille alt göra effter sitt eghit sinne, och thet war bådhe hans och menigha rikesens förderff."

15 Olaus Magnus 1555, VIII.39: "Horum et similium, immo majorum consiliorum, ac cautelarum immemor Rex Daniae Christiernus eius nominis secundus, qui diversis temporibus et ingeniis, procurato per quosdam Danicae factionis in regnis Suetiae, et Gothiae proceres, Danorum consanguineos, & affines, (inter quos erat infelicissimus Gostavus Trolle Archiepiscopus Vpsalensis) aditu in regna prædicta, adeo ferox, et everus evasit [...]."

16 Olaus Magnus 1555, XI.41.

17 Johannes Magnus 1554, XXIV.1.

What about their opponents, the Petri brothers, main actors in the central conflict of their time? Surprisingly, Olaus does not even mention their names. The name of Johannes, "estimated and beloved" elder brother appears a dozen of times in the course of the narration, whereas the Petri brothers are referred to exclusively as heretics (*heretici*). The Lutherans are presented as a group, a collective monster, not composed of individuals.

In Johannes' *Historia*, Olaus Petri is mentioned by name, but only once, in what seems to be an outburst of anger, while talking about Laurentius Andreae, Gustav Vasa's chancellor, presented as a disciple of "a newcomer from Wittenberg, Olaus Petri, deacon of Nerike, a dishonest youth ("improbissimus adolescens"), who, instead of supporting the true Christian faith, brought into the country a disastrous and impious heresy."[18] Apart from this passage, there is a clear tendency to anonymize the opponents. Lutherans are depicted as a mixture of the apocalyptic beast and the evil spirit whose "name is legion". The *Historia* ends with Gustav Vasa's accession to power, and the religious struggle that followed remains outside the narrative; still the book is full of allusions and commentaries that constantly link the events of the past to those of the present.

Olaus Petri's *Crönica* ends almost at the same time, in 1520, with Christian's departure from Sweden; neither of the Magnus brothers is therefore mentioned, and, in contrast to Johannes' *Historia*, the Protestant author carefully avoids parallels with the present state of affairs.

This is how the contemporaries portrayed each other. The role of individuals is strongly reduced, either to avoid discrediting a fellow Catholic, or to avoid individualizing religious opponents; but also because the decisive role is always attributed to the Providence.

Paradoxically, what strikes one today is the importance of *individual* action. Gustav Trolle's refusal to step back played an important role in the decline of the Swedish church and state around 1520, a weakness that largely contributed to the Reformation's success. Johannes Magnus' determination not to give up the struggle made him into a leader of Catholic forces in exile. Finally, the patient and diplomatic Laurentius Petri, a virtuoso of compromise, going as far as to sign his own brother's death-sentence, was largely responsible for the relatively painless transition.

Another interesting factor is the generational one. Gustav Trolle appears as closely linked to the preceding generation, namely his father Eric Trolle (*c.* 1460–1530) and Jacob Ulvson (*c.* 1440–1521), the former archbishop of Uppsala. Eric Trolle (himself son of an archbishop) was involved in the struggle opposing two aristocratic clans, the

18 Johannes Magnus 1554, XV.1: "erat discipulus cuisdam improbissimi adolescentis Olaui Petri Nericiani diaconi, qui ex Vittembergensi gymnasio nefandam haereticorum impietatem in patriam, quam in vera Christi religione conseruare debuisset, reportauit."

Trolle (related to the Danes) and the Sture, which shaped Swedish political life at the end of the 15th and into the beginning of the 16th century. For some time he was imprisoned by Sten Sture the Younger, and a part of Gustav Trolle's motivation was the desire to avenge his father. Jacob Ulvson, whom we have already mentioned, was also an active political actor of his time, and his choice of Gustav as his successor sprang from his wish to counterbalance the growing influence of the Sture family. So the son had to endorse the conflicts of the previous generation, which he seems to have done eagerly and which made him at least partly blind to the problems of his own time, the confessional ones.

