





# Scandinavia and the Vatican Archives

PAPERS FROM A CONFERENCE IN STOCKHOLM

14–15 OCTOBER 2016

*Kirsi Salonen, Anna-Stina Hägglund & Claes Gejrot (eds)*



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#### ABSTRACT

The present volume is the result of a conference in 2016 dealing with the medieval contacts between the Nordic countries and the papacy. The book combines research articles based on conference papers with chapters intended to introduce and describe source editions and collections of material from the Vatican Apostolic Archives in Danish, Finnish, Norwegian, and Swedish archives.

A first contribution investigates the efforts made in connection with the joint Scandinavian research expeditions to Rome – especially in the first half of the 20th century – which led to a multitude of transcriptions and copies. This article is followed by a series of texts providing useful inventories of the Nordic collections and a sort of handbook for students, university scholars, and others interested in these often overlooked sources. This section concludes with a thorough presentation of the medieval papal source material.

The subsequent conference articles are all based on papal archival material and give examples of what kind of research can be done and what results can be achieved using the Vatican sources. The content of these chapters ranges from crusading bulls and high-level legal cases in the Curia to documents dealing with clerical violence and career appointments within the church. A final chapter deals with the handling of the many incoming cases.

#### KEYWORDS

Apostolic, archival materia, curia, medieval, Middle Ages, papacy, papal curia, pope, Nordic countries, Scandinavia, Vatican Archives

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# Contents

Introduction	7
CLAES GEJROT: The Scandinavian Expeditions to Rome	11
PETER BRUUN HANSEN: Papal Documents in Danish Archives	33
JO RUNE UGULEN KRISTIANSEN: The Vatican Collections in the Norwegian National Archives	53
KIRSI SALONEN: The Vatican Collections in the Finnish National Archives	61
PETER STÅHL: Papal Source Material in the Swedish National Archives	67
KIRSI SALONEN: The Medieval Source Material from the Papal Curia	83
MARKUS HEDEMANN: A Lost Notary Instrument: The Holstein Process in the Curia in 1424–1425	125
KURT VILLADS JENSEN: Papal Crusade Bulls and Preaching to Scandinavia	141
TORSTEIN JØRGENSEN: Between Theology and Jurisdiction: Some Aspects of the Norwegian Petitions to the Papal Penitentiary	157
KIRSI SALONEN: Papal Provisions: Process, Sources and Problems. The Case of the Praepositura in Linköping in 1512–1515	169
ANDREAS MEYER (†): “ <i>Improbitas importuna petentium</i> ”: The Annoying Dishonesty of Petitioners	179
Bibliography	189
The Authors	199



# Introduction

On 13 and 14 October 2016 The Royal Swedish Academy of Letters (Kungl. Vitterhetsakademien) hosted an international conference in Stockholm, 'Medieval Scandinavia and the Papal Administration', with a number of invited scholars. The main purpose of the meeting was to highlight and exemplify the lively contacts between the Nordic countries and the papacy during the Middle Ages. Another aim was to draw attention to the great efforts made during the first half of the last century to go through the collections of the Vatican Apostolic Archives in order to find documents relevant to Scandinavian history. As a result of these Scandinavian expeditions, as they were called, the Nordic countries today possess abundant archival material (copies, photographs, transcripts, and excerpts). Some documents have been edited in various series, but to a large extent the material collected and stored in Nordic archives is still difficult to access, even though we are dealing with a central source category for medieval researchers.

A number of scholars and speakers participated at the conference. All the presentations were based on research relating to material in the papal archives. Six conference papers are included in the present volume (chapters 1 and 7–11) and they have been reworked for publication by each author, with one important and tragic exception. The renowned Swiss medievalist Andreas Meyer (Marburg), one of the great experts on the papal Chancery in the late Middle Ages, had been invited to the conference as a key-note speaker, but he fell seriously ill, could not participate, and instead sent in his manuscript which was read by the organizers. He died less than four months after the meeting in Stockholm. We have decided to include his lecture as it was read at the conference, without footnotes and with only minor editorial changes. In his contribution, Andreas Meyer takes a comprehensive look at the numerous petitioners and

supplicants who swarmed the Curia with their various needs. Meyer shows how the papal administration handled this growing number of requests from Christians from many countries and what the bureaucratic consequences were.

The other papers printed here cover more specific areas of research. Kurt Villads Jensen (Stockholm) writes about crusade preaching in Scandinavia and exemplifies in what ways papal crusading bulls affected life in Scandinavia in the early and late Middle Ages. Markus Hedemann (Copenhagen) highlights and analyses the preserved documents from a controversial Curial process in the 15th century, involving the Scandinavian union king and three counts from Holstein. Torstein Jørgensen (Stavanger) focuses on archival material from the Papal Penitentiary. Using examples of clerical violence in Norway he illustrates the differences and similarities between ecclesiastical and civil laws. Kirsi Salonen (Bergen and Turku) shows how recent findings in the Vatican Archives can shed new light on historical events and give us a deeper understanding of what has occurred. The case she has chosen to discuss concerns the appointment of a new cathedral provost in the Swedish diocese of Linköping in the early 16th century. In an introductory paper, Claes Gejrot (Stockholm) tells the story of the men and women who took part in the Scandinavian expeditions to Rome (1920–1939). He looks at the driving forces behind the efforts and points to the results achieved.

The ensuing discussions made it clear that the knowledge of these important sources needs to be spread among students and researchers at universities. Strong and clear wishes were expressed that some form of handbook, a guide for future students and researchers, should be produced. The idea was put forward that such a text ought to be included with a publication from the conference. In connection with the meeting, a group was formed consisting of experienced scholars from Denmark, Finland, Norway, and Sweden. The purpose was to make a thorough inventory of the papal material in the Nordic archives and prepare texts that corresponded to the wishes made clear at the Stockholm meeting. In addition to the undersigned, the members of this group were Peter Ståhl (Stockholm), Jo Rune Ugulen Kristiansen (Bergen/Oslo), and Markus Hedemann and Peter Bruun Hansen (both Copenhagen). This group met several times, both in person and virtually, in the years following the Stockholm meeting for rewarding discussions about the texts.

The present book combines the reworked articles from the conference with the handbook for researchers. In short, the idea is to present research on the medieval Vatican sources in relation to the overview of documents preserved in the Nordic archives. The five articles (chapters 2–6) that make up the handbook provide an introduction to the Vatican Archives as well as an overview of relevant publications and a guide to the location of the material in various Nordic archives and libraries. Kirsi Salonen

gives a necessary background, an in-depth analysis of the medieval collections and document types in the Vatican Apostolic Archives in her contribution 'The Medieval Source Material from the Papal Curia.' Peter Ståhl writes about the Swedish editions and the papal holdings in the National Archives in Stockholm. Jo Rune Ugulen Kristiansen guides us to Norwegian publications and the Vatican material in the National Archives in Oslo, while Kirsi Salonen introduces the Helsinki material and editions. Peter Bruun Hansen presents a survey of edited papal texts concerning Denmark and Vatican material in Danish archives.

As is evident from this introduction, the finished book is the happy result of a successful conference and several other meetings. The editors are grateful to all the participants in the conference, and, of course, to the authors of the papers. We would also like to thank the Royal Academy of Letters for its generous support and for including this volume in the Academy conference series. We are especially grateful to Jenni Hjøhlman who has supervised the work in its final stages. We would like to dedicate the volume to the memory of Andreas Meyer (1955–2017).

Turku and Stockholm, March 2021

*Kirsi Salonen, Anna-Stina Hägglund, and Claes Gejrot*



Fig. 1. An original parchment charter issued by the Avignon Pope Clement VI and sent to the priests in Uppsala town and diocese. The papal bull confirms the election of a new bishop of Linköping. SDHK 41791. Orig. on parchment 17 November 1351, National Archives, Stockholm. Photograph: National Archives.

CLAES GEJROT

## The Scandinavian Expeditions to Rome

The spirit of Nordic cooperation was an important political and cultural factor in the first part of the 20th century. This was apparent within the humanities, and, as we shall see, in the field of medieval history and among editors of medieval texts as well. At that time, several national projects were looking towards co-operation instead of competition. However, when two of the Nordic *Diplomatarium* editorial series started in the early and mid-19th century, the situation had perhaps been somewhat different.

The long-awaited opening of the Vatican Secret Archives<sup>1</sup> (for scholars) became a reality in 1881, during the papacy of Leo XIII. This meant that representatives of various countries could now come to Rome to search for documents relating to earlier periods of their respective nations. The Nordic countries were among those that saw an opportunity to look into the material relating to their pre-reformation history. There was a strong desire to fill in the gaps in the sometimes rather unclear Nordic medieval period. Before long, historians had begun the work of going through the vast collections, and almost 40 years later, as we shall see, a joint Scandinavian venture was organized in a more formal way. This paper will take a brief look at the background and then proceed to these later “Roman expeditions” themselves. Some central questions will be answered: who were the main players and what was the purpose of the expeditions? What were the results?

Let us start with the necessary background. At the time of the Reformation, it is no surprise that relations between the Scandinavian countries and the Roman Curia

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1 The Vatican Secret Archives (Archivio Segreto Vaticano) changed its name to the Vatican Apostolic Archives (Archivio Apostolico Vaticano) in 2019.

broke down and more or less ceased, in the case of Sweden in 1527, in Denmark and Norway a few years later. In the archives we can see a definitive break, and for a long period of time no contacts at all were made. The archival losses during the Reformation, especially in the monasteries, were large, as would be expected. Fortunately, however, some parts of the medieval material that were already in various Nordic archives were to remain there and survive. This goes for the papal documents as well.

If we turn to Sweden, documents and copybooks that had caught the attention of the state collectors (the royal administration) were looked after, and to a large part these archival remnants still exist. For instance, around 250 original parchment documents issued by the Papal Curia until 1527 for Swedish recipients are still in the National Archives in Stockholm. Furthermore, a large number of papal documents are to be found in copybooks (e.g. in the large privilege book of Vadstena Abbey, MS RA A19, National Archives).<sup>2</sup>

Some of the papal documents kept in Swedish archives were printed at an early date, before the start of the *Diplomatarium* series, e.g. by Johannes Vastovius who published his book on Swedish saints (with some Vatican material, probably mostly from the *registra*) in 1623,<sup>3</sup> and in von Celse's 'Bullarium', printed in 1782.<sup>4</sup> Furthermore, in 1783 and 1788, C.F. Fredenheim (the art collector of King Gustav III) received 300 transcriptions of material in the Vatican Archives relating to Sweden.<sup>5</sup>

During the 19th century, it became clear to many historians and others with medieval interests that it should be possible to find more material in the Vatican Archives. With the opening of the Vatican Archives in the 1880s, the regular study visits from the Nordic countries began.

But even before this, P.A. Munch (1810–1863) had experienced a rare opportunity to work in the Vatican Archives, the first Nordic scholar to do so. Munch was a Norwegian historian and an Old Norse specialist. He received permission from the Vatican to study the archives in 1858, an exceptional grace at the time, and he stayed in Rome for several years. Munch was a pioneer of Norwegian source-based history writing, and

2 Some late losses are known: a number of papal documents are reported to have been taken from Sweden to Poland in 1599 (via King Sigismund), and an unknown quantity was destroyed in the great palace fire of 1697 in Stockholm. On the fates of the medieval charters and documents in Sweden that were passed on to later times, see Fritz 1980. On MS RA A19, cf. Ståhl 2004, pp. 88–90.

3 Vastovius 1623, new ed. 1708.

4 von Celse 1782.

5 This collection was donated to library of the Royal Academy in Turku (Åbo). It was later destroyed in the Turku fire of 1827. Copies of Fredenheim's texts were used by the first editor (J.G. Liljegren) of the *Diplomatarium Suecanum* (1829–1834). This early *Diplomatarium* volume regrettably also contained falsified papal documents.





Illustration: Peter Andreas Munch, Riddare af St. Olavsordenen af Stockholm.



Fig. 2. P.A. Munch, and some of the boxes containing his transcriptions, today in the National Archives, Stockholm.

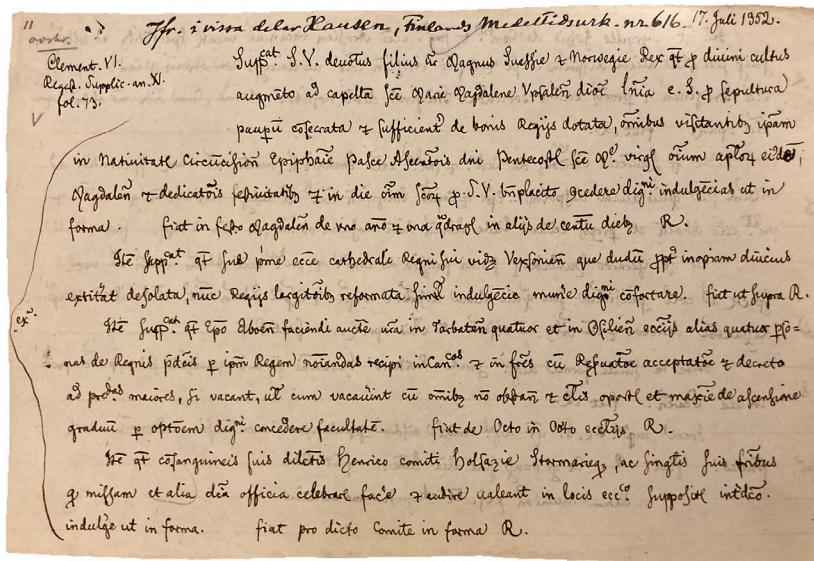


Fig. 3. An item in the Munch collection displaying an abbreviated transcription of a document dated 17 July 1352 (cf. Dipl. Suec. No. 5362), National Archives, Stockholm.

had become famous as a collector and transcriber. His collection of transcriptions in Nordic archives became a basis for the editions printed in the *Diplomatarium Norvegicum* series, and in addition to this, the transcriptions were to some degree distributed among the Nordic countries.<sup>6</sup>

After the opening of the archives, further Scandinavian historians came to Rome, and during the last two decades of the 19th century we find a number of skilled historians working in Rome, sometimes for long periods, all with the aim of finding more material and publishing the results. These study visits were sometimes stretched out to last for several years, and the scholars chosen tried their best to find as many “new” sources as possible. The most important of these scholars were, from Sweden, K.H. Karlsson, from Denmark, Laust Moltesen, Johannes Lindbæk, and Alfred Krarup, and from Norway, Gustav Storm and Alexander Bugge.<sup>7</sup>

Karl Henrik Karlsson, a specialist in medieval history and genealogy, was an energetic and important editor and collector of medieval material concerning Sweden. He stayed in Rome from 1894 to 1900, during which time the Swedish state paid his costs. The result of his work, abbreviated excerpts and transcriptions of Swedish material held in the Vatican Archives, is today found in the National Archives in Stockholm (*K H Karlssons avskrifter ur Vatikanarkivet*). The collection has proved to be a much-used source among Swedish historians over the last hundred years.<sup>8</sup>

In Denmark, the early efforts resulted in a series of printed volumes, *Acta Pontificum Danica*.<sup>9</sup> In Norway, a volume in the national edition series *Diplomatarium Norvegicum* was devoted to the texts found in the Vatican Archives.<sup>10</sup> The material printed in the Norwegian volume seems to be based on transcriptions by a number of scholars, including K.H. Karlsson,<sup>11</sup> but it is difficult to see any organized co-operation over national borders.

6 He died of a stroke in Rome in 1863 after returning from a visit to Norway. On Munch, cf. Dahl 1999–2005.

7 On Karlsson and Krarup see below. On Laust Jevsen Moltesen (1865–1950), Danish church historian and politician see Hvidt 2011. On the Danish historian Johannes Peder Lindbæk (1872–1919), cf. Lund Jensen 2011. On the Norwegian historian Gustav Storm (1845–1903), cf. Dahl 2009. On Alexander Bugge (1870–1929), a Norwegian professor of history, cf. Krag 2009. From Storm’s and Bugge’s time in Rome, a number of notebooks with transcriptions etc. can be found in the Norwegian National Archives.

8 On K.H. Karlsson (1856–1909), cf. Söderberg 1910 and Gillingstam 1973–1975. Karlsson himself wrote about his stay in Rome in Karlsson 1901.

9 *Acta Pontificum Danica* 1316–1536, vols. I–VI.

10 *Diplomatarium Norvegicum*, vol. 17:1–2.

11 A detailed description of the people involved in providing transcriptions is found in the introduction to *Diplomatarium Norvegicum*, vol. 17.

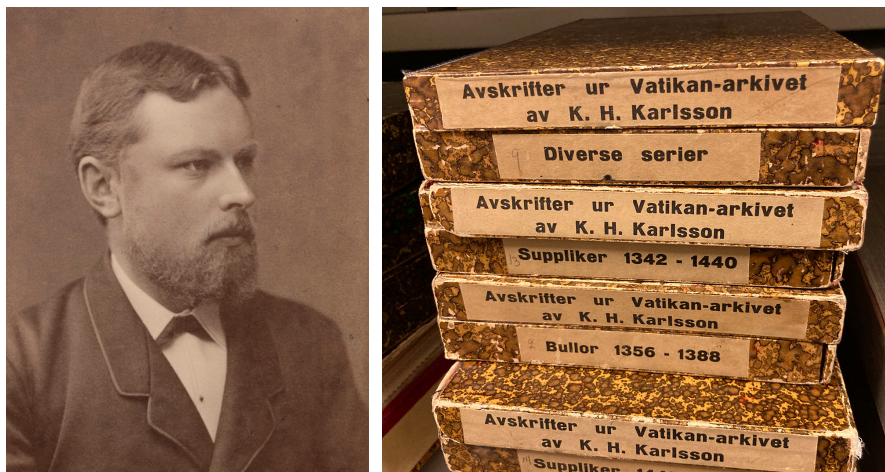


Fig. 4. K.H. Karlsson and some of the archival boxes of his collection, today in the National Archives, Stockholm.

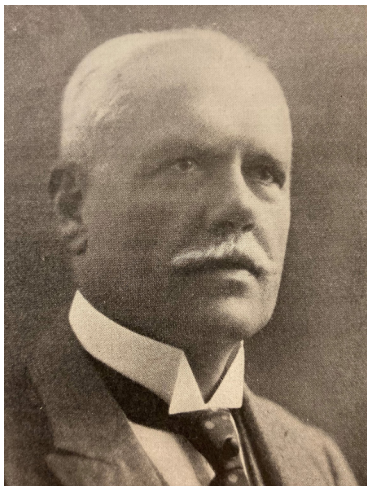
In the case of Sweden, the ambition was also to publish editions of the archival material. However, Karlsson's sudden death in 1909 put a stop to the plan for more extensive publications based on his findings. The plan was to connect the new material to the chronological Swedish national series. Only two fascicles containing papal material concerning Sweden from the first decade of the 15th century were in fact printed in a supplement volume of the *Diplomatarium Suecanum* series.<sup>12</sup>

In 1914, the Swedish archivist Ludvig Magnus Bååth was chosen to continue the work begun by Karlsson. Employed by the National Archives in Stockholm, Bååth had been appointed as the editor of a new, planned appendix series of the Swedish *Diplomatarium*, already named *Acta Pontificum Suecica*. The plan to print the papal documents as a separate series was clearly modelled on the Danish *Acta Pontificum Danica*. When the First World War ended and Europe opened up again, Bååth started to think along the lines of Nordic co-operation. He decided to contact a couple of Scandinavian colleagues, the Norwegian church historian Oluf Kolsrud who specialized in papal history, and the experienced Danish editor and librarian Alfred Krarup, who had already spent time in Rome and worked in the archives there.

A preliminary approach regarding the matter can be traced to Bååth's first letter to Kolsrud, dated 28 July 1919. Here, Bååth very politely asked the opinion of his esteemed Norwegian colleague. He mentioned Munch's and Karlsson's large collected

<sup>12</sup> SD, vol. 4:1-2.





*Fig. 5. L.M. Bååth, and one of the many archival boxes (in the National Archives, Stockholm) containing photostat copies of Vatican documents.*

material, now preserved in transcriptions in Stockholm, but wanted to find out how complete it was, especially for the period prior to the pontificate of Pope Benedict XII (r. 1334–1342), which was the starting point for Karlsson during his time in Rome.<sup>13</sup> As he received no immediate answer, Bååth grew impatient in a way that seems typical of this energetic man (in his correspondence he often complains about having to wait for answers). Finally, after three weeks, he sent a slightly irritated postcard as a reminder (“I would be grateful for an answer soon ... It is an urgent matter ... Are you out of town?”).<sup>14</sup> Kolsrud had in fact been away (this was in the summer) but when the postcard reached him, he must have returned to Kristiania (Oslo), because a couple of days later he was able to send a very long and detailed answer to Bååth. Kolsrud’s letter listed what had been done so far, what had been published, and what material

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- 13 “Jag har i uppdrag att förbereda utgivandet av en särskild serie av Svenskt Diplomatarium under titeln Acta pontificum Svecica från äldsta tiden till reformationen. Vi hava ett anseeligt material från italienska arkiv, hopfört av Munch och Karlsson. För att bedöma i vad mån detta material är fullständigt, önskar jag särskilt upplysningar om 1200-talet i Vatikanens arkiv (särskilt). Karlsson började nämligen sina systematiska forskningar med Benedikt III (1334); den äldre tiden är alltså försummad. Munch har visserligen genomgått den, men förbigått en mängd handlingar, som finnas i de stora franska påveregistren etc.” Letter from Bååth to Kolsrud, 28 July 1919 (Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo).
- 14 “Jag vore mycket tacksam om jag i dagarna kunde erhålla svar på min skrivelse till Eder i slutet av juli. Det brådskar nämligen med frågans utredning. Antagligen är ni bortrest från Kristiania? Eder tillgivne L.M. Bååth”. Postcard from Bååth to Kolsrud, 20 August 1919 (Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo).

remained to be examined.<sup>15</sup> It was obvious that much remained to be done.

Bååth was perhaps surprised by the full answer and the lists of remaining work. He wrote back after some weeks to tell Kolsrud that his conclusion is that there was an obvious need for new investigations in Rome.<sup>16</sup> Furthermore, from the same letter we learn that he had at the same time contacted Alfred Krarup who seemed very positive in his reply to Bååth. The Danish scholar even suggested that he himself was prepared to travel to Rome the next year, if he managed to secure funds from the Danish Carlsberg Foundation. Bååth mentioned that he had suggested to his employer, the Swedish National Archives, that a revision of the earlier work ("ett revisionsarbete") should be carried out as soon as possible together with Norway and Denmark, his plan being that the three representatives should stay in Rome for four months (February–May 1920) and, in order to save time, they should work together. By this, he meant that the Vatican register volumes should be divided between them, according to an agreed scheme, and the results shared. In the letter, he reminded Kolsrud of what happened in the period 1894–1900 when Karlsson was in Rome with Scandinavian colleagues co-operating "more or less" successfully. As to his own future publications, Bååth was indeed very optimistic at this stage. He thought that this one mission would be enough to complete the work needed for Sweden, and he wrote with confidence that he had good hopes of starting the printing of the oldest material (he referred to the documents dating from before 1334) by late 1920.<sup>17</sup>

In reality, this would be the first of seven "expeditions" to Rome undertaken between 1920 and 1939, and Bååth's first publications would appear in 1936. But Bååth's suggested plan – that they should divide the work and share the findings among them – became the working method during all the following years.

During the rest of 1919, the three men – Kolsrud, Krarup, and Bååth – prepared

15 Letter from Kolsrud to Bååth, 23 August 1919 (draft in Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo).

16 Letter from Bååth to Kolsrud, 20 September 1919 (Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo).

17 "... har jag föreslagit att revisionsarbetet från svensk sida skulle ske i samarbete från norsk och dansk sida. Det nordiska samarbete, som ägde rum under mer eller mindre starka former även 1894–1900 ... medförde utan tvivel avsevärda fördelar för samtliga parter, och jag anser det därför vara högeligen önskvärt, att detta samarbete återupptages. De nordiska länderna sakna dessa institut i Rom, som möjliggör en organiserad och systematisk forskning; vi måste därför arbeta ihop. ... Jag skulle då mot slutet av nästa år kunna påbörja sättning i korrektur av materialet från äldsta tid." Letter from Bååth to Kolsrud, 20 September 1919 (Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo).

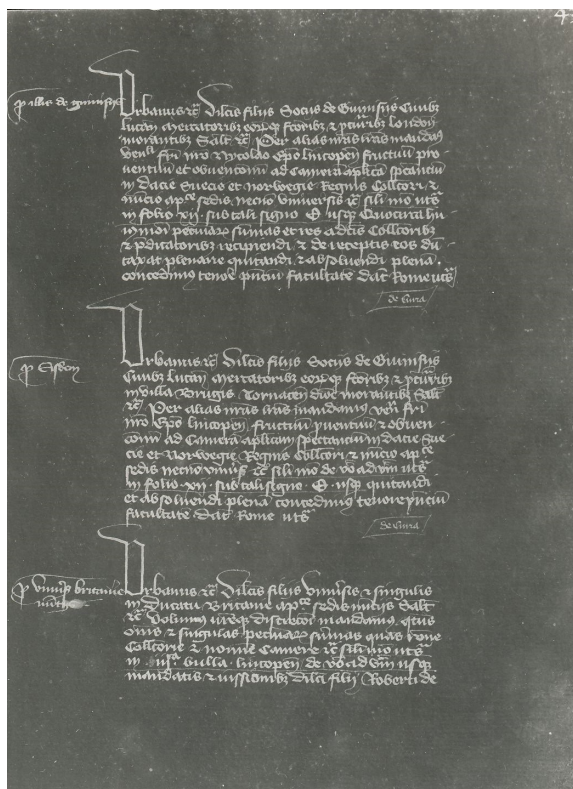


Fig. 6. A photostat copy from Bååth's collection (Reg. Vat., vol. 310, fol. 437; printed as *Dipl. Suec.* n. 10165, 15 May 1380), Swedish National Archives.

for their mission. They secured funds – 4,000 kronor<sup>18</sup> from each participating country was thought to be enough for the visit – and they asked leave from their ordinary employments. The three “founding members” quickly planned the activities in the last months of 1919. They wrote letters to each other but also met in person to discuss how to continue with the proposed “revision” of the medieval Scandinavian material in the Vatican Archives, a revision that over time would aspire to be a complete investigation.

Who were these three men? L.M. Bååth<sup>19</sup> was to work with the material from the Vatican for many years, in fact for much of his life. His resulting publications form

<sup>18</sup> The exchange rate was about the same for Swedish, Norwegian, and Danish kronor at the time. A sum of 4,000 Swedish kronor in 1920 would in 2020 correspond to c. 74,000 SEK or c. 7,000 euros (cf. <http://historicalstatistics.org/Jamforelsepris.htm> and Edvinsson & Söderberg 2011, pp. 270–292).

<sup>19</sup> On L.M. Bååth (1874–1960), cf. Naumann 1927. Bååth himself several times reported in print about the expeditions: e.g. Bååth 1929–1930; 1956.

a chronological edition of texts concerning Sweden as found in the papal register series, especially focusing on the *Camera Apostolica*.<sup>20</sup> His aims and intentions with the publications appear in the double prefaces (written in Latin and printed in 1942 and 1957 respectively) to his work. Another result of Bååth's activities can be seen in the large collection of photostat copies (*Bååthska samlingen*, "Bååth's collection"), now in the National Archives in Stockholm. In 1922, new equipment had made it possible – although perhaps expensive<sup>21</sup> – to make photographic copies of manuscript pages, and from this year on Bååth (as well as the other participants) systematically used this modern technological development.

Alfred Krarup<sup>22</sup> was employed as a librarian at the University Library in Copenhagen from 1898 to 1942. His early work in Rome had led to several volumes in the series *Acta Pontificum Danica*. As a result of the study visits to Rome that were being planned in 1919, he came to publish *Bullarium Danicum* (1932) and a final volume of the Acta series (1943).<sup>23</sup> Oluf Kolsrud<sup>24</sup> had visited the Vatican Archives in the 1910s and later worked at the University of Kristiania, where he became professor of church history in 1921. He contributed to the two large Norwegian source editions, *Norges Gamle Love* and *Diplomatarium Norvegicum*.

The three men soon understood that they needed a formal title for the undertaking. This would simplify the reports to the authorities in the home countries and their own records. As they regarded this as a joint Scandinavian venture, they all agreed to the name *The Scandinavian Historical Expedition to Rome*.<sup>25</sup>

News from these expeditions to Rome (especially the first ones), concerning the

20 *Diplomatarium Suecanum. Appendix. Acta Pontificum Suecica* I. *Acta Cameralia*, vols. I–II.

21 It appears from notes and copies of letters in the protocol volume that Bååth several times applied for separate and additional government funding for the requisition of photographs from the Vatican Archives. In a letter from Rome dated 4 February 1922, Bååth in a very formal way asked for 1,000 kronor: "... att eders Kungl. Majt. täcktes till bestridande av kostnaderna för fotografering av i Roms arkiv funna påvliga handlingar rörande Sver[i]ge under medeltiden anvisa ett belopp av intill ett tusen kronor, med redovisningsskyldighet för mig beträffande medlens användning för ifrågavarande ändamål." (The protocol volume, p. 36).

22 On Alfred Krarup (1872–1950), cf. Birkelund & Paulli 2015. Krarup himself wrote about the Scandinavian expeditions to Rome in Krarup 1925.

23 *Acta Pontificum Danica* 1316–1536, vols. II–VII; *Bullarium Danicum* 1198–1316.

24 On Oluf Kolsrud (1885–1945), cf. Fæhn 2009.

25 The title question was decided and noted in a protocol in connection with the first expedition: "The emissaries Bååth, Kolsrud, Krarup agreed upon that the enterprise, as an organized co-operation between the three Nordic countries, should officially be called: The Scandinavian Historical Expedition to Rome 1920." ("Utsendingarne samdest um, at fyretaket, som eit organisert samarbeid millom dei tre nordiske land, offisielt skulde kallast: Den skandinaviske historiske ekspedition til Rom 1920"). See the protocol volume, p. 6.

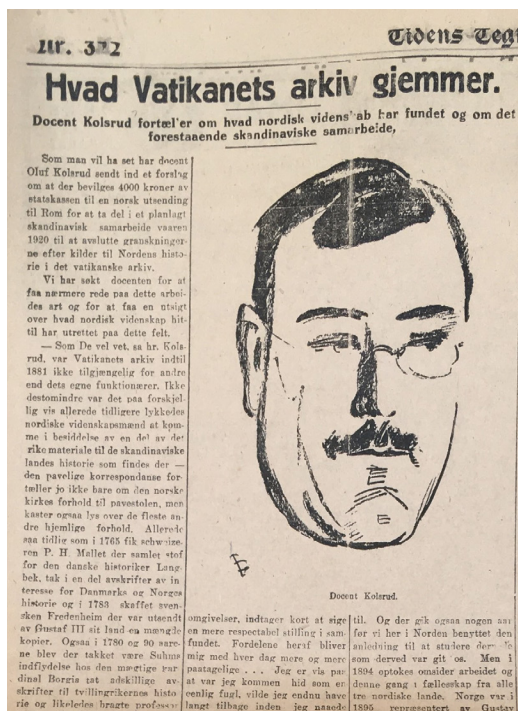


Fig. 7. The first section of Oluf Kolsrud's article in *Tidens Tegn* (25 November 1919).

participating Nordic historians and their work in Rome, was often reported in newspapers back home. It is possible to follow the comings and goings of the Swedish participants through the brief articles and announcements published in Swedish dailies in the 1920s and, more rarely, in the 1930s. For instance, the approximate starting dates of the first expedition were announced by the *Svenska Dagbladet* and *Dagens Nyheter*, on 3 and 4 February 1920 respectively.<sup>26</sup> Kolsrud and Bååth themselves wrote several longer articles for the newspapers, sometimes in the form of interviews. These texts

<sup>26</sup> Cf. *Svenska Dagbladet* of 3 Feb. 1920, 18 Sept. 1923, 23 Feb. 1925, 31 Jan. 1928, 7 Feb. 1929, 22 Dec. 1930, 7 July 1938; *Dagens Nyheter* of 4 Feb. 1920, 8 Sept. 1920, 15 July 1921, 11 Sept. 1921, 6 Jan. 1923, 30 Sept. 1923 (Bååth sums up the work done so far and names the present participants), 20 Dec. 1923 (Problems face the project as the Swedish National Archivist decides that no new expedition can be undertaken at present; he recommends that Bååth and the other scholars use the time to publish their results); 4 Sept. 1925 (Bååth complains openly because Sweden chose to pause the principle of reciprocity and therefore has not contributed as much as the other countries, see below p. 29), 7 July 1928 (Bååth and Ernst Nygren return to Sweden after five months in Rome, see below n. 35).



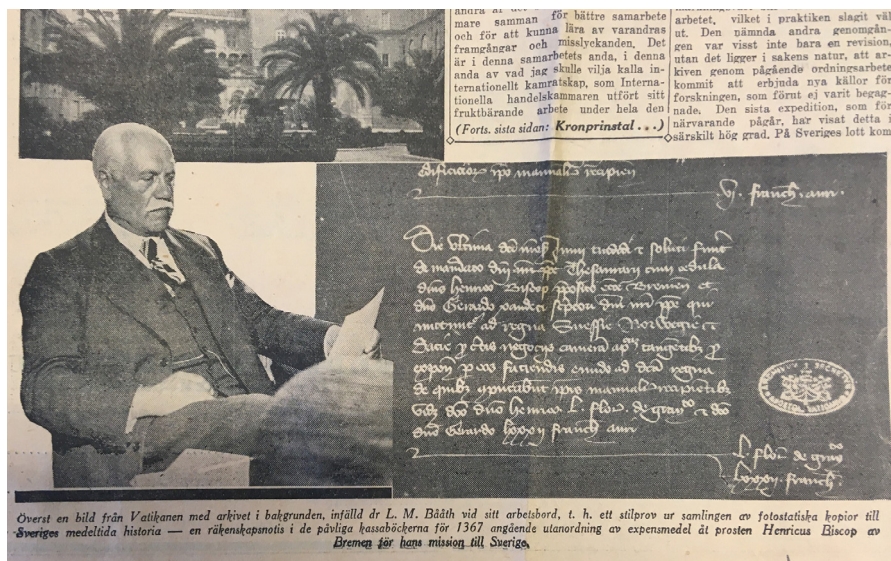


Fig. 8. L. M. Bååth at work, with a photostat example of his findings. Photograph in his interview with *Svenska Dagbladet* (7 July 1938).

were published in connection to the expeditions, often, it seems, as a means to create interest in (and funds for) the expeditions.<sup>27</sup>

Except for this kind of longer article composed by the members of the expedition, the newspaper reports were generally brief and superficial. Instead, the best source of information about the expeditions is a bound collection of minutes and other documents, written during and after the work in Rome. It is the source of many of the facts presented here about the activities of the expeditions and its participants.<sup>28</sup> It seems that Oluf Kolsrud was mainly responsible for the recording, and the material is indeed

27 Two examples: an early article written by Kolsrud, where he describes the older Nordic visits to Rome and the Scandinavian co-operation soon to come: "Hvad Vatikanets arkiv gemmer: Docent Kolsrud fortæller om hvad nordisk videnskab har fundet og om det forestaaende skandinaviske samarbejde" in *Tidens Tegn*, 25 November 1919, and a late article, from 1938, is designed as a long interview with Bååth, who has just arrived home to Stockholm. Bååth describes the work laid down in the past decades and what is being done in Rome this year: 'Påvestolen respekterer 500-årig bikt. Arkivarbete sedan Gustav III:s tid slutføres', in *Svenska Dagbladet* 7 July 1938.

28 *De skandinaviske granskninger i Vatikanarkivet 1920–1939* (Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo). A copy of the volume was made in the 1950s for the Swedish National Archives in Stockholm.

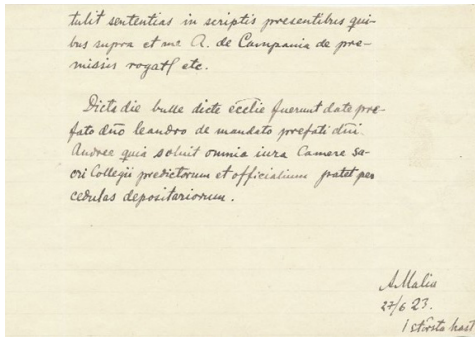


Fig. 9. Aarno Maliniemi, and the reverse side of one of his index cards from 1923, written "in haste" ("i största hast").

preserved in Oslo. In this volume we find contemporary reports, notes from meetings, copies of important letters, various agreements, and lists of work done and remaining. In addition to these sources, there is a wealth of various documents, mostly letters to Kolsrud, in the collections connected to the *Diplomatarium Norvegicum*,<sup>29</sup> and letters to Bååth in the Bååth family archive.<sup>30</sup> After the first expedition, in 1920, various assistants and co-workers were invited to join the team in the Vatican Archives, but Kolsrud, Krarup, and Bååth remained at the core of the project at all time. Here follows a survey of the expeditions, as numbered by the participants themselves. The names of additional delegates (scholars from the Nordic countries) are documented in the protocol volume (and in the newspapers):

*The first expedition: February–May 1920*

Participants: Bååth, Krarup, and Kolsrud.

*The second expedition: October 1921–May 1922*

Participants: Bååth, Krarup, and Kolsrud. Assistants from Norway: Johan Agerholt, Marie Rode Koren, and Gudrun Natrud;<sup>31</sup> from Sweden: Sophie Carlander.<sup>32</sup>

<sup>29</sup> Norsk Historisk Kjeldeskrift-Institut, National Archives, Oslo.

<sup>30</sup> Arkivrådet Ludvig Magnus Bååths arkiv, National Archives, Stockholm.

<sup>31</sup> Agerholt, Koren, and Natrud were archivists and historians from Oslo. Agerholt's 1934 dissertation dealt with Norwegian diplomatics.

<sup>32</sup> Carlander (1883–1960) was an expert on the Italian language; she published a grammar (*Italiensk grammatik*, 1st ed. Stockholm 1925) together with Silvia Tomba.

*The third expedition: February–May 1923*

Participants: Bååth, Krarup, and Oscar Albert Johnsen<sup>33</sup> (replacing Kolsrud this year), and Aarno Maliniemi<sup>34</sup> representing Finland. Assistants: Ernst Nygren<sup>35</sup> and Sophie Carlander.

*The fourth expedition: February–May 1925*

Participants: Krarup, Sigurd Kolsrud<sup>36</sup> (who this year replaced his brother Oluf), and Aarno Maliniemi. Sweden lacked representation.<sup>37</sup>

*The fifth expedition: 1926*

Participants: Krarup.<sup>38</sup>

*The sixth expedition: February–June 1928*

Participants: Bååth, Krarup, Kolsrud, Ernst Nygren, Sophie Carlander, and Aarno Maliniemi.

33 On the Norwegian historian Oscar Albert Johnsen (1876–1954), cf. Svensen 2009.

34 On the Finnish Latinist and church historian Aarno Maliniemi (1892–1972) who used Malin as his surname until 1930, cf. Heininen 2005.

35 On the archivist and editor Ernst Nygren (1889–1968) cf. Liedgren 1990–1991. Ernst Nygren joined the expedition as an assistant in 1923, but was regarded as a main participant during the five months of the sixth expedition, in 1928. Nygren worked at the National Archives in Stockholm and would later (1937) be appointed as the leading editor of *Diplomatarium Suecanum*, after the restart of the editorial work in 1935. His work in Rome resulted in a number of editions of papal documents in the *Diplomatarium* main series (*Svenskt Diplomatarium* vol. 6:5: *Supplement 1348–1355*) and a long, very detailed, and still useful introduction to the Vatican collections, printed as a separate part of vol. 6 (*Inledning och orientering om de i band VI intagna Vatikantexterna...*).

36 On the Oslo professor in Nordic Philology Sigurd Kolsrud (1888–1957), see Venås 2005.

37 Bååth privately visited the expeditions over a six-week period, but at his own expense, as the Swedish authorities never officially sanctioned his attendance. Bååth fought hard, both in the press and with letters, for Swedish participation but met staunch resistance from his employer (the National Archives in Stockholm) who wanted to see publications of the results of the earlier expeditions first. Bååth even complained to the minister responsible, but to no avail. This is described in detail in Bååth 1956, pp. 68–72. “The preparations for the fourth expedition were undertaken ... in a state of growing irritation” (*“i stigande irriterad stämning”*), as Bååth writes. This is perhaps an understatement.

38 The fifth expedition was seen as a more temporary project, and only Krarup succeeded in securing funds (this time from Ørstedtsfondet). In addition, it can be mentioned that Bååth and Nygren (unofficially) worked in the Vatican for a shorter period in 1926, in connection with their journey to Florence in order to bring home Queen Christina’s letter collection to Sweden (see Johnsen 1926).



*Fig. 10. The participants of the sixth expedition (1928). From the left: Aarno Malin(iemi), Sophie Carlander, Ernst Nygren, L.M. Bååth, Oluf Kolsrud, and Alfred Krarup. Unknown photographer: Photograph in Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo.*

*The seventh expedition: 1933, 1938–April 1939*

Participants: Krarup (in 1933–1934), Kolsrud (in 1938; partly with Lilli Gjerløw<sup>39</sup>), and Bååth (in 1938–1939).

As we have seen, assistants and co-workers from Sweden and Norway joined the main participants during the 1920s. For some reason, Krarup seems to have had no Danish companions, and Maliniemi was the only representative of Finland. The protocols can be said to illustrate the wish to co-operate that I think was typical of the whole project. Bååth, Krarup, and Kolsrud (and sometimes other participants) took turns in writing, and the language thus varies between Swedish, Danish, and Norwegian. The minutes from the discussions are characterized by a formal but often warm and friendly tone (perhaps inspired by the locations often chosen for the meetings, Roman cafés or restaurants).

One may be surprised by the formal procedures that were thought necessary at this time. However, we must keep in mind that the hope for funding from government sources required a fitting apparatus in order to present this Nordic undertaking

<sup>39</sup> Lilli Gjerløw (1910–1998), Norwegian archivist and palaeographer.



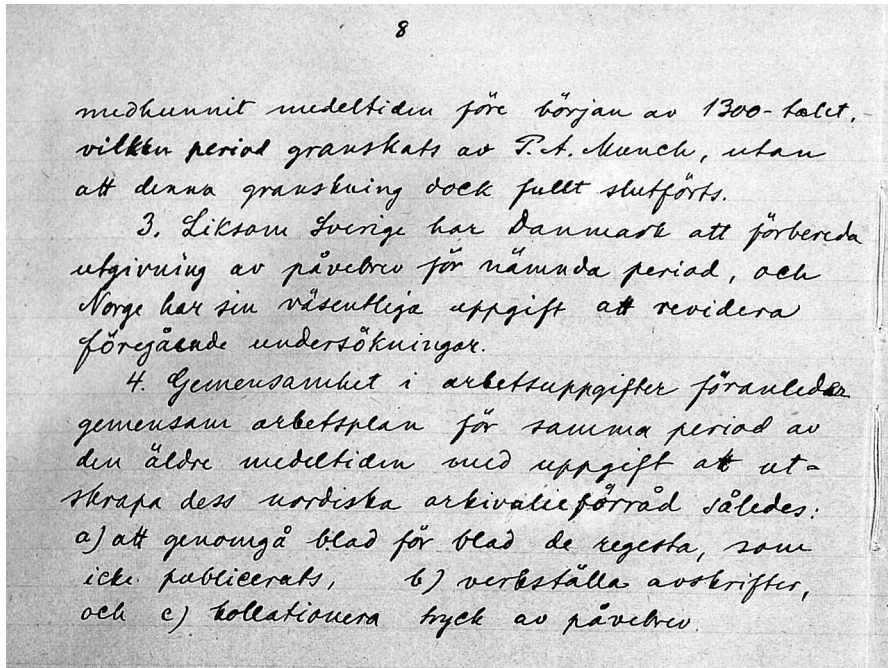


Fig. 11. An excerpt from the protocol volume, p. 8. Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo.

as equally important and well-planned national projects. In one of the first meetings, the participants formulated the main object of their combined efforts as “investigations in the Vatican Archives in Rome for the (writing of the) history of the Nordic countries in the Middle Ages”.<sup>40</sup> As is obvious from several sources,<sup>41</sup> the Nordic expeditions in the 1920s and 1930s had a two-fold ambition: to find new material, and to “revise” the work (printed or unprinted) of earlier scholars. The team decided to start with the “early Middle Ages”,<sup>42</sup> as is apparent from the preserved correspondence and protocols, but seems to have decided during the first expedition that they

40 “Granskningarne i det Vatikanske Arkiv i Rom til dei nordiske lands saga i millomalderen” (the protocol volume, p. 11).

41 Cf. for instance O.A. Johnsen’s article in *Aftenposten* 25 September 1926.

42 Cf. Bååth’s letter to Kolsrud 20 September 1919 (referred to above, p. 17). By the term “the early Middle Ages” Bååth meant the period from the Christianization of the Nordic countries in the 11th century until the end of 13th century.

**ARCHIVIO SEGRETO DELLA S. SEDE**

**DOMANDA PER LE RIPRODUZIONI FOTOGRAFICHE**

(1) Nome, cognome e qualifica del richiedente.  
 (2) Domicilio legale, città, via e numero civico dell'abitazione.  
 (3) Via, numero civico e piano dell'abitazione.  
 (4) Indicazione precisa del documento e della sua segnatura.  
 (5) Quantità dei fogli, specificando il numero di ciascuno e se retto o verso.  
 (6) a) A scopo di studio privato.  
 b) Per riproduzioni fotomeccaniche da pubblicarsi separatamente o insieme al testo di un'opera, indicandone il titolo.  
 (7) Nome e cognome del fotografo, la cui scelta si lascia libera al richiedente, salvo sempre il benplacito dell'Amministrazione dell'Archivio.  
 (8) Via e numero civico dell'abitazione e dello Studio.