If the conduct of Gustav Trolle appears to be "vertically" determined, the conduct of both Johannes Magnus and Laurentius Petri can be described as "horizontally" determined, i.e. influenced by factors proper to their own generation. Both lived and acted in close connection with their respective brothers, whereas the vertical connection (father–son) did not play any role: as children of non-noble persons they were not "sons of" anyone but themselves.

One can naturally argue that if the Swedish church had been stronger, its resistance would have delayed the victory of Protestantism—but the similarity of the processes in the North suggests that its ultimate success was inevitable. On the other hand, the rapidity with which the Catholics surrendered might have spared the country the religious wars that ravaged its neighbours. Such that the political rigidity of Gustav Trolle ultimately allowed the avoidance of much bloodshed, division and fighting.

It is not the right place to speculate about the role of chance: accidents do happen and can change the course of events at any time and in any place. Still there are periods when accidental factors seem to be more important than the structural ones. When the safeguards of a society are undermined or under-developed, when the institutions undergo a crisis, the liability and unpredictability tend to increase. This was precisely the case we are talking about: the absence of solid political structures, of mechanisms restraining the range of individual activity was particularly high. According to a specialist,

> within the Diet the clergy formed a distinct order, but in addition to this institutional power the range of action of its members was essentially due to their personal qualities as well as to the weakness of public authorities, which constituted a distinctive feature of Scandinavian particularism.[19]

19 Martin 1906, 200: "L'Eglise était dans l'Etat le plus riche et le plus indépendant des trois ordres. [...] le clergé formait, aux Diètes, un ordre distinct, mais en dehors de ces prérogatives institutionnelles, l'action directe des prélats tenait surtout à leurs qualités personnelles et aussi au faible développement des pouvoirs publics, trait caractéristique du particularisme scandinave."

In this sense, the story of the three archbishops fighting for a see belongs more to literature than to history.

BIBLIOGRAPHY

Primary sources

Johannes Magnus, 1554. *Historia de omnibvs Gothorvm Sueonumque regibus* (Rome).

Klemming, G.E., ed. 1860. *Olai Petri Svenska krönika* (Stockholm: Lundqvist).

Olaus Magnus, 1555. *Historia de gentibus septentrionalibus* (Rome).

Secondary literature

Andrén, C.-G., ed. 1973. *Reformationen i Norden. Kontinuitet och förnyelse* (Lund: Gleerup).

Bergendoff, C. 1965. *Olavus Petri and the ecclesiastical transformation in Sweden, 1521–1552* (Philadelphia: University of Pennsylvania Press).

Grell, O.P. 2000. 'Scandinavia', in *The Reformation world*, ed. A. Pettegree (London: Routledge), 257–276.

Hoffman, J. 1945. *La Réforme en Suède (1523–1572) et la succession apostolique* (Neuchâtel: Delachaux & Niestlé).

Ingebrand, S. 1964. *Olavus Petris reformatoriska åskådning: Die reformatorische Theologie des Olavus Petri* (Lund: Gleerup).

Kick, R. 1990. 'Le livre et la Réforme dans le Royaume de Suède, 1526–1571', in *La Réforme et le livre. L'Europe de l'imprimé (1517–v. 1570)*, ed. J.-F. Gilmont (Paris: Le Cerf).

Kouri, E.I. 1995. 'The early Reformation in Sweden and Finland *c.* 1520–1560', in *The Scandinavian Reformation: From evangelical movement to institutionalisation of Reform*, ed. O.P. Grell (Cambridge: Cambridge University Press), 42–69.

Martin, J. 1906. *Gustave Vasa et la Réforme en Suède: Essai historique* (Paris: A. Fontemoing).

Schück, H. 1959. *Ecclesia Lincopensis: Studier om Linköpingskyrkan under medeltiden och Gustav Vasa* (Stockholm: Almqvist & Wiksell).

Schwaiger, G. 1962. *Die Reformation in den nordischen Ländern* (Munich: Kösel).