Il sottoscritto <sup>(1)</sup> *Oscar Albert Johnsen.*  
 domiciliato <sup>(2)</sup> *Kristiania, Norvegia.*  
 abitante attualmente in Roma, <sup>(3)</sup> *Pensione Bros, Via del Quirinale 45.*  
 domanda all'Amministrazione dell'Archivio Segreto della S. Sede la facoltà di far riprodurre in fotografia il documento <sup>(4)</sup> *Reg. Lat. 539, f. 70v-71v. 588r. 105r-06v. 549r. f. 44r-245r-46v. 553r. 232v-239v. 562, f. 140r-v. 620, f. 120v. 298r-301v. fogli <sup>(5)</sup> 638, f. 111r-111v. 656, f. 140r. 140v-141v. per usarne <sup>(6)</sup> 680/180 r. o. 709/124r-126v. 654/200r-v.*  
*per i suoi alle pubblicazioni di D. I. Norvegien.*  
 servendosi del fotografo <sup>(7)</sup> *Santini*  
 domiciliato <sup>(8)</sup> *31/17.*

obbligandosi nel tempo stesso: 1° di non fare della negativa e delle relative stampe uso diverso da quello sopra indicato; 2° di consegnare al più presto due copie di tutte le singole riproduzioni.

Firma del richiedente  
*Oscar Albert Johnsen.*

Il sottoscritto fotografo si obbliga a non fare delle negative altro uso, che quello per il quale si rilascia la presente licenza.

Firma del fotografo

Roma, addì *7. 5. 1923*

Si concede la facoltà di cui sopra.

Dall'Archivio Vaticano, addì *7. 5. 1923*

IL SOTTO-ARCHIVISTA  
*Angelo Baratta*

*Abama*  
*Reg. Lat. 549.*  
*22*

Fig. 12. An order for photostat copies from the Reg. Lat. collection, dated 7 May 1923, and signed by Oscar Albert Johnsen. Norsk Historisk Kjeldeskrift-Institut, National Archives, Oslo.

needed to go through “the entire medieval period”.<sup>43</sup> Working together with the same tasks meant that the expedition needed a joint plan and a functional method. In the early pages of the protocol volume, we find a passage<sup>44</sup> (*Fig. 11*) where the participating scholars agreed to go through the volumes “leaf by leaf”, “scrape out” (“utskrapa”) the Nordic material found, transcribe the relevant texts – or, from 1922, order photostats of manuscript pages – and, furthermore, check the texts of printed papal documents.

It is a difficult task to make estimations of the efficiency of the expeditions. In fact, the members at one stage needed to clarify the work rate, and this has found its way into the protocol volume. The expedition estimated that a “normal” register volume had 700–800 pages and that it took at least three hours to look through it. A good workday then meant that an experienced expedition member could go through at least 1½ volumes.<sup>45</sup> These figures must be very tentative, but they ought to have some foundation in reality. When we work with the results of the expedition, I think that we have to weigh in the fact that the work was made by very competent people, but as they always must have been in a hurry, a few things might have been overlooked.

In 1928, after the sixth expedition, Oluf Kolsrud made a more exact calculation of how much work was still left to be done. He concluded that a final joint expedition of 600 days (for all participants over a six-month period) would reach the year 1527 and complete it all.<sup>46</sup> The list of *restantia* is interesting, and, at the same time it gives an idea of how much had already been processed.

43 Cf. Bååth in *Dagens Nyheter* 4 Sept. 1925: “Den ursprungliga tanken var att samarbetet inte skulle omfatta större period av medeltiden än till 1300-talets början och att blott en expedition skulle behövas. Men redan den första expeditionen 1920 visade ett så stort antal nya fynd att en fortsättning blev önskvärd. Planen växte då ut till att omfatta hela medeltiden” (“The original idea was that the co-operation would not extend to a larger period of the Middle Ages than to the beginning of the 13th c. and that only one expedition would be needed. But already the first expedition in 1920 resulted in such a large number of new finds that a continuation became desirable. The plan then grew to cover the entire Middle Ages”).

44 The protocol volume, p. 8.

45 See the protocol volume, p. 159.

46 “Det hev vore utsendt seks ekspedisjoner, 1920, 1921–22, 1923, 1925, 1926, 1928, og arbeidet hev no skride so langt fram, at neste ekspedisjon paa eit halvt aars tid skulde naa fram til aar 1527, sa sant dei fire nordiske land kann deltaka med den same arbeidskraft som hittil”. The following list (in Norwegian) has here been translated into English. Kolsrud in an application for funds directed to “Styret for Statens Videnskapelige Forskningsfond”, 26 August 1931. Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo. In the protocol volume pp. 139–141, Kolsrud has presented a somewhat more detailed version of this list, without the calculation of working days but otherwise with almost the same added figures. He adds eight remaining volumes from the Reg. Aven. and 84 volumes from the closed *Penitenzeria*.

*Remaining volumes after the sixth expedition (1928)*

<i>Collection</i>	<i>Remaining work</i>	
1. Regesta Vaticana	473 vols	100 days
2. Regesta Lateranensia	268 vols	40 days
3. Regesta Supplicationum	292 vols	100 days
4. Armaria 38, 44, 45, 54	48 vols	10 days
5. Varia Miscellanea, Arm. I–XV	1,467 vols	100 days
6. Brevia Lateranensia	10 vols	3 days
7. Archivum Consistoriale	23 vols	4 days
8. Nunziature e Lettere	14 vols	3 days
9. Fondo Santini	179 vols	30 days
10. Rota Romana	c. 166 vols	50 days
11. Indici	c. 60 vols	60 days
Time needed for photographs	-	100 days
Total	c. 3,000 vols	600 days

Among the preserved papers of the Norwegian National Archives there is another list dated 22 April 1939,<sup>47</sup> written soon after the end of the final expedition, probably by Kolsrud. An abbreviated version of the list follows. Due to the nature of these annotations, it is hard to state the amount of *restantia* in exact numbers of volumes, but it seems likely that between 500 and 800 volumes were still remaining when the Second World War put an end to the expeditions.

*Remaining volumes after the seventh expedition 1933–1939*

<i>Collection</i>	<i>Volumes remaining</i>
Regesta Vaticana	Nos 1454–1573
Regesta Lateranensia	Nos 1616–1712
Regesta Supplicationum	Nos 2126–2264
Regesta Avenionensia	Nos 64, 65, 67, 69
Brevia (Arm.)	Arm. 39 vol. 51
Brevia Lateranensia	Nos 20 ff.
Minute. Brev. Lat.	Nos 21 ff.
Litterae Indulgentiarum (Secretaria Camerae)	Nos 17 ff.

<sup>47</sup> Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo. I thank Jo Rune Ugulen for finding and sharing this list.



Sacra Rota Romana: Documenta exhibita	an. 1512 ff.
Sacra Rota Romana: Copiae authenticatae	an. 1500 ff.
Sacra Rota Romana: Decisiones	an. 1500 ff.
Sacra Rota Romana: Sententiae	an. 1471 ff., 1486 ff.
Sacra Rota Romana: Commissiones et sub-rogationes	an. 1480 ff.
Miscellanea	Arm. II–XV (with some exceptions)
Fondo Santini	Nos 1–26, 28–210 (with exceptions)
Cameralia: Archivio Vaticano, Archivio di Stato.	(–) <sup>48</sup>

All the time during the expeditions in the 1920s and 1930s – and especially when applying for funds – the main participants refer to the “principle of reciprocity”. This agreement would have great impact, as it meant that each participating country (Norway, Denmark, and Sweden – Finland was always treated separately) promised to contribute as much as the other countries did. In this way, all three countries could repeatedly claim that the other nations would take part and receive funding for the next expedition. Except for the second expedition, it often seems that Krarup from Denmark found it easier than the others to secure money for yet another period in Rome, and the others could then point to Denmark as a model to follow.<sup>49</sup>

Sometimes, problems were impossible to solve. For instance, the Nordic scholars never succeeded in seeing the archives of the Papal Penitentiary, although they had good hopes in 1928. Of course, the expedition knew that these archives existed and that these documents (preserved in Rome, but outside the Vatican Archives) must contain interesting information. The expedition members tried various channels in order to obtain permission to investigate these archives. The records show that Bååth, Nygren, and Kolsrud before travelling to Rome had been told by Scandinavian diplomats in Rome that they had arranged everything for them to see the material. In the end, they were disappointed. In Rome, they had approached the Penitentiary with the help of an agent who finally said that he had not given up hope, *non dispero*, but that

48 Here, the list adds the comment: *Quae restant, solus L.M.B. scit* (“Only L.M. B[ååth] knows what remains”).

49 In 1921, when the second expedition was being planned, Krarup was told by the Danish National Archivist (Erslev) that funds would only be provided when Sweden and Norway had guaranteed their participation. Otherwise, it was usually the other way around.

patience was required in this matter.<sup>50</sup> In fact, as it turned out, this was correct. It took another 55 years until the medieval Penitentiary material was available for historians and other scholars – in 1983 during the papacy of John Paul II.<sup>51</sup>

Today, we see the results of the efforts of all these expeditions not only in several edited volumes, as has been described earlier, but in the form of transcriptions and photostat copies as well, now preserved in Copenhagen, Helsinki, Oslo, and Stockholm. The distribution of the material will be discussed and presented in the following chapters. The following list is based on the calculations made by the authors and includes material emanating from Munch's time and until the last expedition in 1939 in the National Archives:

*Copenhagen*: c. 7,500 documents as excerpts or photostat copies. Most of the texts have been printed in the *Acta Pontificum Danica*, the *Bullarium Danicum*, or the *Diplomatarium Danicum* series.

*Helsinki*: c. 1,000 as excerpts and photostat copies. Most texts are edited in Hausen's *Finlands medeltidsurkunder*.

*Oslo*: c. 3,200 documents as excerpts or photostat copies. Most of the texts have been printed in the *Diplomatarium Norvegicum* series.

*Stockholm*: c. 6,500 documents (c. 3,000 as transcriptions/excerpts and c. 3,500 as photostat copies). Of these, c. 2,000 are registered in SDHK<sup>52</sup> and edited in the *Diplomatarium Suecanum* main series or in the appendix series *Acta Pontificum Suecica* (*Acta Cameralia*).

50 The protocol volume, p. 128. Traces of the diplomatic efforts can be found in the collections in Norsk Historisk Kjeldeskrift-Institutt, National Archives, Oslo; see for instance the letter from the Swedish envoy Augustin Beck-Friis to the National Archivist Helge Almquist in Stockholm, dated 20 May 1927. The message here is that there should be no problems for the Nordic historians to see the material, as positive signals had come from the Apostolic Penitentiary. However, discretion should be applied in this matter, as it could "cause criticism in certain circles in the Vatican", should it be known ("Om saken kommer ut, är det möjligt, att den kan framkalla kritik i vissa Vatikankretsar, vilket ju helst bör undvikas, och jag vill därför hemställa om, att hela denna fråga behandlas med diskretion").

51 The Penitentiary material relating to Sweden and Finland was published in 2008 as an appendix to the *Diplomatarium Suecanum* series, as *Acta Pontificum Suecica* II, edited by Risberg and Salonen. For the Norwegian material cf. Jørgensen & Saletnich 2004. Per Ingesman and Kirsi Salonen were in the 1990s the first Nordic historians to see and use the Nordic material.

52 SDHK (*Svenskt Diplomatariums huvudkartotek*), online resource: [www.riksarkivet.se/sdhk](http://www.riksarkivet.se/sdhk).

As is clear by these figures, the early and later expeditions had succeeded in finding and copying a great many papal texts relating to the Nordic countries. Medieval historians still benefit from the efforts of these “emissaries”. It is reassuring to find that the members of the seven expeditions in the period 1920–1939 had indeed managed to work together and become good friends during the sessions in Rome and during the archival work.<sup>53</sup> I will end this paper by referring to the sense of friendship evident in Alfred Krarup’s appreciative words at the conclusion of a meeting between the three main emissaries in Rome (or more precisely at Bååth’s hotel, the *Albergo Boston*) on 13 February 1922. Naturally, this was carefully recorded in the protocol volume (by the Danish delegate himself as item no. 8 on the agenda): “Krarup ended the meeting by turning to the other members of the expedition in order to express his thanks for their always gracious will to co-operate in a manner which had never even seen a trace of personal discord in the common negotiations.”<sup>54</sup>

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53 The friendship continued all their lives, as can be seen from the preserved letters. They kept contact even during the war years, and the communication between Bååth and Kolsrud reveals that several food packages were sent from Stockholm to the friend and his family in Oslo.

54 The protocol volume, p. 37: “8. Krarup sluttete Mødet med til de to andre Medlemmer af Expeditionen at fremføre en Tak for altid elskverdigt Samarbejde, saa der aldrig havde været noget Spør af personlig Disharmoni i de indbyrdes Forhandlinger.”



## Papal Documents in Danish Archives

In Denmark, we look at the orderly nature of the collection of medieval charters in the Swedish National Archives with great envy. The Danish national edition of charters, *Diplomatarium Danicum* (henceforth: DD), has no formal connection with the Danish National Archives (*Rigsarkivet*, formerly *Gehejmearkivet*, henceforth: DNA) and the construction of a central database has thus not been possible. For the uninitiated, it can be a daunting task to find a specific document in the DNA, not to speak of gaining an overview of the contents of the collections. Luckily, we do have some useful print editions and repertories of documentary source material that can help the researcher along the right path, if not directly to the goal.

For this reason, the following chapter will seek to accommodate a threefold purpose. First, it will give a brief overview of the history of some of the important medieval archival collections. This is not new information, but I do not believe an account has hitherto been given in English.<sup>1</sup> Then it will introduce the basic printed aids for the researcher. Finally, it will include a catalogue of original papal bulls and other curial documents for the aforementioned period from 1440 to the Danish Reformation in 1536 with their modern archival signatures to save future users the task of tracking

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<sup>1</sup> The main accounts in Danish are found in *Repertorium Diplomaticum Regni Danici Medievialis* (henceforth: RDRDM), series 1, vol. 4 (ed. Kristian Erslev) and series 2, vol. 8 (ed. William Christensen); a more recent account of the ecclesiastical archives is found in *Vejledende Arkivregistraturer XVII and XVIII* (ed. Thelma Jexlev). Erslev's and Christensen's accounts are mainly concerned with reconstruction of the holdings of each medieval archive, while Jexlev gives a historical overview of the fate of each archive. My account builds directly upon the findings of Erslev, Christensen, and Jexlev and to a negligible degree upon my own findings in the archives.

them down. Papal documents that are not preserved in original but with some sort of local paradosis (catalogues, copybooks, vidimuses etc.) are too numerous to take into account here but can in any case be found via the printed reference works.

### HISTORICAL OVERVIEW

The history of the national archives in Denmark is not one of early centralization and careful preservation, but rather a story of temerity and luck – or rather, bad luck. In the medieval period, there were archives at each of the nine cathedral chapters in the kingdom, at the episcopal sees of Lund, Roskilde, Odense, Børglum, Viborg, Århus, Ribe, and Schleswig, and at the two collegiate chapters in Copenhagen (diocese of Roskilde) and Haderslev (diocese of Schleswig), along with archives at the monasteries and parish churches. Furthermore, there were numerous local archives belonging to towns, institutions, and noble families, and not least the archives of the Crown, which were at various times deposited at different castles throughout the kingdom, notably at Vordingborg (Valdemar IV Atterdag), Kalundborg (Margaret I and successors), and Copenhagen (Christian I and successors). The complicated and changing political status of Schleswig meant that archival material from that region, both ecclesiastical and secular, would have a separate history from the archival material of the kingdom proper.

It would be well beyond the scope of this article to give a complete history of every single medieval archive that might have contained a papal bull at some point in time. However, because of the relatively small number of surviving documents from a similarly small number of institutions, it should be feasible to give a brief overview of the known history of each cathedral archive and of each of those other ecclesiastical archives from which there now survives at least one papal bull. Most monastery archives are completely lost, but we still have a number of copybooks from archives that have otherwise perished, which are also listed below.

It is important to note that the topographically organized archive collections in the DNA are in most cases an invention of the 19th and early 20th centuries, when the enormously influential historian Kristian Erslev first made an attempt to reconstruct the holdings of the Danish medieval archives in his landmark *Repertorium Diplomaticum Regni Danici Medievalis*. Erslev's publication is an inventory of all charters and documents native to medieval Danish archives. In it, he reconstructed the holdings of medieval archives based on surviving documents and lost originals known through copybooks, registers, and later transcriptions. He continued working on his magnum opus as the director of the DNA, where he reorganized the entire medieval collection in accordance with his findings.

The topographical collections present an image of well-ordered and straightforward transmission, which only in rare cases reflects the actual history of individual documents. While many local archives were kept in their original settings for a very long time, at the same time they were susceptible to the general neglect often shown them by local officials. The activities of antiquarian collectors in the 17th and 18th centuries had mixed effects: much that would otherwise be lost was preserved either in original or in transcription, but much that once was is lost on that same account. In short, almost every collection was scattered and though the topographical collections present a plausible image of medieval archive collections, one must keep in mind that they are in fact conjectural constructions.

Most documents from the period up until 1450, especially those on parchment, were moved from their topographical series in 1980 and collected in the series *Ny Kronologisk Række* (New Chronological Series). Later documents, instead, are still kept in their old topographical collections – many of those too, however, have since been dissolved.<sup>2</sup>

#### THE ARCHDIOCESE OF LUND

The archives had remained in Lund after the Reformation and were, after Scania had to be ceded to Sweden, moved to Stockholm in the late 17th century along with other local archives from the diocese, where large parts of the archives were destroyed in a fire in 1697. Two bulls remain in DNA, both of which were probably removed from the Lund archive at an early date.<sup>3</sup> A larger number of bulls can be found in the Swedish National Archives, where a copybook from the 1490s is also kept.<sup>4</sup> In DNA, a late medieval copy of a register started in 1425 survives,<sup>5</sup> which inter alia records some otherwise unknown letters of indulgence.

Two papal documents from the Hospital of the Holy Ghost in Malmö and the provincial archive of the Dominican order in Scandinavia also survive from the diocese.<sup>6</sup>

<sup>2</sup> *Rigsarkivet og hjælpemidlerne til dets benyttelse* I:1, pp. 49–50.

<sup>3</sup> 26.5.1429 (not edited in DD; RDRDM 1.III.6360; APD II, no. 1567; DNA, NKR 3027-b); 24.9.1516 (see below).

<sup>4</sup> *Lundebogen* or *Registrum ecclesie Lundensis*: Swedish National Archives, 0201 Codices A, A 11.

<sup>5</sup> DNA, Gejstlige arkiver, Lunds domkapitel. Lunds domkapitels registrant. 7.

<sup>6</sup> 4.7.1246 (not edited in DD; DNA, NKR 24-c); 10.11.1266 (DD 2:2, no. 45).

## THE DIOCESE OF ROSKILDE

The archives of the bishops of Roskilde were kept at the episcopal residence in Copenhagen, where much of it was destroyed in the Copenhagen fire of 1728. The surviving documents are now at DNA. Documents pertaining to the bishop's dominion over the island of Rügen were moved to DNA in the 16th century. Thirteen bulls survive.<sup>7</sup>

The cathedral chapter's archive was kept at the cathedral in Roskilde, where the visitors can still see the oak cupboard in which it was kept. The entire collection was lent to Árni Magnússon and some of the letters perished in the fire of 1728, but a very large part still survives at the Arnamagnæan Collection (AM) at the University of Copenhagen. Some documents are at DNA.<sup>8</sup> Nine bulls survive.<sup>9</sup>

The chapter archive at the church of Our Lady in Copenhagen (now cathedral of Copenhagen) was largely lost in the British bombardment in the summer of 1807, though parts of the archive were moved to DNA in the 1780s, and some documents were kept at the archive of the Consistory at the University after the Reformation. One papal bull from this archive has survived in this way.

Papal bulls survive from four monasteries in the diocese:

The hospital of the Holy Ghost in Copenhagen: the institution continued its role as hospital after the Reformation and eventually became the institution now known as Vartov. Much of its archive was already lost at the time of the fire in 1728, but one bull and a curial vidimus of another survive in DNA.

The Cistercian monastery of Our Lady in Roskilde: some charters have survived, though apparently not as a collection. Four bulls survive.<sup>10</sup>

7 21.10.1186 (DD 1:3, no. 137), 12.2.1193 (DD 1:3, no. 190), 25.3.1193 (DD 1:3, no. 194), 13.11.1198 (DD 1:3, no. 236), 19.12.1247 (DD 1:7, no. 266), 2.5.1248 (DD 1:7, no. 273), 27.7.1249 (DD 1:7, no. 306), 5.4.1250 (DD 2:1, no. 5), 18.5.1250 (DD 2:1, no. 8), 7.3.1251 (DD 2:1, no. 34), 25.8.1258 (DD 2:1, no. 255), 17.9.1295 (DD 2:4, no. 183), 9.3.1299 (DD 2:5, no. 14).

8 Notably the bulls from 1462, 1474, 1474, and 1479, all pertaining to the chapel of the Three Magi founded by King Christian I and subject of much early historical interest. All documents about this chapel were moved to DNA during the 17th century, cf. RDRDM. 2.VIII pp. 44f. Other documents were acquired by The Royal Danish Society in the 1740s.

9 22.7.1312 (DD 2:6, no. 441), the rest after 1440, cf. below.

10 16.7.1257 (DD 2:1, no. 228), 16.7.1257 (DD 2:1, no. 229), 20.7.1257 (DD 2:1, no. 230), 13.8.1257 (DD 2:1, no. 234).



The convent of St Clare in Roskilde: the monastery, its lands, and its archives were incorporated into the University of Copenhagen after the Reformation, and the collection, which has been kept at the University since 1561 and is now housed at the Arnamagnæan Collection, makes up the largest surviving collection of charters from a Danish monastery (approximately 350 documents). At the Arnamagnæan Collection, there is now an ongoing research project that will inter alia re-edit all of the charters in the collection. Nineteen bulls survive.<sup>11</sup>

The Cistercian Abbey of Sorø was one of the richest monasteries in Denmark at the time of the Reformation. It was dissolved in 1580, and the Sorø Akademi school, which is still in existence, was founded in its old buildings; the archive became part of the school's library. Much of the archive was probably already lost when the library burned down in 1813, but a number of charters survive, among which are two papal bulls.<sup>12</sup>

Furthermore, we have copybooks from some monasteries in the diocese:

- *Esrumbogen* (or *Esrombogen*), copybook of the Cistercian Abbey at Esrum.<sup>13</sup>
- *Sorøbogen*, copybook of the Cistercian Abbey in Sorø.<sup>14</sup>
- *Sorø Gavebog*.<sup>15</sup>
- *Ringstedbogen*, copybook of the Benedictine Abbey in Ringsted.<sup>16</sup>
- *Nicolaus Jordani's Copybook*, a copybook of privileges held at the provincial archive of the Franciscan Order in Dacia.<sup>17</sup>

<sup>11</sup> 9.6.1253 (DD 2:1, no. 106), 3.1.1257 (DD 2:1, no. 200), 4.1.1257 (DD 2:1, no. 201), 5.1.1257 (DD 2:1, no. 202), 13.1.1257 (DD 2:1, no. 204), 13.1.1257 (DD 2:1, no. 205), 13.1.1257 (DD 2:1, no. 206), 13.1.1257 (DD 2:1, no. 207), 17.1.1257 (DD 2:1, no. 208), 17.1.1257 (DD 2:1, no. 209), 17.1.1257 (DD 2:1, no. 210), 21.1.1258 (DD 2:1, no. 245), 5.2.1258 (DD 2:1, no. 246), 1.3.1258 (DD 2:1, no. 249), 15.3.1263 (DD 2:1, no. 368), 22.9.1265 (DD 2:1, no. 495), 22.11.1265 (BD, no. 654, Rep. 340), 9.12.1291 (DD 2:4, no. 43), 11.5.1328 (DD 2:10, no. 29).

<sup>12</sup> 22.2.1228 (DD 1:6, no. 75), 23.10.1234 (DD 1:6, no. 188).

<sup>13</sup> Danish Royal Library, E don. variorum 140 kvart.

<sup>14</sup> Copenhagen University, Arnamagnæan Collection, 290 fol.

<sup>15</sup> Danish Royal Library, GKS 2485 kvart.

<sup>16</sup> DNA, Ringstedbogen (Gejstlige arkiver, Ringsted Kloster, Ringstedbogen).

<sup>17</sup> The original is lost, but a copy of it is preserved in the Danish Royal Library, E don. Variorum 1 folio [3] Tomus D (Bartholin's Collectanea), pp. 1–297.

## THE DIOCESE OF ODENSE

The archives of the bishops of Odense were kept at the Ørkild Castle near Svendborg. For the most part, it was destroyed during the civil war known as the Count's Feud (*Grevens fejde*) in 1534.

The chapter at Odense remained a regular Benedictine priory until the Reformation. Almost nothing is known of the archive's fate after the Reformation (it remained there until at least 1596), and most of the documents are lost.

No original papal bull remains from either of these archives, but a copybook of the chapter archive (known as *Odensebogen*) from the 15th century is now kept in Uppsala University Library,<sup>18</sup> and some registers from later periods are known.

Maribo Abbey (Birgittine): the archive was moved to Sorø in 1586, and this archive too was almost totally destroyed in the fire of 1813. One bull survives as a fragment and cannot be ascribed to Maribo with absolute certainty.<sup>19</sup> An original supplication survives bound into a copybook from Vadstena.<sup>20</sup>

## THE DIOCESE OF BØRGLUM (VENDELBO)

The archives of the bishops of Børglum were moved to Ålborg in 1553–1554 and registered in 1578, at which time it contained 130 documents, of which none survives. In 1542 the collection was kept at Hald Castle, no later than 1578 it was at Ålborghus Castle, and at later dates parts of the archive must have been at Viborg Cathedral. A fragment of one papal bull survives at DNA, the provenance of which is unknown; according to the older catalogue, it was taken out of a package marked "Letters of absolutely no importance" (*Breve af aldeles ingen Betydning*).

The chapter of Børglum remained a regular Premonstratensian monastery until the Reformation. Its archive was apparently moved to Hald Castle before 1542 (when it was registered), and parts of it were moved from there to the sacristy at Viborg Cathedral no later than 1570.<sup>21</sup> No papal bull survives.

18 Uppsala University Library, De la Gardie, 39.

19 18.3.1435 (DNA, NKR 3193-b); APD III, no. 1742; SDHK, no. 22330, neither of which knows of this copy. The charter is cut in half (the right side remains) and it seems to have been repurposed as a cover. It was noted in the DNA's catalogue for Swedish matters in the beginning of the 20th century, but no information about the provenance of the document exists. Since Maribo was the only Danish Birgittine abbey in 1435, the ascription to this abbey would seem inevitable.

20 Uppsala University Library, C 46 f. 78r; DD, no. 14380924001, <https://diplomatarium.dk/dokument/14380924001>.

21 Cf. below, under Viborg.

The hospital of the Holy Ghost in Ålborg: although the town of Ålborg belonged to the diocese of Viborg in the Catholic era, the seat of the diocese of Northern Jutland was moved to Ålborg after the Reformation. The hospital continued its activity after the Reformation but the archive was moved to the bishop's residence in Ålborg and from there to DNA in 1842 with an additional donation in 1919. Four bulls survive.<sup>22</sup>

From Ducholm priory (Knights Hospitaller) on the island of Mors, a copybook survives.<sup>23</sup>

### THE DIOCESE OF VIBORG

The archives of the bishops of Viborg were kept in the cathedral until the 1520s when the last Catholic bishop Jørgen Friis moved the episcopal archive to Hald Castle. After the Reformation, this castle became the seat of the royal provincial governor (*lensmand*) and during restorations of the castle in 1573 the archive was moved back to the cathedral. The cathedral chapter's archive stayed at the cathedral.

As already mentioned, archives from the diocese of Børglum were kept at Viborg Cathedral, and apparently many other archives were also deposited there: the monasteries of Øm, St John in Viborg, Sebber (1574), Ørslev (1585), and Lundenæs Castle (1583), and perhaps also the archival chest of the monastery of Tvis, along with a large number of noble families' archives and the archive of the "Landsting" of Northern Jutland, the highest judicial body instance in that part of the kingdom.<sup>24</sup>

In 1695, the chapel where the archival chests were kept was sold. The chests themselves were also put up for sale, and their contents were disposed of in the streets, where they were, according to an eyewitness, the antiquarian Christen Thestrup, quickly destroyed because of a sudden rain shower; Thestrup fortunately managed to save some documents in the confusion.<sup>25</sup> The cathedral chapter's foundation and donation charters were not sold, but moved to another room. Some documents, among which probably were the privileges issued by Catholic bishops and popes and a copybook, were at some point sent to Árni Magnússon in Copenhagen and there con-

22 Of these, three (7.5.1447, 13.1.1490, and 24.9.1520) were donated to the Royal Danish Society by Christen Thestrup (about whom see below, Viborg), and for this reason I believe it likely that at least some of the hospital's charters were deposited in Viborg, though this possibility is not mentioned in *Vejledende Arkivregistraturer*.

23 Danish Royal Library, Arnamagnaean Collection, 875 40 and 877 40.

24 *Diplomatarium Vibergense*, pp. I–IX gives a thorough account of the history of the cathedral as archive.

25 Thestrup's account is cited in *Diplomatarium Vibergense*, pp. IX–X.

sumed by fire in 1728. On 25 June 1726 Viborg Cathedral (along with much of the town) burned down; the towers and roof of the cathedral collapsed onto the remaining archival chests. Large parts of the chapter archive, namely the charters concerned with secular business, land transactions, etc., had, however, been incorporated into the diocesan archive after the Reformation. This archive was housed in the Lutheran bishop's residence, which also burned in 1726, but not before the archival chests were brought to safety; this part survives.

The above account should be sufficient explanation for the fact that only one papal bull from the entire diocese of Viborg survives, the papal appointment bull for the last Catholic bishop Jørgen Friis from 1521.<sup>26</sup> The preservation of this bull is as fortunate as the loss of the rest is unfortunate. Bishop Jørgen had kept this bull as souvenir of the high point of his career, and after he died in 1547, the bull was recycled and used as a cover for the annual account for 1544/45 of Hald Castle, where the bishop had been appointed local governor. The recycling of the bull is a testimony of how the new administration ostensibly showed no reverence to the relics of an abolished religion, but thus they also contributed to the survival of the document.

#### THE DIOCESE OF ÅRHUS

The archives of the bishops of Århus were housed in different locations, some of it at Silkeborg (registered 1558) and some of it at Åkær (registered 1591 and 1611). Parts of the collection at Åkær were moved to Bygholm and later to Stjernholm, probably in 1604. The archives are almost completely lost.

Little is known about the chapter archive; it was registered in 1555. A small number of surviving charters are now in DNA, but no papal bulls survive from either archive.

A copybook, known as Århusbogen, begun in 1313 with additions made throughout the Catholic period is in the Danish Royal Library in Copenhagen.<sup>27</sup>

From the monastery of Øm (*Monasterium carae insulae*) a 13th-century history of the beginnings of the monastery includes transcriptions of some foundational bulls; the manuscript is held at the Danish Royal Library.<sup>28</sup>

<sup>26</sup> Pope Leo X appointed Jørgen Friis as bishop on 7 January 1521, cf. below in the catalogue of bulls (15210107).

<sup>27</sup> Danish Royal Library, E don. variorum 53 folio.

<sup>28</sup> Danish Royal Library, E don. variorum 135 kvart.

## THE DIOCESE OF RIBE

The episcopal archives of the diocese of Ribe is now known only through apographs and documents incorporated into other archives. It was used by historians in the 17th century, but is now lost.

The cathedral chapter archive largely remained in Ribe until the 1770s, when the bishop decided to donate it to DNA due to the infelicitous conditions under which the documents were kept. Some documents had entered various private collections, but all known charters are now in DNA. The archive is the largest extant collection of medieval charters in Denmark and also incorporates a number of parish churches' archives; from the latter group we have no papal bulls.

From the Ribe archives, 20 papal documents survive. A number of receipts from the Apostolic Chamber and the collegium of cardinals might reasonably be ascribed to the episcopal archive, but were apparently kept in the chapter archive.<sup>29</sup>

A copybook started in the 13th century and continued later, known as *Avia Ripensis* (*Ribe Oldemoder*), preserves the text of many otherwise lost documents and is now in DNA.<sup>30</sup>

## THE DIOCESE OF SCHLESWIG

As already mentioned above, the fate of the archives of the diocese of Schleswig is tied to the changing political status of that territory.

The bishop's archive was housed at Schwabstedt (Svavsted) Castle. After the Reformation the building and its contents including the bishop's archive went to the Danish Crown, and later (1658) to the dukes of Gottorp. With this last change of ownership, the bishop's archive probably moved to Gottorp, from where it may have gone to Copenhagen in 1734. At some point, it was incorporated into the archive of the Ministry of Domestic Affairs in Copenhagen, and from there was deposited in the DNA in 1851. In 1876, a large part of the Schleswig archives was given to Germany as a result of the Second Schleswig War and subsequent loss of Schleswig in 1864.

The chapter archive is in part lost, in part incorporated into the episcopal archive.

The collegiate chapter in Haderslev had its own archive, which was incorporated

29 3.6.1216 (DD 1:5, no. 88), 7.1.1303 (DD 2:5, no. 142), 10.10.1345 (DD 3:2, no. 187), 17.9.1367 (DD 3:8, no. 72), 17.9.1367 (DD 3:8, no. 73), 28.5.1369 (DD 3:8, no. 306), 30.10.1369 (DD 3:8, no. 357), 7.11.1369 (DD 3:8, no. 361), 7.11.1369 (DD 3:8, no. 363), 22.3.1375 (DD 3:9, no. 456), 28.3.1375 (DD 3:9, no. 458), 5.7.1375 (DD 3:9, no. 484), 13.7.1396 (DD 4:6, no. 108), 13.5.1409 (DD, no. 14090513001), 14.11.1434 (DD, no. 14341114001).

30 Danish Royal Library, NKS 723 folio.

into the archive at Hansborg around 1564, in turn incorporated into the archive at Gottorp in 1671, and finally to DNA in Copenhagen in 1734. One papal bull and one charter of the papal legate Arcimbold survive from this archive.

The Antonite house at Mohrkirchen (Mårkær): the archive was incorporated into the archive at Gottorp like the Schleswig archive. A few dozen charters survive in DNA and at the Landesarchiv Schleswig-Holstein, one of them a papal bull in DNA.

From the monastery in Løgumkloster a copybook survives in the Danish Royal Library.<sup>31</sup>

### ROYAL AND DUCAL ARCHIVES

Not until the reign of Valdemar IV Atterdag (d. 1375) did the Danish Crown have its own archive. The king chose Vordingborg Castle on Sjælland as the repository for his archive, but after his death, Kalundborg Castle held the royal archive in a tower separate from the castle proper, called *Folen*. When the Crown finally acquired Copenhagen Castle in 1416–1417, it was increasingly used as the Royal Archive, while the archives at Vordingborg and Kalundborg remained static repositories, until their holdings were finally moved to Copenhagen in the 1580s. Of the original organizational collections, nothing remains and the present collections are products of the National Archivist Kristian Erslev's and subsequent reorganizations. Some papal bulls survive from the reign of King Erik VII of Pomerania, among which a confessional letter from Pope John XXIII,<sup>32</sup> and notably Pope Martin V's licence to establish a university in one of the king's dominions from 1419<sup>33</sup> and a verdict of the same pope from 1425 in which he extinguishes the pending case between the dukes of Schleswig and King Erik, of which both the original and no fewer than three curial drafts are in DNA.<sup>34</sup>

Some documents that were originally stored in the ducal archives at Gottorp Castle in Schleswig are now in DNA. They were moved to Copenhagen in 1734 after the Danish king had assumed the hereditary right of the Danish Crown to the territories

31 Danish Royal Library, NKS 881 folio.

32 DD, no. 14121106001, <https://diplomatarium.dk/dokument/14121106001>.

33 DD, no. 14190526001, <https://diplomatarium.dk/dokument/14190526001>; an earlier supplication on the same matter, DD, no. 14190126002, <https://diplomatarium.dk/dokument/14190126002>, and an amendment, DD, no. 14190526002, <https://diplomatarium.dk/dokument/14190526002>.

34 DD, nos. 14250523001, <https://www.diplomatarium.dk/dokument/14250523001>; 14250523002, <https://www.diplomatarium.dk/dokument/14250523002>, 14250523003, <https://www.diplomatarium.dk/dokument/14250523003>, and 14250523004, <https://www.diplomatarium.dk/dokument/14250523004>.

of Schleswig and Holstein in 1713. Although parts of these archive collections were ceded to Germany in 1876 and again in 1933, many documents from Gottorp remain in Denmark, e.g. the bulls from 12 June 1485, of which both royal and ducal copies are kept in DNA.

#### FOREIGN ARCHIVE COLLECTIONS IN DNA

Finally, some bulls that are actually native to foreign archives are kept at DNA. One early highlight is a bull of Pope Marinus II (943–946), in which the rights of the archdiocese of Hamburg-Bremen are confirmed, but which is a fake or a copy passing itself off as the original from the time of Archbishop Adalbert (1043–1072).<sup>35</sup> In the catalogue below, there are also examples of bulls native to the dioceses of Courland (modern Piltene in Latvia), Verden, and Schwerin.

#### PAPAL DIPLOMATICS IN PRINT

Three editions are important for the study of papal diplomatics in Denmark: *Diplomatarium Danicum*, *Bullarium Danicum*, and *Acta Pontificum Danica*.

#### *Acta Pontificum Danica* (APD)

APD is at its core an edition of the material collected in the Vatican Archives (but also includes material with a local history of transmission) for the period between 1316 and 1536. It consists of seven volumes, including one supplement volume. Each edited document is provided with a summary in Danish and an archival shelf-mark,<sup>36</sup> and each volume has an index of names and places. The editors of the APD have followed the principle that if the text of a document has been edited before, it was not printed in APD, but a reference to the edition was provided in italics, without consideration to the source of the older edition, or the quality of the constitution of the text. If both a petition and a bull were found regarding the same case, only the bull was included in the APD, with relevant variants of names etc. printed as footnotes.

The majority of texts printed in APD are considerably abridged, so that, while the basic linguistic structure of each document has been preserved, only the pertinent information is printed. In some cases abridgements are marked with dots or, e.g. in the case of the annual revenues of offices, by printing the abridged version in brackets,

35 DNA, NKR 1a -b, DD 1.1.315. The document came to Denmark through the antiquarian Frederik Rostgaard in the 18th century.

36 Not in vol. 1; this is added in vol. 6, pp. 595–607.

but in many cases, there is nothing to signal an abridgement. In an appendix in vol. 2 (*Tillæg II*), one bull is printed in extenso, with the abridged version marked out with italics.<sup>37</sup>

### *Bullarium Danicum (BD)*

*Bullarium Danicum* followed APD in 1932 and includes all the papal material from 1198 to 1315. It follows the same design as APD, but even includes the text of previously edited documents.

### *Diplomatarium Danicum (DD)*

The DD is a complete critical edition of all charters from and about Denmark. At the present time, in 2021, its ending date is 1439. It is accompanied by a sister series, *Danmarks Riges Breve* (DRB), including translations of the edited texts into Danish. The DD is available in print until the year 1400, and it is published on the internet for the subsequent period; there are plans of digitizing the entire series in the future. The DD is divided into five series,<sup>38</sup> each of which has a slightly varying treatment of papal material. Originally, it was decided for economic reasons that documents already printed in APD or *Bullarium Danicum* would only be represented by a summary in DD, but this practice was gradually abandoned when it became possible to finance trips to Rome. From the fifth series, it has again been decided not to make a new recension of the Vatican material, but to reprint the abridged texts of APD unless there is a local transmission or a complete edition in another work, in which case the local transmission is always preferred, even if it presents a less sound text.

37 Of the many transcriptions and photographs from the expeditions to Rome, it seems that nothing is now extant, save for a box of photographs of pages from the papal registers used for vol. 7 of APD (DNA, Statens Arkiver, Rigsarkivet: Fotografier af breve i de pavelige kopi-bøger). The box contains photographs of material from 1361 to 1403 and is marked with the Roman numeral II, but no other boxes are known. Some photographic material might have been handed over to the editors of DD (according to oral tradition), but it is not known what happened to it later.

38 *In print*: First series, 7 vols. (1963–1990): 768–1249; second series, 12 vols. (1938–1960): 1250–1339; third series, 9 vols. (1958–1982): 1340–1375; fourth series, 7 vols. (1984–2000): 1376–1400. *Online*: Fourth series, originally vols. 8–12 (2000–2007): 1401–1412; fifth series (2008–): 1413–39/1450; supplement to series 1–4. The series currently only available in print will hopefully be made available in the same digital format as the newer series in coming years.



CATALOGUE OF BULLS AND CURIAL DOCUMENTS  
IN DANISH ARCHIVES 1440–1536

The following list of papal bulls preserved in Denmark might not be exhaustive, especially regarding documents from private archives and foreign material, that is not registered thoroughly in DNA. In one case, a document is in AM; in all other cases the signature or shelf-mark from DNA is given.

In the leftmost column is given the date of the document in the form year-month-day, and unknown dates are marked as 99. The issuer of the document is then given in the next column: P for pope, C for cardinal(s), L for legate, Co for Council, and S for supplication. In the next column is given the recipient of the document. Then the table gives the archival signature of the document: the first part of the signature is the so-called archive creator (*arkivskaber*), the second part is the series (*arkivserie*), and the last part is the shelf mark if applicable. In the rightmost column is given information about where the document is published and other relevant notes.

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
14400523	Co	Ribe	NKR 3337-c	APD 1853
14410421	L	Private	NKR 3369-c	APD 1860
14450310	L	King	NKR 3521a -b	
14450403	P	Private	NKR 3523-b	
14460114	C	Maribo	NKR 3549-b	APD 1878
14470507	P	Ålborg hospital	NKR 3602-c	APD 1886
14470614	P	Roskilde	NKR 3618-b	APD 1887
14490422	P	Private	NKR 3694-b	APD 1933
14490422	P	Private	NKR 3695-b	APD 1935
14560623	P	Haderslev	Gejstlige arkiver, Haderslev Kapitel. Pergamentsbreve. c-1 7	APD 2067
14570620	P	Courland	Tyske Kancelli, Udenrigske Afdeling. E 1 Forholdet til udlandet. Pergamentsbreve. b-350	
14620608	P	Roskilde	Gejstlige arkiver, Roskilde Kapitel. Pergamentsbreve. b-2 426	APD 2256

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
14630227	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-1	APD 2278
14680809	P	Ålborg hospital	Ålborg Hospital. Pergamentsbreve. c-27	APD 2423
14690310	P	Ribe	Gejstlige arkiver, Ribe kapitel. Pergamentsbreve. c-56 446	APD 2429
14700501	P	Mårkær (Vienne)	Gejstlige arkiver, Mårkær Kloster. Pergamentsbreve. c-3 5	APD 2442
1471-1477	S	Private	NKR 3693-c	Undated, from the reign of Sixtus IV, and before the death of the supplicant in 1477. APD 2454
14730709	P	Courland	Tyske Kancelli, Udenrigske Afdeling. E 1 Forholdet til udlandet. Pergamentsbreve. b-351	
14730709	P	Courland	Tyske Kancelli, Udenrigske Afdeling. E 1 Forholdet til udlandet. Pergamentsbreve. b-352	
14740413	P	King (Hamburg)	Tyske Kancelli, Udenrigske Afdeling. E 1 Forholdet til udlandet. Pergamentsbreve. b-69	APD 2525
14740413	P	Roskilde	Gejstlige arkiver, Roskilde Kapitel. Pergamentsbreve. a-4 485	APD 2534
14740419	P	Schleswig	Gejstlige arkiver, Slesvig Biskop. b-12 104	APD 2569
14740420	P	Roskilde	Gejstlige arkiver, Roskilde Kapitel. Pergamentsbreve. a-5 486	APD 2575

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
14740420	P	Roskilde	Gejstlige arkiver, Roskilde Kapitel. Pergamentsbreve. a-6 487	APD 2576
14740422	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-2	APD 2584
14740701	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. a-1	APD 2609
14741229	C	Odense	Gejstlige arkiver, Landsbykirker. Pergamentsbreve. b-3	APD 2616
14750619	P	University	Københavns Universitet. Pergamentsbreve. b-1	APD 2652
14750619	P	Roskilde	Kongehuset, Christian 1. Pergamentsbreve. b-1	APD 2653
14780214	P	Queen	Kongehuset Christian 1., Dronning Dorothea. Pergamentsbreve. c-13	APD 2707
14790114	P	Roskilde	Gejstlige arkiver, Roskilde Kapitel. Pergamentsbreve. b-6 504	APD 2739
14790506	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-3	APD 2747
14800926	L	Queen	Kongehuset Christian 1., Dronning Dorothea. Diverse breve på papir	APD 2786
14830612	P	Ribe	Gejstlige arkiver, Ribe kapitel. Pergamentsbreve. b-4 503	APD 2875
14850612	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-4	APD 2936
14850612	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-4 (B)	APD 2936

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
14850612	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-5	APD 2936
14850612	P	Duke	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. c-3	APD 2937
14850612	P	King	Særligt Stillede Landskaber og Unionsriger. D 1 Slesvig. Pergamentsbreve. b-3	APD 2937
14850612	P	King	Særligt Stillede Landskaber og Unionsriger. D 1 Slesvig. Pergamentsbreve. b-3 (B)	APD 2937
14850626	P	Duke	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-6	APD 2955
14850626	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-7	APD 2955
14861120	P	Børglum	Privatarkiver, kronologisk række. Breve og dokumenter. 3	Rep. II 5961
14880504	P	Private	Oxe, Johan og hustru Inger Torbensdatter Bille. Pergamentsbreve. 417	APD 3101
14900113	P	Ålborg hospital	Ålborg Hospital. Pergamentsbreve. c-51	APD 3182
14920901	P	Copenhagen collegiate church	Københavns Universitet. Pergamentsbreve. c-8	APD
14950706		Copenhagen hospital	Gejstlige arkiver, Vartov Hospital. Pergamentsbreve. b-2	Curial vidimus
14971114	P	Copenhagen hospital	Gejstlige arkiver, Vartov Hospital. Pergamentsbreve. a-1	APD 3597