Stenman, F. 1996. 'Ärkebiskop Gustav Trolle: En blodbesudlad hämnare?', *Fronesis* 1, 47–77.

Wieselgren, G. 1949. *Sten Sture d.y. och Gustav Trolle* (Lund: Gleerup).

Yelverton, E.E. 1958. *An archbishop of the Reformation: Laurentius Petri Nericius, archbishop of Uppsala, 1531–1573* (London: SPCK).

The Authors

ELENA BALZAMO, literary scholar and translator, teaches at École Pratique des Hautes Études. Among her publications related to the Northern history of the 16th century are *Olaus Magnus, Carta marina* (2005), *Die Wunder des Nordens* (in coll. with R. Kaiser, 2008), *Den osynlige ärkebiskopen. Essäer om Olaus Magnus* (2015).

ANTHONY JOHN LAPPIN took his D.Phil. at Oxford, and was senior lecturer at the University of Manchester until moving to Maynooth University, where he is research professor. He has recently published an edition of the *Alchoran latinus* and is currently working on 15th- and 16th-century apocalyptic material.

EMIL LAUGE CHRISTENSEN is currently a Ph.D. fellow at the Department of Culture and Global Studies at Aalborg University. He is a member of the research project Papal Communication in the Central Middle Ages, which is funded by the Danish Council for Independent Research on a DFF-YDUN grant. He has previously published on the monastery of St Claire at Roskilde.

INKA MOILANEN gained her Ph.D. from Bergen in 2011, and is currently a research fellow at the Centre for Medieval Studies, Stockholm University. Her work deals with normative discourses and social order, the uses of sermons and homiletic manuscripts, and the formation of religious intolerance and prejudice, with a special emphasis on Anglo-Saxon history and literature.

MARTIN J. RYAN has taught early medieval history at the universities of Liverpool, Manchester and Sheffield, and researches in particular the religious and intellectual cultures of Anglo-Saxon England. He is co-author, with Nicholas J. Higham, of *The Anglo-Saxon world* (Yale University Press, 2013) and is currently finishing a book on identity in early England to be published by Arc Humanities Press in their *Past Imperfect* series.

KIRSI SALONEN is Professor of European and World History at the University of Turku. The focal points of her research are church history, papal administration and justice, the history of criminality and that of everyday life in the Middle Ages, and the beginning of early modern period. She has researched in the Vatican Secret Archives for a number of years, and has recently authored *Papal justice in the late Middle Ages: The Sacra Romana Rota* (New York: Routledge, 2016).

MARTIN NEUDING SKOOG recently completed his Ph.D. in the Department of History at Stockholm University. The thesis considers the impact on Swedish society and state expansion wrought by the transformation of military institutions, *c*. 1450–1550. His current research concerns military enterprisers in 16th-century Sweden. Previous publications include analysis of late medieval military campaigns, Swedish warfare during the Napoleonic era, and a short historiography of the causes of the First World War.

REIMA VÄLIMÄKI's Ph.D. dissertation of 2016 centred on the inquisitor Petrus Zwicker and the repression of Waldensian heresy in late medieval Germany. He is currently a postdoctoral research fellow at the Department of Cultural History, University of Turku, involved in a digital humanities project on the computational attribution of authorship of Latin texts. He is also the Secretary to the *Institutum Romanum Finlandiae* Foundation, which upholds the Finnish Institute in Rome.

ROSA VIDAL DOVAL is Lecturer in Spanish Medieval Literature and Culture at Queen Mary University of London. She is the author of *"Misera Hispania": Jews and conversos in Alonso de Espina's Fortalitium fidei* (Oxford, 2013). Her research focuses on the role of texts in religious persecution in late medieval Spain. She is currently working on an edition and English translation of Alonso de Espina's *Fortalitium fidei* with Anthony John Lappin.

KURT VILLADS JENSEN is Professor in Medieval History and Director of the Centre for Medieval Studies, Stockholm University. He has been working with both ideological and practical aspects of Iberian and Northern Crusades. His interests also include medieval military history, Christian mission to Muslims and Mongols, and church history in general.

Kungl. Vitterhets Historie och Antikvitets Akademiens serie *Konferenser*

1 Människan i tekniksamhället. Föredrag och diskussioner vid Vitterhetsakademiens konferens 25–27 januari 1977. 1977
2 Människan i tekniksamhället. Bibliografi. 1977
3 Swedish-Polish Literary Contacts. 1979
4 Människan, kulturlandskapet och framtiden. Föredrag och diskussioner vid Vitterhetsakademiens konferens 12–14 februari 1979. 1980
5 Människan, kulturlandskapet och framtiden. Bibliografi. Ed. Arnold Renting. 1980
6 Safe Guarding of Medieval Altarpieces and Wood Carvings in Churches and Museums. A Conference in Stockholm, May 28–30 1980. 1981
7 Tolkning och tolkningsteorier. Föredrag och diskussioner vid Vitterhetsakademiens symposium 17–19 november 1981. 1982
8 Research on Tropes. Proceedings of a Symposium Organized by the Royal Academy of Letters History and Antiquities and the Corpus Troporum, Stockholm, June 1–3 1981. Ed. Gunilla Iversen. 1983
9 Om stilforskning. Föredrag och diskussionsinlägg vid Vitterhetsakademiens symposium 16–18 november 1982. 1983
10 J. V. Snellman och hans gärning. Ett finskt-svenskt symposium hållet på Hässelby slott 1981 till 100-årsminnet av Snellmans död. 1984
11 Behövs ”småspråken”? Föredrag vid Vitterhetsakademiens konferens den 22 november 1983. 1984
12 Altaistic Studies. Papers Presented at the 25th Meeting of the Permanent International Altaistic Conference at Uppsala June 7–11, 1982. Eds Gunnar Jarring and Staffan Rosén. 1985
13 Att vara svensk. Föredrag vid Vitterhetsakademiens symposium 12–13 april 1984. 1985
14 Samhällsplanering och kulturminnesvård. Föredrag och diskussionsinlägg vid Vitterhetsakademiens symposium 28 mars 1985. 1986
15 Runor och runinskrifter. Föredrag vid Riksantikvarieämbetets och Vitterhetsakademiens symposium 8–11 september 1985. 1987
16 The Slavic Literatures and Modernism. A Nobel Symposium August 5–8 1985. Ed. Nils Åke Nilsson. 1987
17 Nubian Culture: Past and Present. Main Papers Presented at the Sixth International Conference for Nubian Studies in Uppsala, 11–16 August, 1986. Ed. Tomas Hägg. 1987
18 ”1786”. Vitterhetsakademiens jubileumssymposium 1986. 1988
19 Polish-Swedish Literary Contacts. A Symposium in Warsaw September 22–26 1986. Eds Maria Janion and Nils Åke Nilsson. 1988
20 Sverige och Petersburg. Vitterhetsakademiens symposium 27–28 april 1987. Red. Sten Carlsson och Nils Åke Nilsson. 1989
21 Tradition and Modern Society. A Symposium at the Royal Academy of Letters History and Antiquities, Stockholm, November 26–29, 1987. Ed. Sven Gustavsson. 1989
22 Die Bronzezeit im Ostseegebiet. Ein Rapport der Kgl. Schwedischen Akademie der Literatur Geschichte und Altertumsforschung über das Julita-Symposium 1986. Ed. Björn Ambrosiani. 1989