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
14990727	P	Duke	Sønderjyske Fyrstearkiver, Hertug Frederik (1.), Pergamentsbreve. b-1	APD 3727
14991108	C	Schleswig	Gejstlige arkiver, Slesvig biskop. Dokumenter/ breve. 33 (i læg markeret nr. 131)	APD 3739
15010908		Roskilde	AM Dipl. Dan. Fasc. VIII, 2	Instrument about jubilee indulgence
15001107	C	Ribe, Dominican monastery	Gejstlige arkiver, Ribe kapitel. Pergamentsbreve. b-5	APD 3774
15010213	P	Duke	Sønderjyske Fyrstearkiver, Hertug Frederik (1.), Pergamentsbreve. b-2	APD 3798
15010324	C	Schleswig	Gejstlige arkiver, Slesvig biskop. Dokumenter/ breve. 33 ( <i>in a cover marked 133</i> )	APD 3809
15020729	P	Schleswig	Gejstlige arkiver, Slesvig Biskop. b-15 134	APD 3888
15030429	C	n/a	Original not found 2019; a vidimus 15060523 exists in RA. Fremmed proveniens, Lübeck stadsarkiv. Hanserecesser og div. akter	
15031126	P	Queen	Kongehuset Kong Hans, Dronning Christine. Pergamentsbreve. b-1	APD 3935
15040420	P	Verden	Fremmed proveniens, Kronologisk række. 1	
15060820	P	Sweden	Særligt Stillede Landskaber og Unionsriger. D 14 Sverige. Pergamentsbreve. a-5	APD 4082

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
15060821	C	Sweden	Særligt Stillede Landskaber og Unionsriger. D 14 Sverige. Pergamentsbreve. c-42	APD 4083
15070521	P	Schleswig	Gejstlige arkiver, Slesvig Biskop. b-16 143	APD 4099
15070615	P	Ribe	Gejstlige arkiver, Ribe kapitel. Pergamentsbreve. b-6 626	APD 4112
15120820	P	Malmø hospital	Gejstlige arkiver, Malmø Helligåndshus. Pergamentsbrev. a-1	APD 4308
15120929	P	Duke	Sønderjyske Fyrstearkiver, Hertug Frederik (1.), Pergamentsbreve. b-38	APD 4339
15150404	P	King (letter to nuntius)	Kongehuset, Christian 2., Pergamentsbreve. b-1	APD 4514
15150531	P	King	Kongehuset, Christian 2., Pergamentsbreve. b-2	APD 4525
15160101		Order of The Holy Ghost	Gejstlige arkiver Ordensarkiver, Helligåndsortenen i Danmark, Pergamentsbreve. a-3	Vidimus of papal privileges by the magister generalis of the order in Rome
15160411	L	Private	Bild, Ulrik. Pergamentsbrev. 38-39	
15160420	L	Neukloster (diocese of Schwerin)	Fremmed proveniens, Schwerin Stift. Pavebuller, adkomstbreve. Pk. 1, læg 54	
15160702	L	Private	Bille, Anders Bentsen og 1. hustru Pernille Olufsdatter Krognos. Pergamentsbreve. 42-B	
15160924	P	Lund	Gejstlige arkiver, Lunds ærkebiskop. Pergamentsbreve. b-2	APD 4597

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
15161105	P	Schwerin	Fremmed proveniens, Schwerin Stift. Pavebuller, adkomstbreve. Pk. 1, læg 55	APD 4601
15161105	P	Schwerin	Fremmed proveniens, Schwerin Stift. Pavebuller, adkomstbreve. Pk. 1, læg 56	APD 4601
15161130	L	King	Indre Forhold. C 1 Forholdet til gejstligheden: Sager på papir	
15170124	L	King	Kongehuset, Christian 2., Pergamentsbreve. c-3	
15170314	L	Haderslev (Schleswig)	Gejstlige arkiver, Slesvig Biskop. b-41 11	
15170411				(= 15160411)
15170516	P	Arcimbold (papal legate)	Kongehuset, Christian 2., Pergamentsbreve. a-1	
15170608		Innocentius de Fessine	Indre Forhold. C 1 Forholdet til gejstligheden. Original, papir m.m.	
15170821	L	Roskilde	Gejstlige arkiver, Roskilde Bisp. Pergamentsbreve. b-13 718	
15179999	L	Halsted monastery	Gejstlige arkiver, Halsted Kloster. Pergamentsbrev. b-1	
15180622	P	Bremen	Fremmed proveniens, Kronologisk række. 1	
15189999	L	Schleswig	Gejstlige arkiver, Slesvig Biskop. b-25 169	
15190110		Albert van Goch	Indre Forhold. C 1 Forholdet til gejstligheden. Original, papir m.m.	
15190318	L	King	Kongehuset, Christian 2. Breve vedr. Christian 2. og dronning Elisabeth. Tillæg.	
15190625	P	Arcimbold (papal legate)	Arcimbold, Johan Angelus. Pergamentsbrev. 4	APD 4711

<i>Date</i>	<i>Issuer</i>	<i>Recipient</i>	<i>Signature DNA</i>	<i>Publication and note</i>
15200924	P	Ålborg hospital	Ålborg Hospital. Pergamentsbreve. b-3	APD 4810
15201029	S	Lambert Andersen (canon in Ribe)	Kongehuset Christian 2., Christian 2. i landflygtighed. Andre personers samt en enkelt stads arkiver. 36A, no. 28	APD 4821
15210107	P	Viborg	Gejstlige arkiver, Viborg Biskop. Pergamentsbreve. b-3 137	APD 4833
15210322	P	King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-9	APD 4850
15230328		King to the pope	Indre Forhold. C 1 Forholdet til gejstligheden: Sager på papir	APD 4922
15230617	P	Duke/King	Indre Forhold. C 1 Forholdet til gejstligheden. Pergamentsbreve. b-10	APD 4932
15270504	P	Bremen	Fremmed proveniens, Schwerin Stift. Pavebuller, adkomstbreve	



JO RUNE UGULEN KRISTIANSEN

# The Vatican Collections in the Norwegian National Archives

## INTRODUCTION

Almost every medieval source in the National Archives of Norway is kept in the “Diplomsamlingen” (The charter collection). Most of the collection consists of approximately 7,000 documents (charters, writs, letters, and so on) older than 1570. In addition, there are a few cadasters, various account records, and a few thousand fragments of a variety of handwritten books.<sup>1</sup>

## ORIGINAL PAPAL DOCUMENTS

There are relatively few original papal letters preserved in the National Archives. Only ten such documents are to be found in original in the Diplomsamlingen. Of these, two are from the late 12th century, six from the 13th century, and two from the early 16th century. In addition, we have a (printed) letter of indulgence from 1505, issued for the later Norwegian archbishop Olav Engelbrektsson, and a letter from 1518 from the papal legate Johannes Arcimboldus to the archbishop in Nidaros.

Seven of the eight papal letters in the National Archives belong to a collection of documents that were only transferred to Norway from Denmark as late as 1937. The oldest of these is also the oldest preserved medieval charter in the National Archives, a bull dated in 1189 and sent from Pope Clemens III to all clerics in Norway, forbidding them to arm themselves for war.<sup>2</sup>

<sup>1</sup> For an overview of this collection, cf. *Håndbok for Riksarkivet*, pp. 529–534.

<sup>2</sup> Published in *Diplomatarium Norvegicum* (DN) II, no. 1; cf. *Regesta Norvegica* (RN) I, no. 191.

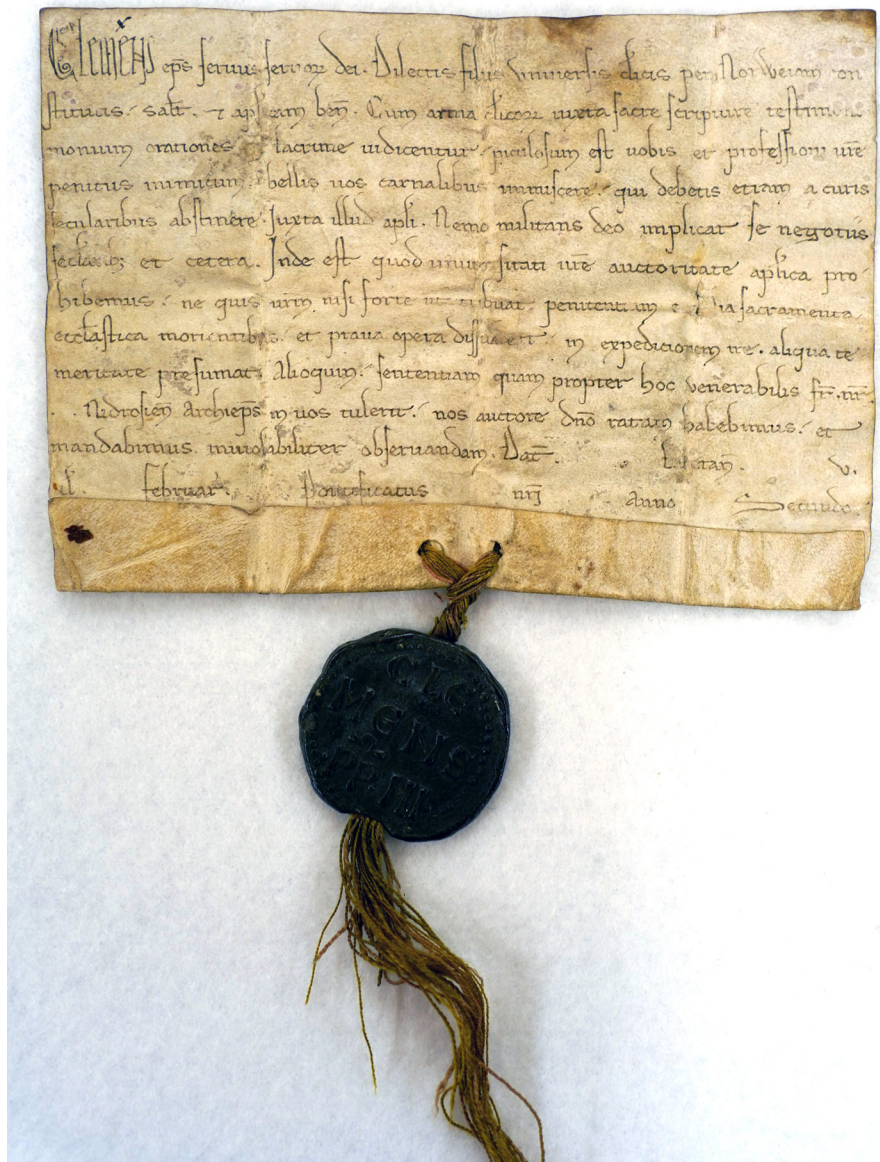


Fig. 1. The bull from Pope Clement III, dated 1189. The National Archives, Oslo.

The other 12th-century document dates from 1196 and is a letter issued by Pope Celestine III and directed to the cathedral chapter in Nidaros, in response to a complaint from the chapter that laymen provided judgement in clerical matters. The Pope forbade this.<sup>3</sup>

The six papal charters from the 13th century consist of two letters of protection from Pope Clement IV for the cathedral chapter in Nidaros, dated 1265 and 1268,<sup>4</sup> and four mandates of Pope Boniface VIII to different addressees, dating to the years 1296–1298.<sup>5</sup> Finally, there are two damaged papal letters from the early 1500s. The first is a letter from 1510 where Pope Julius II chooses Erik Valkendorf, a cleric in Odense and the chancellor of the elected king Kristian, to be archbishop in Nidaros.<sup>6</sup> This document was later used as binding for a book of accounts, and is subsequently somewhat damaged. The other is a charter from 1520, torn and water damaged, in which Pope Leo X commends Archbishop Erik Valkendorf for helping the papal nuntius.<sup>7</sup>

#### THE VATICAN COLLECTION (VATIKANSAMLINGEN)

The largest collection of documents from the Vatican is the Vatikansamlingen (The Vatican collection), which is one of several collections created by the Norsk Historisk Kjeldeskrift-Institutt (Norwegian Institute for Historical Sources). The Institute merged with the National Archives in 1990, and thus its collections are to be found there. The Vatican collection (archive EA-4054 in the National Archives) was for the most part created during the Nordic expeditions to the Vatican Archives in the interwar years of the early to mid-20th century. Some 90% of the collection thus stems from the Vatican Archives, but a small fraction is collected in other European archives.

The collection contains photographs of approximately 3,200 letters and documents, together with transcriptions of around half of the photographs. More than 80 percent of the documents in this collection date to the years between 1400 and 1550, with the major part of the rest from the previous period, and very little from the following period. A rather large portion of the collection has only a nominal connection to Norway, as many of the sources relate to areas or persons with an only formal connection to the Norwegian church province.

In total, there are 52 boxes with photographs and photocopies of documents.

3 DN I, no. 1; cf. RN I, no. 236.

4 DN II, nos. 11 (1265) and 14 (1268); cf. RN II nos. 22 and 68.

5 DN II, no. 37 (1296); DN IV, no. 10 (1297); DN III, nos. 38 (1297) and 42 (1298). Cf. RN II, nos. 845, 854, 857 and 960.

6 DN IV, no. 1052.

7 DN VI, no. 672.



*Fig. 2. The Vatican collection in the National Archives of Norway.*

*12 boxes from Registra Vaticana (EA-4054, series Fa)*

- L0001 Mss. 1–27, documents from 1078 until 1262
- L0002 Mss. 28–56, documents from 1263 until 1309
- L0003 Mss. 57–142, documents from 1310 until 1349
- L0004 Mss. 143–244, documents from 1349 until 1364
- L0005 Mss. 245–274, documents from 1363 until 1373
- L0006 Mss. 275–309, documents from 1372 until 1393
- L0007 Mss. 310–336, documents from 1380 until 1407
- L0008 Mss. 337–400, documents from 1410 until 1453
- L0009 Mss. 401–470, documents from 1448 until 1459
- L0010 Mss. 471–685, documents from 1459 until 1486
- L0011 Mss. 686–1060, documents from 1485 until 1517
- L0012 Mss. 1061–1923, documents from 1514 until 1560

*5 boxes Registra Avenionensia (EA-4054, series Fb)*

- L0001 Mss. 1–109, documents from 1317 until 1349
- L0002 Mss. 110–197, documents from 1350 until 1374
- L0003 Mss. 198–300, documents from 1343 until 1395
- L0004 Mss. 301–334, documents from 1396 until 1410
- L0005 Mss. 335–349, documents from 1410 until 1416 + Appendix II–III, documents from 1338 until 1371

*10 boxes Registra Supplicationum (EA-4054, series Fc)*

- L0001 Mss. 1–149, documents from 1342 until 1421
- L0002 Mss. 150–273, documents from 1420 until 1432
- L0003 Mss. 274–376, documents from 1432 until 1441
- L0004 Mss. 377–444, documents from 1441 until 1450
- L0005 Mss. 445–768, documents from 1450 until 1477
- L0006 Mss. 769–1250, documents from 1478 until 1506
- L0007 Mss. 1251–1490, documents from 1507 until 1515
- L0008 Mss. 1491–1740, documents from 1515 until 1521
- L0009 Mss. 1741–1878, documents from 1521 until 1526
- L0010 Mss. 1879–2285, documents from 1526 until 1538

*5 boxes Registra Lateranensia (EA-4054, series Fd)*

- L0001 Mss. 1–260, documents from 1389 until 1425
- L0002 Mss. 261–390, documents from 1426 until 1438
- L0003 Mss. 391–550, documents from 1443 until 1460
- L0004 Mss. 551–1100, documents from 1460 until 1506
- L0005 Mss. 1101–1555, documents from 1506 until 1531

*5 boxes Archivio Consistoriale (EA-4054, series Fe)*

- L0001 Acta Miscellanea mss. 1–8, documents from 1410 until 1544
- L0002 Acta Miscellanea mss. 9–30, documents from 1517 until 1565
- L0003 Acta Miscellanea mss. 31–70, documents from 1517 until 1565
- L0004 Acta Vicecancellarii mss. 1–8, documents from 1499 until 1559
- L0005 Acta Camerarii mss. 1–42, documents from 1489 until 1542



*15 boxes Various collections*  
**EA-4054, series Ff Diverse serier**

- L0001 Arch. Vat. Cameralia (= Camera Apostolica)  
*Obligationes et Solutiones 1–84 (3 cases)*  
*Introitus et Exitus 16–563 (2 cases)*
- L0002 Arch. Vat. Cameralia: Collectorie Brev. Lat. (= Camera Apostolica, Collectoriae)
- L0003 Instrumenta Miscellanea. Minute Brevium, Garampi, Rubricelle  
 Arch. Arcis. Arm
- L0004 Armaria  
*Armaria XXIX–LXIV + Bullarium Generale*
- L0005 Miscell. Arm. I–XII
- L0006 Fondo Arch. di Stato  
*Anate 1–25, Formatori, Libri quittancearum, Oblig. per Serv. Comm., Resignationes, Consensi e rassegne*
- L0007 Arch. Sacrae Congregationis + Segretia di Stato  
*Segretia di Stato: Germania, Principi, Viscovi*
- L0008 Bibl. Vat. 1  
*Barb. lat. 830–3885, 2675, 2932, 4592*  
*Ottobon. lat.*
- L0009 Bibl. Vat. 2  
*Chigi, Vat. lat.*
- L0010 Poenit. Apostolica  
*Torstein Jørgensen's research in the Penitentiary archives*
- L0011 Indices 477–525 – excerpts (= Vescovi 3–31, and Miscellanea I.10 and I.14)

**EA-4054, series Fg Byer**

- L0001 Assisi, Auxerre, Douai, Edinburgh  
*Assisi: Archivio Comunale*
- L0002 Firenze, Oslo, Paris, Praha, Roma  
*Roma: Bibl. Angelica – The statutes of Cambridge*
- L0003 Roma, Stockholm, Wien  
*Roma: Coll. di Propaganda Fide; Stockholm RA*

**EA-4054, series Fh Oversettelser**

- L0001 DN (*Diplomatarium Norvegicum*) translated letters 991–1204, papal documents etc. by Prof. Johnsen. Ms to *Fontes Arabici* by Prof. Johnsen



Fig. 3. Some of the boxes with documents concerning the Scandinavian expeditions to Rome and the Vatican.

## OTHER DOCUMENTS

Outside the Vatican collection, there are very few documents with copies or transcriptions of sources from the Vatican Archives. The archives of the Norsk Historisk Kjeldeskrift-Institutt (archive S-6117 in the National Archives) includes a rather extensive documentation (within series Hd of the archive) of the many Scandinavian expeditions to the Vatican in the interwar years, between 1920 and 1939.<sup>8</sup>

Among the documents preserved in various archives from the work of editing and publishing *Diplomatarium Norvegicum*, are also to be found Professor Gustav Storm's around ten notebooks with transcriptions from the Vatican Archives, written between October 1895 and May 1896.

## EDITIONS IN PRINT

Most of the Norway-related documents from the Vatican Archives are published in several different volumes of the multi-volume series *Diplomatarium Norvegicum*, but a few still remain unpublished. In addition to this, there are a few Norwegian publications containing documents from the Vatican Archives.

8 See Claes Gejrot's article about the Scandinavian expeditions to Rome in this volume.



In 1959 Professor Eirik Vandvik at the University of Oslo published all Latin documents relating to Norwegian history until the year 1204, in the book *Latinske dokument til norsk historie fram til år 1204* (Oslo: Det Norske Samlaget, 1959). As far as he could, he also offered newly collated transcriptions of the documents previously published in *Diplomatarium Norvegicum*.

In the 1990s several Scandinavian researchers acquired access to the archives of the Papal Penitentiary, and this eventually led to two books by Torstein Jørgensen and Gastone Saletnich with editions of the documents found in the Penitentiary archives. The principal volume was a book with the texts regarding the south-western Norwegian diocese of Stavanger, *Brev til paven: Norske forbindelser med Den hellige stol i senmiddelalderen* (Stavanger: Misjonshøgskolens forlag, 1999); an English edition was published at the same time (with the title: *Letters to the Pope: Norwegian relations to the Holy See in the late Middle Ages*). All of the texts regarding the Norwegian church province were published a few years later in a volume edited by Jørgensen and Saletnich as *Synder og pavemakt: Botsbrev fra den norske kirkeprovinns og Suderøyene til pavestolen 1438–1531* (Stavanger: Misjonshøgskolens forlag, 2004).

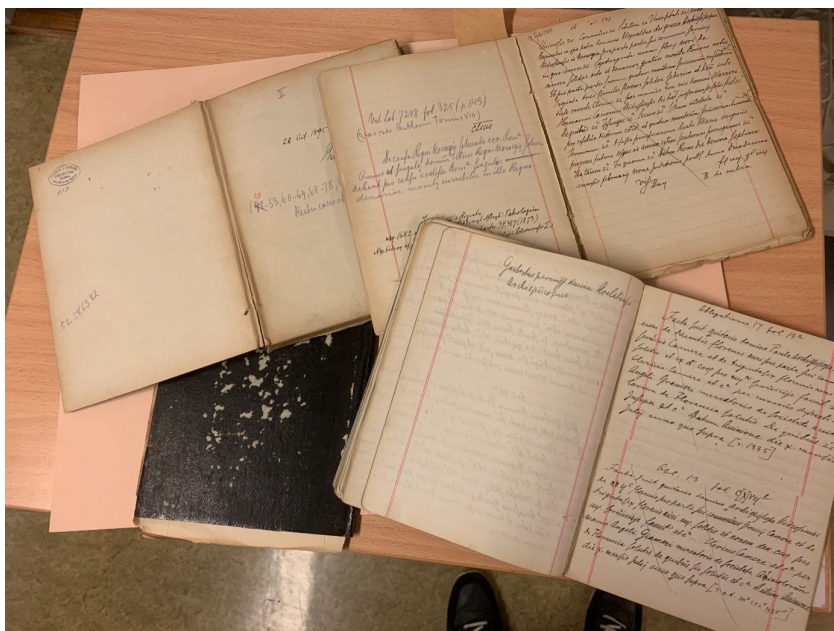


Fig. 4. Some of Professor Gustav Storm's notebook s from the Vatican Archives in 1895 and 1896.

KIRSI SALONEN

## The Vatican Collections in the Finnish National Archives

There are very few preserved medieval sources in Finland for several reasons. The Reformation, with the closure of the monastic institutions and the expropriation of ecclesiastical property, rendered many ecclesiastical documents unnecessary and so they were thrown away. The Finnish territory has experienced many wars that destroyed castles, fortresses, and other buildings in which medieval charters were kept, and numerous fires in wooden manor houses have destroyed family archives. In addition, some medieval documentation concerning Finland has ended up in the collections of the Swedish National Archives: the development of antiquarian inquiry began in Scandinavia in the period when Finland still was a part of Sweden, and documents were accordingly transported to the central archives of the Swedish realm. Consequently the collections of the different foreign archives have always been crucially important for Finnish historians. This applies also to the medieval papal documentation.

Unlike in the other Scandinavian countries, not a single medieval papal letter has been preserved in the local collections. The only known papal document which is still in the collections of the National Library of Finland is an original petition presented to and approved by the papal Penitentiary in favour of the noble couple Philipppus Ivarsson and Helena Henriksdotter (Fleming) in July 1460.<sup>1</sup>

In addition to this single document, the collections of the Finnish National Ar-

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1 This is a petition for a marital dispensation so that the couple could remain in their marriage, which they had contracted although they were aware of the fact that they were related to each other in fourth degree of affinity. The document belongs to the Paul Scheelin kirjekokoelma (collection related to the late medieval provost of the Turku Cathedral chapter, Paulus Scheel) and is dated on 21 July 1460. The document is edited in *Finlands medeltidsurkunder* III, no. 4948 as well as in *Acta Pontificum Suecica* II, document no. 88a.

chives include 17 boxes of material related to the connections between the papacy and the medieval diocese of Turku or its inhabitants. The boxes contain mainly photostat copies from the Vatican Apostolic Archives and other Roman archives containing papal source material. Their provenance is the same as of the photostat collections in the other Scandinavian national archives, that is, they are result of the research conducted by the members of the Scandinavian expeditions to Rome at the beginning of the 20th century. Most of the documents in the Finnish National Archives are published by Reinhold Hausen in the *Finlands medeltidsurkunder* series and they are included in the *Diplomatarium Fennicum* database. However, there are also still some documents not included in Hausen's edition, and they should be edited and added to the database in the future.

A brief inventory of the 17 archival boxes and one additional envelope in the Vatican collection in the Finnish National Archives:

*Box 1:*

**Fotostaatit, Tabularium Vaticanum, Armaria 1–100, Vatikaani 1**

This box includes 16 envelopes including copies of documents from the Armaria collection (vols 31, 33, 35, 37, 39, 40, and 100), dating from the 12th century until 1529.

*Box 2:*

**Fot. Vatikaani 2**

This box includes 24 envelopes including copies of documents from the following collections:

- Archivum Arcis Armaria IV, vol. 1423 – one document which dates from 1523.
- Archivum Consistoriale, Acta Miscellanea 3 – two documents dating from 1513 and 1521.
- Bullarium generale, tomo 1 – five documents dating from 1348.
- Fondo Camerale, Collectoriae, vols. 292, 353, 358, 388, 393 – nine documents dating from 1360–1379.
- Libri Formatarum, vols. 1677 and 1816 – two documents dating from 1430 and 1465.
- Instrumenta miscellanea, nos. 832, 1032 I–VIII, 2055, 2587 – four documents dating from 1322–1370.

*Box 3:***Fotostaatit Vatikaani, Reg. Aven. 3**

This box includes 68 envelopes with copies of as many documents from the Registra Avenionensia series dating between 1321 and 1378.

*Box 4:***Fotostaatit Vatikaani 4**

This box includes 87 envelopes including copies of documents from the following collections:

- Registra Lateranensia series – 25 documents dating between 1390 and 1498.
- Registra Supplicationum series – 58 documents dating between 1346 and 1500.

*Box 5:***Fotostaatit Vatikaani, Reg. Vat. 5**

This box includes 61 envelopes including copies of documents from the Registra Vaticana series dating between 1232 and 1509.

*Box 6:***Vatikaanin arkiston Suomea koskevia asiakirjoja 6****Fot. Vatikaani**

This box includes copies of four documents from the A.A. Arm. series dating from 13.9.1351, 24.10.1355, 30.5.1358, and 15.8.1523.

*Box 7:***Fotostaatit Vatikaani VII**

This box includes numerous copies of transcriptions made by L.M. Bååth in the Vatican Archives. The documents date from between 1213 and 1466, but all are not identified or dated.

*Box 8:***Fotostaatit Vatikaani I 8**

This box includes reports composed by Aarno Maliniemi, the Finnish representative in the Scandinavian expedition to Rome in the 1920s, to the Finnish Historical Soci-

ety together with a list of documents he ordered for the Society from the Vatican Archives, his transcriptions, as well as some photocopies of journal articles and minutes of the Finnish Historical Society (1928).

*Box 9:*

**Fotostaatit Vatikaani VI 9**

**Aarno Maliniemi**

This box includes Aarno Maliniemi's photostat copies and photocopies of different sources and handwritings regarding palaeography teaching and his research, mostly from other than Vatican sources.

*Box 10:*

**Vatikaanin arkiston Suomea koskevia asiakirjoja 10**

**Fot. Vatikaani 1166 – 17.6.1360**

This box includes 40 envelopes containing copies of 33 documents from the main register series in the Vatican Apostolic Archives (Vatican registers, Lateran registers, Avignon registers, and Registers of Supplications) that date from 9.5.1166 and from between 21.2.1245 and 17.6.1360.

*Box 11:*

**Vatikaanin arkiston Suomea koskevia asiakirjoja 11**

**Fot. Vatikaani, 6.8.1363 – 9.5.1403**

This box includes 39 envelopes containing copies of 21 documents from the main register series in the Vatican Apostolic Archives (Vatican registers, Lateran registers, and Registers of Supplications) that date from between 6.8.1363 and 9.5.1403.

*Box 12:*

**Vatikaanin arkiston Suomea koskevia asiakirjoja 12**

**Fot. Vatikaani 17.6.1403 – 7.12.1430**

This box includes 37 envelopes containing copies of 24 documents from the main register series in the Vatican Apostolic Archives (Lateran registers and Registers of Supplications) that date from between 17.6.1403 and 7.12.1430.

*Box 13:***Vatikaanin arkiston Suomea koskevia asiakirjoja 13****Fot. Vatikaani, 26.5.1445 – 10.12.1465**

This box includes 38 envelopes containing copies of 16 documents from the main register series in the Vatican Apostolic Archives (Vatican registers, Lateran registers, and Registers of Supplications) that date from between 26.5.1445 and 10.12.1465.

*Box 14:***Vatikaanin arkiston Suomea koskevia asiakirjoja 14****Fot. Vatikaani, 13.7.1466 – 23.11.1475**

This box includes 37 envelopes containing copies of 22 documents from the main register series in the Vatican Apostolic Archives (Vatican registers, Lateran registers, and Registers of Supplications) that date from between 12.12.1465 and 23.11.1475.

*Box 15:***Vatikaanin arkiston Suomea koskevia asiakirjoja 15****Fot. Vatikaani, 12.9.1484 – 17.11.1495**

This box includes 37 envelopes containing copies of documents from the main register series in the Vatican Apostolic Archives (Lateran registers and Registers of Supplications) that date from between 12.9.1484 and 17.11.1495.

*Box 16:***Vatikaanin arkiston Suomea koskevia asiakirjoja 16****Fot. Vatikaani, 4.1.1496 – 22.5.1514**

This box includes 43 envelopes containing copies of 26 documents from the main register series in the Vatican Apostolic Archives (Lateran registers and Registers of Supplications) that date from between 4.1.1496 and 22.5.1514.

*Box 17:***Vatikaanin arkiston Suomea koskevia asiakirjoja 17****Fot. Vatikaani II, 22.5.1514 – 15.8.1523**

This box includes in 39 envelopes containing copies of 27 documents from the main register series in the Vatican Apostolic Archives (Registers of Supplications, Vatican registers, and Lateran registers) that date from between 22.5.1514 and 30.4.1521.

*Separate envelope***Vatikaani I**

**Fotostaattikokoelma, Vatikaanin Kirjasto, Cod. Vatic. lat. 3975, f. 219v, f. 220r;  
3976, f. 276r. Lahjoittanut dosentti Jarl Gallén 3/2 1957**

This envelope includes three pages of copies from the Vatican Library Codex Vat. lat. 3975 and 3976, donated to the archives by Jarl Gallén.



PETER STÅHL

# Papal Source Material in the Swedish National Archives

## THE TRANSMISSION OF MEDIEVAL ARCHIVAL MATERIAL IN SWEDEN

The Swedish National Archives (*Riksarkivet*) holds a rich collection of papal material from the Middle Ages. Papal letters and other source material have been preserved in various forms: original charters, registers, and copybooks from the Middle Ages and later periods, as well as series of handwritten transcriptions and photostat copies from the Vatican Archives. In the Middle Ages, the Swedish Church was constituted by the ecclesiastical province of Uppsala embracing seven dioceses: Uppsala, Linköping, Skara, Strängnäs, Turku (Åbo), Västerås, and Växjö. The Reformation of the Church was decided at a general meeting (*riksdag*) in Västerås in 1527. First and foremost, the decisions implied that the king and the Crown should have control over the economy and the policy of the Church. One of the immediate effects was the transfer of land from the Church to the Crown and the nobility. As King Gustav Vasa himself then became one of the great landowners, it was a major concern for him and the Royal Chancery to confiscate the vast collections of charters and documents from the cathedrals and monasteries all around Sweden. These documents were of vital interest not only because they could prove the legal possession of the land historically, but also because the collections contained treaties and other types of state documents. In the Middle Ages, this kind of source material was traditionally deposited in the archives of the royal chancellor, usually one of the bishops or another high-ranking cleric of Linköping, Uppsala, or Strängnäs. Hence, the Swedish state documents from the Middle Ages were mainly deposited in the cathedrals of the three dioceses mentioned above. The withdrawal of charters and documents from the churches was carried

through mainly in the 1540s and 1550s, and the huge collection ended up at the Royal Chancery in Stockholm. One of the main figures in this action was Rasmus Ludvigsson († 1594), who was the secretary of King Gustav Vasa and later of the king's sons. Rasmus Ludvigsson initiated an ambitious project not only by sorting the medieval source material, but also by transcribing the texts into copybooks. This project would continue for generations after Rasmus's death and after the founding of the National Archives in 1618, and the transmission of medieval documents was very valuable for the future.

In 1666–1667 the College of Antiquities (*Antikvitetskollegium*) was founded and established in Uppsala, and the process of copying medieval source material was intensified. The last remnants of medieval materials in the cathedrals, especially the registers, were transported to Uppsala, and later (in the 1690s) to Stockholm, after the College of Antiquities had been transformed into a smaller organization called the Archives of Antiquities (*Antikvitetsarkivet*). In the late 17th and early 18th centuries, three major projects for transcribing medieval charters were carried out, initiated by Johan Hadorph (1630–1693), Clas Arrhenius Örnhielm (1627–1695), and Johan Peringskiöld (1654–1720). Where the papal material is concerned, the transcriptions of Örnhielm and Peringskiöld (*Örnhielms Bullarium* I–II and *Peringskiölds Bullarium* I–III) are of major importance.

When the Archives of Antiquities was dissolved in 1780, the medieval collections were split between the Royal Library (*Kungliga biblioteket*) and the National Archives. In 1847, the collection of medieval charters and documents was officially transferred from the Royal Library to the National Archives, but the collection had already been deposited there for some time because of the work relating to the edition of *Svenskt Diplomatarium* (*Diplomatarium Suecanum*). Finally in 1889, some of the most important medieval registers and copybooks of the *Codices A* series (see below) were transferred from the Royal Library to the National Archives.

#### ORIGINAL BULLS AND OTHER KINDS OF PAPAL LETTERS

248 original papal bulls and briefs from the Middle Ages are preserved at the Swedish National Archives.<sup>1</sup> These figures include only papal letters actually issued by the popes, and not, for example, letters issued by papal legates and collectors, or letters issued by the ecclesiastical councils (for these categories, see below). Considering the fact that the National Archives hold more than 20,000 original letters in total

1 234 papal originals belong to the *Stora pergamentsbrevsamlingen* series, and 14 papal originals belong to the *Utländska pergamentsbrev. Estland och Livland* series.

from the same period (up to 1530), the amount of extant papal originals might seem quite small by comparison. From a Nordic perspective, though, the Stockholm archives have by far the largest number of extant papal originals from the Middle Ages. The number of papal originals at the National Archives, distributed over the period 1100–1530, is as follows.

- 1100–1199: 5
- 1200–1299: 95
- 1300–1399: 73
- 1400–1499: 62
- 1500–1530: 13

The earliest surviving original bull is a document (*litterae iustitiae*) from 1167 (SDHK, no. 221), issued by Pope Alexander III and addressed to the Church of Uppsala, forbidding the recipients to take the archbishop or other members of the higher clergy (*praelati*) to a lay court. Another bull (*litterae gratiae*) from the following year (1168, SDHK, no. 222) is addressed to the Cistercian monastery of Gudhem (Västergötland), and confirms the possession of land of the monastery. One spectacular example from the 12th century is the privilege (*litterae conservatoriae*) issued by Lucius III on 5 November 1185 (SDHK, no. 260), whereby the pope takes the Church of Uppsala under his protection and confirms its land. This charter, in large format, is a *privilegium* in the strictly diplomatic sense of the word.<sup>2</sup> The protocol ends with the formula *in P.P.M.* (= *in perpetuum*) and at the end of the context we find a threefold *Amen*. However, it is the elaborate form of the eschatocol that is the most striking feature of this charter. It begins with a *Rota*, two concentric circles divided into four parts by a cross. Inside the four parts, the names *Sanctus Petrus*, *Sanctus Paulus*, and *Lucius papa iij* are written. In the space between the two circles, the device or the motto of the pope is indicated. To the right of the *Rota* we find the subscription of the pope, *Ego Lucius catholice ecclesie episcopus ss* (= *subscripsi*), followed by the *apprecatio* “*Bene valete*”, in the form of a monogram. Beneath the *Rota* and the papal subscription follow the subscriptions of the cardinals. The charter ends with a “large date”, which means that the date has been written in a separate section, also indicating the name of the person in the Papal Curia who dated the charter: *Datum Verone per manum Alberti sancte Romane ecclesie presbiterj cardinalis et cancellarii, nonis Nouembris, jndiccionis quarta, jncarnacionis dominice anno M<sup>o</sup> c<sup>o</sup> lxxxv, pontificatus vero domini Lucii pape iij anno quinto*. The lead seal is still attached to the document by threads of silk.

2 See Frenz 2000, pp. 19–23.



Fig. 1. The final section (eschatocol) of a privilege issued by Pope Lucius III on 5 November 1185 (SDHK, no. 260), whereby the Pope takes the Church of Uppsala under his protection and confirms its land. Photograph: Emre Olgun, Swedish National Archives.

Generally, it can be said that the surviving papal originals are those regarding privileges or legal conditions of institutions, such as churches and monasteries. Among these documents we find letters of papal protection (*litterae conservatoriae*) and letters of indulgence. Papal documents concerning individuals, for example provisions of benefices to the clergy, have generally not survived as originals: documents of this kind were often lost after the owner's death and did not have the same chance of ending up in the archives as the collective privileges. Most of the surviving papal originals belong to the category *litterae apostolicae*,<sup>3</sup> in many cases with the lead seal still attached. From the 15th century and onwards a new category, brief (*breve*), is represented. This was a less official kind of papal letter, and for the seal the fisherman's ring was used.<sup>4</sup>

The general councils have generated a large amount of papal letters which have survived as originals in the National Archives. On 12 August 1308, Pope Clement V issued a summons to attend the future Council of Vienne, which due to a delay was not to be opened until 1311. The exemplar addressed to the ecclesiastical province of Uppsala, a charter of very large format, has survived (SDHK, no. 2256). The summons

3 See Frenz 2000, pp. 23–27.

4 See Frenz 2000, pp. 35–38.

to attend the Council of Constance (12 December 1413, SDHK, no. 18182), issued by Antipope John XXIII, is also preserved in the exemplar addressed to Uppsala. During the Councils of Constance and Basel, when the conciliarism was at its height in the Western Church, the council acted as the highest authority of the Church and issued documents in its own name. Since both these councils used a special kind of lead seal for their documents, it is correct to designate these letters as bulls. From the Council of Basel there are no fewer than ten charters preserved at the National Archives:

- 1) 1433, September 11 (SDHK, no. 22006). Lead seal is attached; cord of hemp.
- 2) 1434, February 5 (SDHK, no. 22087). Seal is lost.
- 3) 1436, April 14 (SDHK, no. 22550). Lead seal is attached; threads of silk.
- 4) 1438, January 24 (SDHK, no. 22919). Seal is lost.
- 5) 1438, January 24 (SDHK, no. 22920). Seal is lost.
- 6) 1438, October 1 (SDHK, no. 23067). Seal is lost.
- 7) 1438, October 1 (SDHK, no. 23068). Seal is lost.
- 8) 1438, October 1 (SDHK, no. 23069). Seal is lost; cord of hemp.
- 9) 1438, October 7 (SDHK, no. 23076). Lead seal is attached; cord of hemp.
- 10) 1448, April 27 (SDHK, no. 25325). Seal is lost; cord of hemp.

The *intitulatio* of the bulls of the Council of Basel is *Sacrosancta generalis synodus Basiliensis in Spiritu Sancto legitime congregata universalem ecclesiam representans*. The lead seal has the following wording: + *Sacrosancta : generalis : sinodus : Basiliensis* +.

It should also be noted that quite a large number of original letters issued by papal legates, nuntii, and collectors have survived. The most important papal representatives, who issued surviving letters during their residence in Sweden, are indicated in the following list:

<i>Representative</i>	<i>Residence in Sweden</i>
Wilhelmus Sabinensis	1247–1248
Guido Burgundus	1266
Nicolaus Sigvasti	1317–1328
Petrus Gervasii	1332–1334
Johannes Guilaberti	1350–1351, 1353–1354, 1356–1358
Henricus Biscop	1363, 1373
Guido de Cruce	1364–1368
Marinus de Fregeno	1460–1464
Antonius Mast	1489–1491
Johannes Angelus Arcimboldus	1518–1519

## REGISTERS AND COPYBOOKS

At the national ecclesiastical Council of Arboga in 1396, it was officially decided that every cathedral in Sweden should keep a register (*registrum*), in which the most important privileges and documents of the church should be transcribed. The obvious reason for this decision was to spare the original charters, and especially the seals. As the important texts were copied into official registers, in an authoritative way, it would then not be necessary to consult the originals every time the content of a certain document was searched for. It has to be assumed that every cathedral in medieval Sweden had its own official register, even though not all of them have survived to the present day. The most important medieval registers from the Swedish dioceses are the registers of Uppsala, Linköping, and Turku. In addition, the register of Lund is also preserved at the Swedish National Archives, even though the diocese of Lund belonged to Denmark for most of the Middle Ages. All these registers now belong to the *Codices A* series, embracing 22 registers and copybooks from the Middle Ages.<sup>5</sup>

The Register of Uppsala Cathedral (*Registrum Ecclesiae Upsalensis*, MS A 8) is a parchment codex which was initiated in 1344, when most of the texts were transcribed. On fol. 108v begins a section of papal bulls continuing to fol. 131r; it starts with the confirmation of Stephanus as archbishop of Uppsala, issued by Pope Alexander III in 1164 (SDHK, no. 202). Since the original has been lost (we do not know when this happened), the text of MS A 8 has been the base for later transcriptions and editions of this papal letter. As for the rest of the bulls copied in MS A 8, many of them have survived as originals. Given the fact that the Register of Uppsala contains some state documents, the volume attracted great interest even after the Reformation, and it was probably taken to the Royal Chancery in the 16th century. The parchment Register of Linköping Cathedral, MS A 9, was commenced in the early 1390s; the manuscript is partly mutilated and quite a few folios are missing. This volume keeps the text of the earliest papal letter preserved in Sweden (SDHK, no. 179), a bull issued between 1133–1136 by Innocent II, though the first part of the bull is missing. In the early 17th century, the Linköping Register was used by the Swedish historian Johannes Messenius (1579 or 1580–1636), and in 1670, it was finally taken to the College of Antiquities by Johan Hadorph.

The *Registrum Ecclesiae Aboensis* (MS A 10), the Register of Turku, is a manuscript on paper mainly from 1474–1490; it is also known as *Svartboken* (The black book). Since many of the original medieval charters from Turku have been lost, this codex is certainly the most important source material regarding Finnish medieval history.

5 On the medieval registers and copybooks (*Codices A* series) at the Swedish National Archives, see Ståhl 2004, pp. 77–97.



The papal documents are not copied successively in a row, as in most registers, but are spread over the first 66 folios of the volume. All the documents of the codex were edited by Reinhold Hausen in 1890; the papal material was treated by the Finnish historian Jarl Gallén.<sup>6</sup> Among the extant medieval registers at the Swedish National Archives, the *Registrum Ecclesiae Lundensis* (MS A 11) is perhaps the most monumental and impressive volume. This manuscript on parchment was made in 1494, when the chanter (*cantor*) of the chapter of Lund, Boecius Johannis, copied the most important charters and documents of Lund Cathedral. The papal letters are found at the very beginning of the volume (pp. 1–12), starting with the indulgence letter of 1399 (SDHK, no. 15070), issued by Boniface IX for the benefit of all visitors to Lund Cathedral on St. Knut's Day (10 July). After the Swedish takeover of Scania and the other southern provinces in 1658, it was just a matter of time until the archival material of Lund Cathedral and the other Scanian churches would be transported to Stockholm. However, this could not be realized until 1689.<sup>7</sup>

Not only the Swedish cathedrals kept registers and copybooks in the Middle Ages, but also the monasteries; unfortunately, these volumes have not survived to the same degree, generally speaking. Only the copybooks of Vadstena Abbey of the Birgittine Order have survived – and in large quantity. Some of these volumes, such as manuscripts C 46 and C 74, are now part of the C collection at Uppsala University Library. Two of the most important codices from Vadstena are preserved at the National Archives, namely MS A 19, *Liber privilegiorum monasterii Vadstenensis*, and MS A 20, The large copybook of Vadstena Abbey. MS A 19 is an official register on parchment containing all the papal privileges of the abbey, from the late 14th century until the early 16th century. On the other hand, MS A 20, which is a manuscript on paper, keeps copies of all kinds of letters and documents from a more extended period of time. The oldest document transcribed in the volume is a letter of papal protection for the Norwegian monastery of Munkaliv near Bergen; the letter was issued by Pope Eugene III on 7 January 1146 (SDHK, no. 183). The reason why this letter has been copied into MS A 20 is that the monastery of Munkaliv, originally belonging to the Benedictine Order, was transformed into a Birgittine Abbey in the 1420s. As is shown by this example, both manuscripts A 19 and A 20 have transcriptions of many documents not only regarding Vadstena Abbey itself, but also relating to many other Birgittine monasteries in Europe. The Birgittine Order was very active during the Councils of Constance and Basel in the 15th century, and letters and other documents from both councils are well represented in the Vadstena codices.

6 *Registrum ecclesiae Aboensis eller Åbo domkyrkas Svartbok*, ed. Reinhold Hausen; Gallén 1978, pp. 286–311.