23 Bilden som källa till vetenskaplig information. Föredrag vid Vitterhetsakademiens symposium 13–14 april 1989. Red. Allan Ellenius. 1990
24 Att tala utan ord. Människans icke-verbala uttrycksformer. Föredrag vid symposium i Vitterhetsakademien 25–26 oktober 1989. Red. Göran Hermerén. 1991
25 Boris Pasternak och hans tid. Föredrag vid symposium i Vitterhetsakademien 28–30 maj 1990. Red. Peter Alberg Jensen, Per-Arne Bodin och Nils Åke Nilsson. 1991
26 Czeslaw Milosz. A Stockholm Conference. September 9–11, 1991. Ed. Nils Åke Nilsson. 1992
27 Contemplating Evolution and Doing Politics. Historical Scholars and Students in Sweden and in Hungary Facing Historical Change 1840–1920. A Symposium in Sigtuna, June 1989. Ed. Ragnar Björk. 1993
28 Heliga Birgitta – budskapet och förebilden. Föredrag vid jubileumssymposiet i Vadstena 3–7 oktober 1991. Red. Alf Härdelin och Mereth Lindgren. 1993
29 Prehistoric Graves as a Source of Information. Symposium at Kastlösa, Öland, May 21–23, 1992. Ed. Berta Stjernquist. 1994
30 Rannsakningar efter antikviteter – ett symposium om 1600-talets Sverige. Red. Evert Baudou och Jon Moen. 1995
31 Religion in Everyday Life. Papers given at a symposium in Stockholm, 13–15 September 1993. Ed. Nils-Arvid Bringéus. 1994
32 Oscar Montelius 150 years. Proceedings of a Colloquium held in the Royal Academy of Letters, History and Antiquities, Stockholm, 13 May 1993. Ed. Paul Åström. 1995
33 August Strindberg och hans översättare. Föredrag vid symposium i Vitterhetsakademien 8 september 1994. Red. Björn Meidal och Nils Åke Nilsson. 1995
34 The Aim of Laboratory Analyses of Ceramics in Archaeology, April 7–9 1995 in Lund, Sweden. Eds Anders Lindahl and Ole Stilborg. 1995
35 Qumranlitteraturen. Fynden och forskningsresultaten. Föreläsningar vid ett symposium i Stockholm den 14 november 1994. Red. Tryggve Kronholm och Birger Olsson. 1996
36 Words. Proceedings of an International Symposium, Lund, 25–26 August 1995. Ed. Jan Svartvik. 1996
37 History-Making. The Intellectual and Social Formation of a Discipline. Proceedings of an International Conference, Uppsala, September 1994. Eds Rolf Torstendahl and Irmline Veit-Brause. 1996
38 Kultursamanhengar i Midt-Norden. Tverrfagleg symposium for doktorgradsstudentar og forskarar. Førelesingar ved eit symposium i Levanger 1996. Red. Steinar Supphellen. 1997
39 State and Minorities. A Symposium on National Processes in Russia and Scandinavia, Ekaterinburg. March 1996. Eds Veniamin Alekseyev and Sven Lundkvist. 1997
40 The World-View of Prehistoric Man. Papers presented at a symposium in Lund, 5–7 May 1997. Eds Lars Larsson and Berta Stjernquist. 1998
41 Forskarbiografin. Föredrag vid ett symposium i Stockholm 12–13 maj 1997. Red. Evert Baudou. 1998
42 Personnamn och social identitet. Handlingar från ett Natur och Kultur-symposium i Sigtuna 19–22 september 1996. Red. Thorsten Andersson, Eva Brylla och Anita Jacobson-Widding. 1998
43 Philipp Melanchthon und seine Rezeption in Skandinavien. Vorträge eines internationalen Symposions an der Königlichen Akademie der Literatur, Geschichte und Altertümer anläßlich seines 500. Jahrestages in Stockholm den 9.–10. Oktober 1997. Herausgegeben von Birgit Stolt. 1998