7 On the transfer of archival material from Scania to Stockholm, see Friedlaender 1961, p. 65.



MATERIALS FROM THE VATICAN ARCHIVES.  
TRANSCRIPTIONS AND EDITIONS

The first Swedish scholar who edited papal letters relating to Sweden in the Vatican Archives was Johannes Vastovius (c. 1576–1642). After his conversion to Catholicism around 1600, Johannes Vastovius studied at the Collegium Germanicum in Rome and later became chaplain to King Sigismund III (Vasa) in Kraków. In the year 1623 in Cologne, he edited a work called *Vitis Aquilonia* on the lives of holy men and women from medieval Sweden, including some chronicles and other texts. At the end of this work, the editor added an appendix comprising 61 papal bulls and three other letters from the period 1080 to 1372. Vastovius's editions were probably based on the *Registra* of the Vatican Archives. Eric Benzeliuſ the Younger made a new edition of Vastovius's work, which appeared in 1708, but unfortunately he did not include the appendix with the papal bulls.

In 1782, the historiographer Magnus von Celse (1709–1784) edited the first part of *Apparatus ad historiam Sveo-Gothicam* with summaries of papal bulls. Naturally, von Celse did not have access to the Vatican Archives; he could only use the originals and copies that were to be found in Swedish archives and libraries at the time. One copy of von Celse's *Apparatus ad historiam Sveo-Gothicam* was delivered as a gift to Pope Pius VI shortly before the Italian journey of the Swedish king Gustav III in 1783. The person who had taken the initiative for this action was the king's Master of Ceremonies Carl Fredric Fredenheim (1748–1803), whose real interest, however, was Roman antiquities. Fredenheim used the Italian artist Francesco Piranesi as an agent in Rome. The gift was favourably received by the Pope, and he even ordered Gaetano Marini, the prefect of the Vatican Archives, to examine von Celse's work. Marini then discovered a number of bulls in the archives that were not included in von Celse's *Apparatus*. In October 1783, Piranesi received a volume containing 183 transcriptions of bulls relating to Sweden, and it was immediately sent to Stockholm. Five years later, when Fredenheim visited Rome in 1788, Marini delivered another volume including 141 new transcriptions. These two volumes of papal letters were later donated to Turku University Library, since Fredenheim was born in Turku. In 1827, the volumes were destroyed in the devastating fire in the city, but fortunately they had been copied shortly before the disaster. Today, these two copies of *Fredenheims Bullarium* are preserved at the Swedish National Archives.<sup>8</sup>

The first volume of *Svenskt Diplomatarium* (*Diplomatarium Suecanum*), i.e. the

8 On Carl Fredric Fredenheim's life and especially his efforts in Rome, see Hildebrand 1964–1966.

Swedish national edition of medieval charters and documents, appeared in 1829. In this chronological series, all documents relating to medieval Sweden are published, including papal letters. However, materials from the Apostolic Chamber and the Penitentiary are edited separately in *Acta Pontificum Suecica I. Acta Cameralia* and *Acta Pontificum Suecica II. Auctoritate Papae* (see further below). Quite a few bulls are also published in *Sverges Traktater med främmande magter* I–III (1877–1895).

The Norwegian historian Peter Andreas Munch (1810–1863) was one of the few Scandinavian researchers who gained access to the Vatican Archives before the public opening of the archives in 1881. Between 1858–1861 he executed a magnificent work by copying papal material relating to the three Scandinavian kingdoms in the Middle Ages. The Swedish part comprises three large volumes and three archival boxes of transcriptions (for details, see below). After the public opening of the archives, several scholars from Denmark, Norway, and Sweden visited the Vatican for research, especially during the 1890s and in the early 20th century. The Swedish historian Karl Henrik Karlsson (1856–1909) had a long sojourn in Rome and Italy, from 1894 to 1900. His legacy embraces transcriptions not only from the Vatican Archives, but also from other Italian and German archives. During his stay in Rome he collaborated with his Scandinavian colleagues, among others Laust Moltesen, Alfred Krarup, and Johannes Lindbæk from Denmark, and from Norway Gustav Storm and Alexander Bugge. As a direct result from his visit to the Vatican Archives, K.H. Karlsson published two fascicules of *Svenskt Diplomatarium från och med år 1401*, vol. IV (1903–1904), even though these fascicules also include material from sources outside the Vatican.

After World War I, the collaboration between Sweden, Norway, and Denmark was organized on a more regular basis, resulting in no fewer than seven Scandinavian expeditions to Rome and the Vatican Archives between 1920–1939. From Sweden, the main representative was Ludvig Magnus Bååth (1874–1960), First Archivist at the National Archives. In 1923, during the third expedition, Finland was also represented by Aarno Maliniemi. The original minutes from the expeditions are now preserved at the Norwegian National Archives in Oslo. From a Swedish point of view, the main result of the Scandinavian expeditions was the so-called *Bååthska samlingen*, a large collection of photostat copies covering all kinds of papal material in the Vatican Archives (for details, see below). These photostat copies were the basis for L.M. Bååth's edition of material from the Camera Apostolica, *Acta Pontificum Suecica I. Acta Cameralia* (1936–1957). During the sixth expedition in 1928, great efforts were made to get access to the Scandinavian material in the Apostolic Penitentiary. The application was then refused due to the seal of confession, but since 1983 it has been possible to publish medieval material from the Penitentiary. An expert group was formed in Sweden in 2004, under the leadership of Claes Gejrot, editor-in-chief of *Svenskt Diplomatarium*.

The project was completed in 2008 by the release of the volume *Auctoritate Papae. The Church Province of Uppsala and the Apostolic Penitentiary 1410–1526. Acta Pontificum Suecica II* (eds Sara Risberg and Kirsi Salonen), in which all the Swedish cases of the Penitentiary are edited.

#### COLLECTIONS AND SERIES CONTAINING PAPAL MATERIAL AT THE SWEDISH NATIONAL ARCHIVES. A SURVEY

*Stora pergamentsbrevsamlingen* (The Large Collection of Charters) holds most of the papal original charters.

*Pappersbrevsamlingen* (The Collection of Paper Letters). Only a few papal originals on paper have been preserved; they are exclusively issued by papal legates, nuntii, and collectors.

*Sturearkivet* (The Sture Archive) holds letters issued by papal legates and indulgence letters from the early 16th century.

*Utländska pergamentsbrev. Estland och Livland* (Foreign Charters. Estonia and Livonia). Papal bulls for the Teutonic Order and other addressees.

*Pergamentsbrev. Avlatsbrev* (Charters. Indulgence letters). The collection contains printed indulgence letters from 1485–1518 (the same kind of material is found in *Sturearkivet*, see above).

#### *Codices A. Medieval registers and copybooks*

Papal material is found in the following volumes of the A series:

A 2 Ärkebiskop Jakob Ulfssons kopiebok (Copybook of Archbishop Jakob Ulfsson). Fol. 45r–50r, collection of Antonius Mast, 1491 (SDHK, no. 32636).

A 3 Biskop Magnus Nilssons i Åbo kopiebok (Copybook of Bishop Magnus Nilsson of Turku).

A 7 Biskop Hans Brasks registratur (Registry of Bishop Hans Brask).

A 8 Registrum Ecclesiae Upsalensis.

A 9 Registrum Ecclesiae Lincopensis.

A 10 Registrum Ecclesiae Aboensis.

A 11 Registrum Ecclesiae Lundensis.

A 12 Registrum de bonis prepositurae Scarensis.

A 15 Liber Ecclesiae Strengenensis.

- A 16 Registrum Ecclesiae Scarensis.
- A 19 Liber privilegiorum monasterii Vadstenensis.
- A 20 Vadstena klostets stora kopiebook (The Large Copybook of Vadstena Abbey).
- A 21 Mutilated copybook from Vadstena Abbey.
- A 22 Fragments of various copybooks.

*Codices B. Post-medieval copybooks. (Transcriptions of medieval documents)*

Papal material is found in the following volumes of the B series:

- B 2 Smärre avskriftssamlingar av blandat innehåll (Minor collections of transcriptions with mixed contents).
- B 3 Ärkebiskop Jakob Ulfssons kopiebook i avskrift (Transcription of the Copybook of Archbishop Jakob Ulfsson, see above).
- B 4 Ärkebiskop Jakob Ulfssons kopiebook i avskrift (Transcription of the Copybook of Archbishop Jakob Ulfsson, see above).
- B 9 Kopiebook med gammalt signum  $\phi$  (Copybook with former designation  $\phi$ ).
- B 15 Lars Eriksson Sparres kopiebook (Copybook of Lars Eriksson Sparre).
- Fol. 284v, indulgence letter issued by the nuntius Marinus de Fregeno, 1463 (SDHK, no. 28073).
- B 20 Nyare avskrifter av medeltidshandlingar (Recent transcriptions of medieval documents).
- B 21 C.G. Styffes avskrifter för Bidrag till Skandinaviens historia 1314–1447 m.m. (Transcriptions by C.G. Styffe for *Bidrag till Skandinaviens historia* 1314–1447, etc.). Bull issued by Innocent III, 4 April 1216 (SDHK, no. 351); printed in *Sverges Traktater medfrämmande magter* I:1, n. 64 (based on MS B 21). The original is now part of Stora pergamentsbrevsamlingen at the National Archives; it was acquired from Schwerin (Germany) in 1920.
- B 29 Skånebrevsförteckningen (renskrift) (Register of letters from Scania, fair copy).
- B 32 Emil Hildebrands avskrifter av medeltidsbrev 1351–1389 (Transcriptions of medieval letters 1351–1389 made by Emil Hildebrand).
- B 33 Emil Hildebrands avskrifter av medeltidsbrev 1359–1400 (Transcriptions of medieval letters 1359–1400 made by Emil Hildebrand).
- B 34 Fru S. Carlanders avskrifter av originalbrev 1356–1366 i RA för Svenskt Diplomatarium (Transcriptions of original letters 1356–1366 in the National Archives for *Diplomatarium Suecanum*, made by Mrs S. Carlander).

*Vitterhetsakademiens deposition av handskrivna bullarier, diplomatarier m.m.*

(Cartularies deposited by the Royal Swedish Academy of Letters, History and Antiquities)

Hadorphs stora kopiebok E 79, pp. 136–137 (fol. 282v–283r), the nuntius Johannes Guilaberti, 29 June 1351 (SDHK, no. 6212); transcription based on the original in the National Archives.

Örnhielms Bullarium I–II.

Örnhielms Diplomatarium I, V.

Peringskiölds Bullarium I–III (E 1–3).

Peringskiölds Diplomatarium E 37b (Privilegia Clericorum), E 47, E 52, E 56, E 58, E 87, E 89, E 103 (Annotatio Epistolarum Papalium).

Fredenheims Bullarium, copies (2 vol.).

*Lärda samlingar (Learned collections)*

Skandinaviska historiska expeditionen till Rom 1920–1939 (The Scandinavian Historical Expedition to Rome 1920–1939. Minutes [Copies, 1 vol.] of the original preserved at the Norwegian National Archives, Oslo).

K.H. Karlssons arbetsberättelser 1894–1899 (Work reports 1894–1899 by K.H. Karlsson).

Fyndanteckningar av L.M. Bååth och S. Carlander 1920 (Notes regarding discoveries in 1920 by L.M. Bååth and S. Carlander).

Fyndlistor, uppgifter om utfört arbete för Sverige 1920 (Lists of discoveries, notes concerning work executed for Sweden in 1920).

Bååths arbetsredogörelse 1920, 1923, m.m. (Work report by Bååth from 1920, 1923, etc.). (1 vol.)

K.H. Karlssons Gröna registrant (The Green Register of K.H. Karlsson [register of bulls, supplications, etc., 1 vol., kept at the visitors' office]).

*Transcriptions from the Vatican Archives*

P.A. Munchs avskrifter ur Vatikanarkivet 1282–1363

(Transcriptions from the Vatican Archives 1282–1363 made by P.A. Munch). (1 vol.)

P.A. Munchs avskrifter ur Vatikanarkivet 1080–1610

(Transcriptions from the Vatican Archives 1080–1610 made by P.A. Munch). (3 boxes)

P.A. Munchs avskrifter ur Vatikanarkivet. Större formatet

(Transcriptions from the Vatican Archives made by P.A. Munch. Large format).

Förhörsakt 1328 14/2 (SDHK, no. 3524). Diverse material 1300-talet, 1500-talet

(Records of an interrogation, 14 February 1328, SDHK, no. 3524. Various materials, 14th and 16th centuries).

(See also section *Large format* below) (1 vol.)

Avskrifter ur Vatikanarkivet (kollationerade av Alfred Krarup och Julius Nielsen, 1900-talets början)

(Transcriptions from the Vatican Archives, collated by Alfred Krarup and Julius Nielsen, early 20th century).

Bullor (Bulls) 1486–1525. (1 vol.)

Suppliker (Supplications) 1492–1527. (3 vols)

K.H. Karlssons avskrifter ur Vatikanarkivet

(Transcriptions from the Vatican Archives made by K.H. Karlsson).

Bullor (Bulls) 1256–1516. (6 boxes)

Suppliker (Supplications) 1342–1503. (4 boxes)

Obligationes 1297–1524. (1 box)

Annatae 1422–1532.

Collectoriae 1317–1375.

Introitus et Exitus 1320–1516.

Quintanzie 1405–1501. (1 box)

Diverse serier (Various series). (1 box)

1:a Skandinaviska historiska expeditionen till Rom 1920

(First Scandinavian Historical Expedition to Rome in 1920).

(1198–1263). (1 box)

(1264–1361, 1587). (1 box)

2:a Skandinaviska historiska expeditionen till Rom 1921–1922

Diverse serier

(Second Scandinavian Historical Expedition to Rome in 1921–1922

Various series). (1 box)

*Bååthska samlingen av Vatikankopior*

(Photostat copies [mainly from the 1920s] of material in the Vatican Archives; each number corresponds to one archival box).

1. Information om Vatikankopiesamlingen (Information on the collection of Vatican transcriptions).

2. Indici.

3. Reg. Vat. (1081)–1299.

4. Reg. Vat., Reg. Aven. 1300–1324.

5. Reg. Vat., Reg. Aven. 1325–1330.
6. Reg. Vat., Reg. Aven. 1331–1342.
7. Reg. Vat., Reg. Aven. 1343–1347.
8. Reg. Vat., Reg. Aven. 1348–1349.
9. Reg. Vat., Reg. Aven. 1350.
10. Reg. Vat., Reg. Aven. 1351.
11. Reg. Vat., Reg. Aven. 1352.
12. Reg. Vat., Reg. Aven. 1353.
13. Reg. Vat., Reg. Aven. 1354–1355.
14. Reg. Vat., Reg. Aven. 1356–1359.
15. Reg. Vat., Reg. Aven. 1360–1362.
16. Reg. Vat., Reg. Aven. 1363–1365.
17. Reg. Vat., Reg. Aven. 1366–1371.
18. Reg. Vat., Reg. Aven. 1372.
19. Reg. Vat., Reg. Aven. 1373–1399.
20. Reg. Vat. 1400–1430.
21. Reg. Vat. 1431–1468.
22. Reg. Vat. 1469–1490.
23. Reg. Vat. 1491–1525.
24. Reg. Suppl. u.d. 1342–1353.
25. Reg. Suppl. 1354–1366, 1378.
26. Reg. Suppl. 1417–1438.
27. Reg. Suppl. 1439–1466.
28. Reg. Suppl. 1467–1488.
29. Reg. Suppl. 1489–1510.
30. Reg. Suppl. 1511–1514.
31. Reg. Suppl. 1515–1520.
32. Reg. Lat. u.d. 1389–1412.
33. Reg. Lat. 1413–1434.
34. Reg. Lat. 1435–1474.
35. Reg. Lat. 1475–1532.
36. Armaria XXIX–XXXVII. Diversa Cameralia etc. u.d. 1351–1457.
37. Armaria XXIX–XXXVII. Diversa Cameralia etc. 1458–1547, 1672.
38. Armaria LII–LVIII.
39. Obligationes et Solutiones 1303–1485, 1507.
40. Collectoriae 97.
41. Collectoriae 227.
42. Collectoriae, other numbers 1282–1360.



43. *Collectoriae*, other numbers 1361–1434.
44. *Introitus et Exitus* 1320–1359.
45. *Introitus et Exitus* 1360–1516.
46. *Obligationes Communes. Obligationes Particulares.*
47. *Annatae. Taxae. Formatari. Resignationes.*
48. *Instrumenta Miscellanea* 1317–1372.
49. *Archivum Arcis. Armaria Superiora. Armaria Inferiora.*
50. *Armaria XXXIX. Registra Brevium.*
51. *Armaria XL–XLIII. Minutae Brevium.*
52. *Armaria XLIV–XLV. Brevia ad Principes.*
53. *Armaria LX–LXIV.*
54. *Miscellaneorum Armarium.*
55. *Lettere di Principi.*
56. *Nuntiatura.*
57. *Acta Camerarii. Acta Vicecancellarii. Acta Miscellanea.*
58. *Sacra Romana Rota.*
59. *Sacra Poenitentiaria.*
60. *Sacra Poenitentiaria.*
61. *Sacra Poenitentiaria.*
62. *Diverse smärre bestånd* (Various minor collections). *Bullarium Generale.*
63. *Archivio di Stato di Roma. Diverse kopior* (Various copies).
64. *Vatikanbiblioteket. Diverse kopior* (Vatican Library. Various copies).
65. *Anteckningsböcker från skandinaviska Vatikanexpeditionen* (Notes from the Scandinavian expeditions to the Vatican).
66. *Vatikanarkivet. Avskrifter* (Vatican Archives. Transcriptions).
67. *Vatikanarkivet. Avskrifter* (Vatican Archives. Transcriptions).
68. *Rekvitioner, arbetspapper från skandinaviska Vatikanexpeditionen* (Requisitions and working papers from the Scandinavian expeditions to the Vatican).
69. *Utskrifter för otryckt Acta Cameralia III 1492–* (Transcriptions for *Acta Cameralia III 1492–* [not printed]).
70. *Biblioteca Casanatense, Rom. Birgittamanuskript* (Biblioteca Casanatense, Rome. Manuscript related to St. Birgitta).
71. *Florens. Kopior från arkiv och bibliotek* (Florence. Copies from archives and libraries).
72. *Belgien. Kopior av 1200-talsbrev från klostret Ter Doest* (nära Brügge). (Belgium. Copies of letters from the 13th century, preserved at the Ter Doest monastery near Bruges).

*Avdelning Stort format (Large format section)*

Two copies of a bull issued by Clement II, 24 April 1047; original in Stadtarchiv Hannover, Germany. (The bull is printed in *Sverges Traktater med främmande magter* I:1, no. 22).

P.A. Munchs avskrifter ur Vatikanarkivet. Större formatet.

Förhörsakt 1328 14/2 (SDHK, no. 3524). Diverse material 1300-talet, 1500-talet  
(Transcriptions from the Vatican Archives made by P.A. Munch. Records of an interrogation, 14 February 1328, SDHK, no. 3524. Various materials, 14th and 16th centuries). (1 vol.)

Bååthska samlingen av Vatikankopior. Stort format

(Photostat copies of Vatican material. Large format). (1 vol.)

KIRSI SALONEN

# The Medieval Source Material from the Papal Curia

For many reasons, it is not easy to understand the medieval documentation of the papal central administration, the Papal Curia: the documents are composed in medieval Latin, they are handwritten in an often hard-to-read script, and they contain many abbreviations, all of which make the understanding of the medieval documents more difficult. The source editions are, therefore, a handy solution to these problems, since in them, the documents are printed in modern script and the abbreviated words are written out *in extenso*. In addition, the Latin text editions usually include a short summary of the content of each document in a modern language.

The editions, however, do not necessarily help in understanding the papal documents in the correct way, because the papal letters often contain certain phrases that remain unclear for readers who are not familiar with the papal phraseology and curial practices. The idea of this chapter is to offer tools to read and better understand medieval papal documents. The chapter begins with a presentation of the structure of the Curia and the roles of different papal offices. The chapter then gives an outline of different kinds of papal source collections and after that introduces the readers to different types of papal documents and explains the most common phrases used in these documents.

## PART I – STRUCTURE, DECISION-MAKING, AND SOURCES

### *The Papal Curia*

The papal administrative centre, usually known as the Papal Curia, was without doubt the most effective administrative system in the medieval world, and has offered

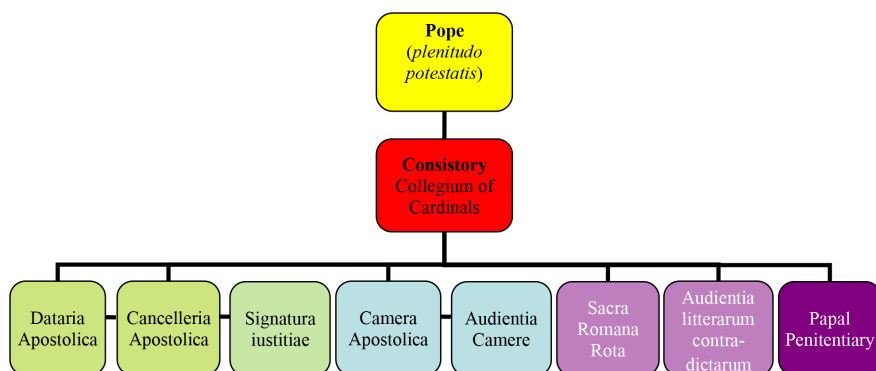


Fig. 1. The papal administration in the late Middle Ages (a simplified version).

a model for many secular administrative systems. The administration of the Catholic Church was based on the autocracy of the head of the Church, the pope. According to the idea of the Church, the popes possessed full powers (*plenitudo potestatis*) in all fields of ecclesiastical administration. At the same time, the pontiff was also a secular ruler in the territory of the Papal States. The concentration of the power in the person of the pope did not mean that the pontiff would have personally taken care of all issues belonging and referred to his authorities. In practice, the papal powers were delegated to different offices within the Curia, and to their personnel. In Fig. 1, a simplified model of the papal administrative hierarchy in the late Middle Ages is presented.

The powers of the pope allowed him to make decisions in all matters regarding the Church or Christians – be they theological, administrative, juridical, or even purely personal. The only limitation of the papal powers was that the decisions made by the pontiff could not be in conflict with the content of the Holy Scripture or other ecclesiastical norms.

The pope typically made decisions related to the most important matters, such as episcopal appointments or foreign policy, together with the highest ecclesiastical functionaries, the cardinals, who helped and advised him in the ecclesiastical administration. The meetings between the pope and the collegium of cardinals are called the consistory (*consistorium*), and all cardinals present in the Curia were expected to participate in them. The everyday business of the Church was in the hands of the officials of various curial offices. Christians from all over the Christian West turned to the different papal offices with their requests in order to get their issues handled there.

Each of the papal offices was usually led by a prelate, often of the rank of cardinal, who supervised the functioning of his subordinates.<sup>1</sup>

One of the central offices for the functioning of the papal administration was the Apostolic Chamber (*Camera Apostolica*). This papal office, the historical roots of which can be followed back at least to the 10th century, was responsible for the economy of the Church and papacy. The Apostolic Chamber worked under the guidance of the chamberlain (*camerarius*), one of the most powerful prelates in the Curia, who was usually one of the cardinals. Under the guidance of the chamberlain, the officials of the Chamber took care of the incomes and expenses of the Curia, including bookkeeping. For example, the activities of the papal collectors in various parts of Western Christendom were recorded in their own account books. The Curia had also its own main account book series that reveal the incomes and expenses of the pope and his entourage.