44 Selma Lagerlöf Seen from Abroad – Selma Lagerlöf i utlandsperspektiv. Ett symposium i Vitterhetsakademien den 11 och 12 september 1997. Red. Louise Vinge. 1998
45 Bibeltolkning och bibelbruk i Västerlandets kulturella historia. Föreläsningar vid ett symposium i Stockholm 27 oktober 1997. Red. Tryggve Kronholm och Anders Piltz. 1999
46 The Value of Life. Papers presented at a workshop at the Royal Academy of Letters, History and Antiquities, April 17–18, 1997. Eds Göran Hermerén and Nils-Eric Sahlin. 1999
47 Regionala samband och cesurer. Mitt-Norden-symposium II. Föreläsningar vid ett symposium i Stockholm 1997. Red. Staffan Helmfrid. 1999
48 Intuitive Formation of Meaning. Symposium held in Stockholm, April 20–21 1998. Ed. Sven Sandström. 2000
49 An Assessment of Twentieth-Century Historiography. Professionalism, Methodologies, Writings. Ed. Rolf Torstendahl. 2000
50 Stiernhielm 400 år. Föredrag vid internationellt symposium i Tartu 1998. Red. Stig Örjan Ohlsson och Bernt Olsson. 2000
51 Roman Gold and the Development of the Early Germanic Kingdoms. Symposium in Stockholm 14–16 Nov. 1997. Ed. Bente Magnus. 2001
52 Kyrkovetenskap som forskningsdisciplin. Ämneskonferens i Vitterhetsakademien, 12–13 november 1998. Red. Sven-Åke Selander. 2001
53 Popular Prints and Imagery. Proceedings of an International Conference in Lund 5–7 October 2000. Eds Nils-Arvid Bringéus and Sten Åke Nilsson. 2001
54 The Chronology of Base-Ring Ware and Bichrome Wheel-Made Ware. Proceedings of a Colloquium held in the Royal Academy of Letters, History and Antiquities, Stockholm, May 18–19 2000. Ed. Paul Åström. 2001
55 Meaning and Interpretation. Conference held in Stockholm, September 24–26 1998. Ed. Dag Prawitz. 2001
56 Swedish-Polish Modernism. Literature – Language – Culture. Conference held in Cracow, Poland, April 20–21 2001. Eds Małgorzata Anna Packalén and Sven Gustavsson. 2003
57 Nationalutgåva av de äldre geometriska kartorna. Konferens i Stockholm 27–28 november 2003. Red. Birgitta Roeck Hansen. 2005
58 Medieval Book Fragments in Sweden. An International Seminar in Stockholm, 13–16 November 2003. Ed. Jan Brunius. 2005
59 Trygghet och äventyr. Om begreppshistoria. Red. Bo Lindberg. 2005
60 Wisława Szymborska. A Stockholm Conference May 23–24, 2003. Eds Leonard Neuger och Rikard Wennerholm. 2006
61 Konsterna och själen. Estetik ur ett humanvetenskapligt perspektiv. Red. Göran Hermerén. 2006
62 Litteraturens värde – Der Wert der Literatur. Konferens i Stockholm 26–28 november 2004. Red. Antje Wischmann, Eva Hættner Aurelius och Annegret Heitmann. 2006
63 Stockholm – Belgrade. Proceedings from the Third Swedish-Serbian Symposium in Stockholm, April 21–25, 2004. Ed. Sven Gustavsson. 2007
64 När religiösa texter blir besvärliga. Hermeneutisk-etiska frågor inför religiösa texter. Red. Lars Hartman. 2007
65 Scholarly Journals between the Past and the Future. The *Fornvännen* Centenary Round-Table Seminar, Stockholm, 21 April 2006. Ed. Martin Rundkvist. 2007
66 Hela världen är en teater. Åtta essäer om Lars Wivallius. Red. Kurt Johannesson och Håkan Möller. 2007

67 Efter femtio år: *Aniara* 1956–2006. Föredrag vid ett symposium i Kungl. Vitterhetsakademien 12 oktober 2006. Red. Bengt Landgren. 2007
68 Jordvärderingssystem från medeltiden till 1600-talet. Red. Alf Ericsson. 2008
69 Astrid Lindgrens landskap. Hur landskapets kulturarv förändras, förstås, förvaltas och förmedlas. Red. Magnus Bohlin. 2009
70 Kyrkohistoria – perspektiv på ett forskningsämne. Red. Anders Jarlert. 2009
71 Skärgård och örlog. Nedslag i Stockholms skärgårds tidiga historia. Red. Katarina Schoerner. 2009
72 Emilia Fogelklou läst i dag. Nio essäer. Red. Anders Jeffner. 2010
73 Saint Birgitta, Syon and Vadstena. Papers from a Symposium in Stockholm 4–6 October 2007. Eds Claes Gejrot, Sara Risberg and Mia Åkestam. 2010
74 Universitetsrankning och bibliometriska mätningar: Konsekvenser för forskning och kunskapsutveckling. Red. Göran Hermerén, Kerstin Sahlin och Nils-Erik Sahlin. Sammanställn. Ulrika Waaranperä. 2011
75 Jämtland och den jämtländska världen 1000–1645. Red. Olof Holm. 2011
76 Konsten och det nationella. Essäer om konsthistoria i Europa 1850–1950. Red. Martin Olin. 2013
77 Cent ans d'études scandinaves. Centenaire de la fondation de la chaire de Langues et littératures scandinaves à la Sorbonne en 1909. Dir. Sylvain Briens, Karl Erland Gadelii, May-Brigitte Lehman et Jean-Marie Maillefer. 2012
78 Från Nyens skans till Nya Sverige. Språken i det Svenska Riket under 1600-talet. Red. Bo Andersson och Raimo Raag. 2012
79 Språk och ordkonst in österled. Red. Anders Jeffner. 2012
80 La Linguistique dans tous les sens. Dir. Françoise Sullet-Nylander, Hugues Engel et Gunnel Engwall. 2013
81 Trust and confidence in scientific research. Eds Göran Hermerén, Kerstin Sahlin and Nils-Eric Sahlin. 2013
82 The Birgittine Experience. Papers from the Birgitta Conferene in Stockholm 2011. Eds Claes Gejrot, Mia Åkestam and Roger Andersson. 2013
83 Text, tal och tecken. Några perspektiv inom språkforskningen. Red. Björn Lindblom. 2013
84 Flanörens världsbild. Red. Elena Balzamo. 2014
85 Sweden–Serbia and Europe. Periphery or not? Ed. Thomas Lundén. 2014
86 Richard Wagner. Werk und Wirkungen / His Works and their Impact. A Wagner Symposium 2013. Ed. Anders Jarlert. 2014
87 Svensk antikforskning vid Medelhavet. Gustaf VI Adolf och fältarkeologi i historiskt perspektiv. Red. Frederick Whitling. 2014
88 The *Eufemiavisor* and Courtly Culture. Time, Texts, and Cultural Transfer. Papers from a symposium in Stockholm 11–13 October 2012. Eds Olle Ferm, Ingela Hedström, Sofia Lodén, Jonatan Pettersson and Mia Åkestam. 2015
89 Klassisk filologi i Sverige. Reflexioner, riktningar, översättningar, öden. Red. Eric Cullhed och Bo Lindberg. 2015
90 Kyrkobyggnad och kyrkorum. Forskningsfrågor. Red. Jan von Bonsdorff, Ingmar Brohed och Anders Jarlert. 2017
91 Performativity in Literature. The Lund–Nanjing Seminars. Eds Eva Hættner Aurelius, He Chengzhou and Jon Helgason. 2016

92 Tears, Sighs and Laughter. Expressions of Emotions in the Middle Ages. Eds Per Förnegård, Erika Kihlman, Mia Åkestam and Gunnel Engwall. 2017

93 Continuity and Change. Papers from the Birgitta Conference at Dartington 2015. Eds Elin Andersson, Claes Gejrot, E.A. Jones and Mia Åkestam. 2017

94 Spiritual and Ecclesiastical Biographies. Research, Results, and Reading. Ed. Anders Jarlert. 2017

95 Dominus Episcopus. Medieval Bishops between Diocese and Court. Ed. Anthony John Lappin with Elena Balzamo. 2018