In addition to the control of the papal economy, the Apostolic Chamber was involved in dispensing justice in litigations that involved matters, both civil and criminal, related to the activity of the Chamber. The Chamber employed special personnel dealing with juridical issues, such as the Chamber auditor (*auditor camerae*), who resolved the cases entrusted to his authority in an analogical way to the Rota auditors. The competency of the Chamber auditor included not only the control of the economic matters of the papacy such as malversation of the collectors, but also other areas of the authority of the Chamber such as public safety in the papal city or the conduct of the personnel of the Curia. In principle, the auditor handled the cases in the first instance, while the cases of appeal were handled by the chamberlain, and after the reorganization of the roles in the Chamber under Pope Martin V (r. 1417–1431), by a tribunal formed by the most eminent persons of the Chamber.<sup>2</sup>

The most essential and busy of the papal offices was the Apostolic Chancery (*Chancery Apostolica*), which was responsible for the practical aspects of the papal administration. The Chancery was the oldest of the papal offices and its historical roots were as far back as in the 5th or possibly even in the 4th century. Originally the main function of the Chancery was that of producing the letters issued in the name of the pope, but especially after the curial reorganization in the 12th and 13th centuries, the Chancery concentrated on the multiple practicalities of the papal administration. Un-

1 Salonen 2016a, 13.

2 Concerning the activity and powers of the Apostolic Chamber, Gottlob 1889; Baumgarten 1907; Felici 1940; Del Re 1998, pp. 285–297. About the tribunal of the Apostolic Chamber, see Göller 1914.

der the guidance of the cardinal with the title of vice chancellor (*vicecancellarius*<sup>3</sup>), the officials of the Chancery prepared the papal letters, sealed them, and supervised the expedition to their addressees – in other words, took the complete care of all papal correspondence. The Chancery was also responsible for the keeping of the papal archives. In addition to these practical matters, the officials of the Chancery could, until the 1480s, grant certain types of dispensations and privileges for Christians.<sup>4</sup>

In the 1380s, at the latest, the vice chancellor obtained from the pope the powers to decide over the entrusting of the processes to the auditors of the Rota and thus he had the authority to monitor the activity of the tribunal.<sup>5</sup> This practice was altered in the 1490s, when the task was entrusted to an office, which Pope Innocent VIII (r. 1484–1492) separated from the Chancery in 1491. The new papal office was called *Signatura iustitiae*, and it was made responsible for the decision-making in matters concerning juridical issues as well as for supervising the activity and decisions of the Rota.<sup>6</sup>

The Apostolic Dataria (*Dataria Apostolica*) became an independent office when it was separated from the Chancery during the pontificate of Martin V. The office was presumably born around an official of the Chancery called the *datarius*, whose task it was to date the petitions directed to the pope as well as the papal letters. After becoming an independent office, the officials of the Dataria acquired more and more responsibilities, so that from the 1420s onwards its officials would receive the petitions directed to the pope, examine their content, judge them in order to ensure that their content was canonically correct and that the papal letter composed afterwards had the right form, as well as the task of presenting the petitions to the pope for his approval. Hence, the officials of the Dataria had a highly responsible function: a defect in the wording of a papal letter could lead to the complete invalidation of the whole letter and thereby to disputes and finally even to juridical processes. From the 1480s onwards, the officials of the Dataria received further powers which allowed them to grant Christians various types of dispensations, licences, and privileges.<sup>7</sup>

Pastoral care was one of the most essential tasks of the Church, and there was a

3 There was no chancellor in the late Middle Ages. Originally the cardinal leading the office was called the chancellor and his vice the vice chancellor, but after Pope Honorius III decided in 1227 that the leader of the Chancery did not have to be of the rank of a cardinal, the head of the office was called vice chancellor. This title remained in practice in 1325, when Pope John XXII decided to entrust the office again to one of the cardinals. Del Re 1998, pp. 437–438.

4 Concerning the activity and powers of the Apostolic Chancery, Baumgarten 1907; 1908; Cheney 1966; Frenz 1986; Del Re 1998, pp. 435–446.

5 Killermann 2009, pp. 78–79.

6 Concerning the activity and functioning of the *Signatura iustitiae*, cf. Puza 1978; 1980.

7 Concerning the activity and powers of the Apostolic Dataria, cf. Del Re 1998, pp. 447–449; Celier 1910; Storti 1968.

separate office at the Curia for taking care of the souls of the Christians. The Papal Penitentiary (*Poenitentiaria pape*) was responsible firstly for hearing the sins of those pilgrims who came to confess to the pope, and secondly its officials had the powers to grant Christians 1) absolutions from particularly grave sins that were typically reserved to the papal authority, 2) dispensations allowing them to act against the norms of Canon Law, 3) special licences allowing them not to follow the normal rules for exercising one's Christianity, and 4) special declarations testifying that a person was not guilty of murder or that a taken monastic profession or contracted marriage was not valid.<sup>8</sup>

In addition to the previously presented offices, the curial system of administration included two tribunals. One of them, the *Audientia litterarum contradictarum*, handled different types of problems regarding juridical processes. This tribunal was mainly the place to which Christians could turn when they, for example, had disputes over who could handle court cases or pronounce sentences locally in processes in which the litigants or one of them had applied to the pope in order to transfer the handling of a process from one jurisdiction to another or from one person to another. If the permit granted by the pope risked the rights of the other party of the process, he could defend himself by turning to the authority of the *Audientia litterarum contradictarum*.<sup>9</sup>

The other papal tribunal was the *Audientia sacri palatii*, which is better known as the Sacra Romana Rota (or just as the Rota). It was the highest ecclesiastical tribunal. It functioned mainly as a tribunal of appeal but it could also be used as the tribunal of first instance by the inhabitants of the Papal States or those living in the territory of the diocese of Rome.<sup>10</sup> The Rota handled litigations delegated to its authority by the pope. Each litigation was entrusted to one of the Rota judges called *auditors*. The auditors gave their sentences independently but could consult their peers.

In principle, all curial offices functioned independently and could take decisions on the basis of the specific powers they had received from the pontiffs. In practice, some of the powers of the offices overlapped and one matter could in its different stages of handling pass through various offices. A good example on such a case is a papal provision (i.e. appointment by a papal mandate of a cleric to an ecclesiastical office) process. Papal provisions were normally handled through both the Dataria and the Chancery, while the payments related to the appointments had to be made through the Chamber. If there were problems in a provision process, the parts could litigate over it in one of

8 Concerning the activity and powers of the Papal Penitentiary, cf. Göller 1907–1911; Schmugge *et al.* 1996; Salonen 2001; Salonen & Schmugge 2009.

9 Concerning the activity and powers of the *Audientia litterarum contradictarum*, cf. Herde 1970.

10 Concerning the activity and powers of the Rota, cf. Hilling 1908; Ingesman 2003; Killermann 2009; Salonen 2016a.



the papal tribunals. In cases where there had been malpractices, such as simony, during the process or if the appointed person had not paid the required payments to the Chamber, he automatically incurred excommunication and had to request for a special absolution and dispensation from the Penitentiary. Hence, despite the independency of each papal office from the other papal offices, there was a lot of space for overlapping and collaboration within the papal administration.

In addition to the cardinals and other high-ranking officials of the Curia, the papal administration involved numerous other persons. The handling of incoming petitions, the process of decision-making, and as the composing and expediting of the papal letters, as well as the financial administration and the collection and recording of various payments made to the Holy See required skilled personnel. For these purposes, the Curia employed a large number of scribes, procurators, bookkeepers, legal experts, and others.

### *Vatican Source Material*

The papal administration recorded both incoming petitions and outgoing letters and the most important source collections reflect this division. In addition to them, the curial sources include a large number of different source series related to the financial administration. Most of the papal source material is nowadays kept in the collections of the Vatican Apostolic Archives<sup>11</sup> but this has not always been the case. Some of the papal archival material, namely some cameral registers, has been – and still is – in the collections of the Archivio di Stato di Roma (the State Archives of Rome). The Scandinavian scholars collecting material in the late 19th and early 20th centuries have examined material in both archives.

The papal archives consist of the documentation regarding the various offices and tribunals belonging to the papal central administration.<sup>12</sup> In addition to that, there is a large amount of ecclesiastical archival material which is not part of the papal archives: these are the private archives of various cardinals or bishops that are not part of the papal administration and therefore have not ended in the Vatican collections. The same applies to the archives of different Catholic dioceses. The Vatican Apostolic Archives does not contain documentation regarding the local ecclesiastical administration but that is kept – if they have survived to the present day, which is rarely the case in the Scandinavian dioceses or monasteries – in the local archives. Therefore, the Vatican

11 Until autumn 2019, the Vatican Apostolic Archives were called the Vatican Secret Archives. Here, the modern name will be used.

12 Good guides to the collections of the Vatican Archives are Boyle 1972; Diener 1972; Fink 1951; *Sussidi per la consultazione dell'Archivio Vaticano* 1989; Blouin 1998.

collections cannot, unfortunately, shed light on the age of Scandinavian churches or monasteries or on the daily life of the bishops, priests, or persons in monastic vocation. Such information must be searched from the local source material.

In the following paragraphs the content of the main archival series in the Vatican Apostolic Archives is briefly described. Most of the Scandinavian material in these collections was identified and edited by Scandinavian scholars between the two world wars, and the documents can be found in the national source editions that are presented in the chapters about the Vatican collections in the national archives of the different Scandinavian countries.

### Registers of Supplications (*Reg. Suppl.*)

The incoming petitions that have been handled by the officials of the Apostolic Chancery (or from the 1420s onwards also by the *Dataria Apostolica*) and approved by the pope or his representative are registered in the series *Registra Supplicationum* (*Reg. Suppl.*). The Registers of Supplications is the largest papal copybook series and it consists of 7,366 register volumes. The oldest of them dates to 1340s, and the series was in use as recently as the end of the pontificate of Pope Leo XIII (r. 1878–1903).<sup>13</sup>

The Registers of Supplications typically consist of 400 folios and the documents are recorded into the volumes in chronological order. The text copied from the original petitions – that were thrown away once their content was recorded – runs in the middle of the pages, followed by the formula of approval and eventual clauses, and ends with the date of approval. The formula of approval reveals the identity of the person who made the decision. If the decision was made by the pope, the formula of approval is *Fiat*, *Fiat in forma*, or *Fiat ut petitur*, followed by the first letter of the Christian name of the pope – for example, *Fiat E.* for Pope Pius II, whose name was Enea Silvio Piccolomini. If the decision, instead, was made by a papal authorization by the highest *referendarius* of the Curia, the formula of approval is instead *Concessum*, *Concessum ut petitur*, or *Concessum in presentia domini nostri pape*, followed by the first letter(s) of the Christian name of the approver and his ecclesiastical title – for example, *Concessum, Jo. Zamorensis* (= Johannes (Juan) de Mella, bishop of Zamora). The *Concessum* approval has been in use since the pontificate of Eugene IV (r. 1431–1447).

The different register entries are easily identifiable through a large letter on the left hand margin. This letter refers to the first letter of the diocese concerned in the petition (for example, A for *Aboensis* (Turku/Åbo) or *Arusiensis* (Århus) or L for *Lincolniensis* (Linköping) or *Lundensis* (Lund)), and next to the letter can be seen a small

<sup>13</sup> About the Registers of Supplications, see Katterbach 1932.

mark ( ~ ) at the level of the line where the diocese in question is mentioned. This practice was developed to make it easier for the papal officials to trace earlier petitions if necessary. On the same margin with the letter is a short (only a few words) summary of the content of the petition, for example, *de absol.* (absolution for a sin committed by the petitioner) or *nova prov.* (new provision to an ecclesiastical position). On the right margin can be found the name of the papal *referendarius*, who presented the case to the pope or his representative for the approval.

The volumes were originally labelled according to the name of the ruling pope, the pontifical year, and the number of the volume that year, such as *Urbanus V, anno 3, tomo 2* or *Alexander VI, anno 11, tomo 18*. The number of volumes per year varied slightly from one year to another, and their amount tends to increase from one or two volumes per year in the first half of the 14th century to many dozens per year when coming closer to the end of the Middle Ages. The original labels, or *signa*, to which some older publications and even source publications like *Finlands medeltidsurkunder* refer, are no longer in use following the reorganization of the collection at the end of the 1920s and in the early 1930s. The identification of the old volumes is, however, possible through a useful handbook made by Bruno Katterbach, in which a concordance between the old and new archival *signa* is published.<sup>14</sup> The Registers of Supplications are housed in the Vatican Apostolic Archives, apart from a few volumes that have ended separately from the main series. Such volumes can for example be found in the French National Archives in Paris.

The majority of the documents copied in the Registers of Supplications concern appointments to ecclesiastical benefices or various ecclesiastical privileges.

### Vatican Registers (*Reg. Vat.*)

The principal register series for the outgoing letters, the Vatican Registers, *Registra Vaticana* (*Reg. Vat.*), is the oldest surviving register series regarding the history and activity of the Catholic Church. The first volume in the series, *Reg. Vat.* 1, contains (later) copies of documents that date from the pontificate of Pope John VIII (r. 872–882). The two following volumes, *Reg. Vat.* 2 and 3, in their turn, include copies of documents from the pontificate of Pope Gregory VII (r. 1073–1085). The three first volumes in the Vatican Register series are, however, rare exceptions in the collections of the papal archives, since the series began to develop to its full form only from the pontificate of Pope Innocent III (r. 1198–1216) onwards. The series continues until the end of the pontificate of Pope Pius V (r. 1566–1572) and it consists of 2,042 register

<sup>14</sup> Katterbach 1932.

volumes of varying length. The Vatican Registers are parchment codices.<sup>15</sup>

Until the volumes of the year 1378 (i.e. the first 290 register volumes) the Vatican Registers contain copies of documents handled by the officials of the Apostolic Chancery. They include copies of papal letters expedited to Christians all over the Western Christendom. Originally, the Vatican Register series was very prestigious and contained only the most important letters written in the name of the pontiffs. During the Avignon papacy (1309–1378), the papal administration created another register series for outgoing letters, the Avignon Registers, and the Vatican Registers began to lose their importance. After the return of the Curia to Rome in 1389 – and during the subsequent Great Western Schism that lasted until 1417 – the officials of the Curia began to register documents handled by the Apostolic Chancery to a copybook series called Lateran Registers. Later on, the Vatican Registers lost even more significance and ended up being the copybook series for correspondence related to financial matters handled by the Apostolic Chamber.

Unlike the Registers of Supplications, the Vatican Registers are not built totally chronologically. The documentation from each pope is registered into various types of volumes depending on the provenance of the letters. The letters from the Apostolic Chancery are recorded in volumes titled *Litterae communes* (*Comm.*) and the letters from the Apostolic Chamber are registered in volumes with the title *Litterae secretae* (*Secret.*), while the volumes with title *Litterae de curia* (*De cur.*) have their provenance in both offices. In some cases, private or common letters from more years are registered in one and the same volume and sometimes there are more volumes from each pontifical year. The Vatican Registers were originally labelled according to the pontifical year and volume, for example, *Clemens VI, Secret., anno 3* or *Clemens VI, Comm., anno 1, libro 6*. These original *signa* are no longer valid, and the volumes are numbered through beginning from volume 1. There exists a concordance between the old *signa* and the new ones, although it is sometimes not easy to trace volumes with the old *signa* mentioned in older studies or source publications. The Vatican Registers are housed in the Vatican Apostolic Archives.

The documents copied in the Vatican Registers are divided into different sections according to the content of the documents. All documents in each section are copied one after another and each recorded document has been numbered in order to make it easier to find the documents later, if necessary. The number of each letter is placed in the left margin at the level where the document begins. The beginning of a new letter is also highlighted with a large capital letter beginning the first word of the document.

15 About the Vatican Registers, see for example Boyle 1972, 37, pp. 103–113; Diener 1972, pp. 309–315.

The content of documents copied to the Vatican Registers varies quite a lot depending on when the volumes were produced. They contain mainly documents regarding provisions to ecclesiastical positions and letters granting privileges, licences, or dispensations to dioceses, churches, monasteries, or even to private persons. In the later volumes, the number of provision letters is even larger.

### Avignon Registers (*Reg. Avén.*)

The Avignon Registers, *Registra Avenionensia* (*Reg. Avén.* or *Reg. Av.*), form the second-oldest register series for outgoing papal letters. Their name derives from the fact that the series was introduced after the popes had moved from Italy to Avignon, where the register volumes were kept until the year 1783. The series consists of 353 volumes that cover the periods of the Avignon papacy and of the Western Schism (c. 1316–1417).<sup>16</sup>

Like its parallel series, the Vatican Registers, the Avignon Registers contain copies of papal letters expedited through the Apostolic Chancery or the Apostolic Chamber. In principle, the two series are identical, but not fully. Many documents are copied in both register series, but not all – and it is not clear what the reason for the varying registration principles was. It is known that the Avignon Registers, although made of paper unlike the Vatican Registers, were the primary register series, in which the papal letters were registered in the first place, while the Vatican Registers were mere copies of the copies recorded in the Avignon Registers.

The Avignon Registers also follow the example of the Vatican Registers in their layout but some differences also occur here. The letters are similarly registered one after each other so that same kind of letters (for example, appointments to benefices or licences to carry a portable altar) form their own group within which the documents are copied more or less in chronological order. Each letter begins with a visibly larger letter, which makes it easy to see where one letter ends and a new one begins. This is handy, because – unlike the Vatican Registers – the letters recorded in the Avignon Registers are not numbered in all volumes and if the numbers are given, they are placed between the documents, not in the left margin. Additionally, above each document registered in the Avignon Registers there is a note giving the sum that the recipient of the papal letter had to pay to the Curia. These notes are clear reference to the fact that the registers were also composed for financial purposes, and these notes are not copied to the Vatican Registers.

<sup>16</sup> The first Avignon Register is from the last years of the pontificate of Clement V (r. 1305–1314), but the series starts fully from the pontificate of his successor, John XXII (r. 1316–1334) and lasts until the pontificate of Martin V (r. 1417–1431). Diener 1972, pp. 315–321.

The Avignon Registers were originally labelled according to the name of the pope, the pontifical year, and the volume, so that the original *signa* follow the form *Urbanus V, a. IV, t. XIII*. Nowadays, these volumes also have a consecutive numbering from 1 to 353. A concordance is available in the Vatican Archives, which helps to elucidate the old *signa* sometimes given in older publications. The Avignon Registers now belong to the collection of the Vatican Apostolic Archives.

The content of the Avignon Registers is relatively heterogenic. A large majority of the documents concern papal appointments to various benefices but the series also contains copies of privileges or dispensations granted either to ecclesiastical institutions or to private persons.

### Lateran Registers (*Reg. Lat.*)

The third papal register series for outgoing letters is the Lateran Registers, *Registra Lateranensia* (*Reg. Lat.*<sup>17</sup>). This series was formed during the Great Western Schism in 1389, when the Roman popes established a new register series that corresponded to the Avignon Registers that had remained in France. The Lateran Registers contain letters expedited through the Apostolic Chancery and they are paper codices. The register series gained its name from the fact that until 1892 the registers were kept in the Lateran Palace in Rome, where they were stored after they had been, in the aftermath of the Napoleonic Wars, transported to Paris and back from there in 1817.<sup>18</sup>

The Lateran Registers were originally labelled as the other papal register series for the outgoing letters: according to the pope, the pontifical year, and the volume (for example, *Sixtus IV, an. IV, tom. 14*). Some volumes even contain some extra means of identification based on letter combinations referring to different types of papal letters such as benefices (*benef.*) or others. Many of the Lateran Registers have received new covers, which have obscured or destroyed the original labelling. Nowadays, the volumes follow a consecutive numbering system, and the indices in the Vatican Apostolic Archives help find the way between the old and new *signa*. The Lateran Registers belong nowadays to the collection of the Vatican Apostolic Archives.

17 Here it should be pointed out that the official abbreviation for the Lateran registers kept in the Vatican Apostolic Archives is often erroneously confused with the abbreviation for Latin manuscripts in the Reginense collection (originally donated to the papal library by the Swedish Queen Christina from whose title the name *reginense* derives – the Latin word *regina* means queen) in the Vatican Library. The Latin manuscripts in this series should *be* quoted in the form *Reg. lat.* (with small l, not capital L as many scholars erroneously do).

18 Boyle 1972, pp. 51, 132–148; Diener 1972, pp. 321–339; *Sussidi per la consultazione dell'Archivio Vaticano* 1989, pp. 265–313.

The volumes follow the example of the other two register series for outgoing letters so that the letters are recorded one after another in the volumes. The Lateran Registers however also contain some additional features. Each document starts distinctively with a large initial, and on the left margin can be seen a letter which refers to the first letter of the Christian name of the registrator who copied the letter to the register volume. In the right margin, instead, is written the name (or sometimes more names) of the secretary who was involved in the handling of the case. At the end of each entry, the name of the scribe who composed the papal letter is written as well as the fee the recipient of the letter had to pay to the Curia.

The Lateran Registers were in use for a long time, from 1389 until 1903, when the pontificate of Leo XIII ended. As a result of the long time span, the series is very rich and contains 2,499 register volumes.<sup>19</sup> These volumes contain mainly documentation related to papal appointments to benefices or copies of papal letters of grace (mainly dispensations or licences) sent to ecclesiastical instances and Christian individuals all over the Christian West.

### *Brevia Lateranensia (Dataria Ap., Brev. Lat.)*

The fourth papal register series is called *Brevia Lateranensia* (*Brev. Lat.*) and it contains copies of common briefs, i.e. contrary to the official papal letters known as bulls (*bullae*), the briefs were less formal letters written typically by a papal secretary and usually related to political or administrative issues. The series of *Brevia Lateranensia* is a relative newcomer among the papal register series, with the first register volume of this series dating from 1490. The series was in use for a long time, until 1807, so that the whole collection consists of 883 register volumes – but only a small part of them is medieval. The series received its name *Lateranensia* because the volumes were deposited in the Lateran Palace before they (in 1904) were handed over to the collections of the Vatican Apostolic Archives.<sup>20</sup>

The registers in the *Brevia Lateranensia* series differ somewhat from the other series of outgoing letters because in addition to the text of the outgoing brief, the first volumes of the series (until 1520) also include the original supplications. The briefs are recorded in the volumes one after another in chronological order, according to their date of expedition.

The series includes a wide range of different papal graces to Christians: dispensa-

19 The highest number in the series is 2,467 but the series contains numerous double numbers such as 330bis or 808A, 808B and 808C. *Sussidi per la consultazione dell'Archivio Vaticano* 1989, pp. 265–313.

20 Diener 1972, pp. 344–347.



tions or licences granted for clerics and laypeople as well as documentation regarding various kinds of legal interventions or privileges.

### The subseries in the collection of the *Camera Apostolica*

The papal centre for financial administration, the Apostolic Chamber, *Camera Apostolica*, has produced a huge amount of different kinds of sources. The different source collections are connected to the registering of the different incoming or outgoing payments. Since the different cameral series (for example, *Annatae*, *Collectoriae*, *Diversa cameralia*, *Introitus et Exitus*, *Libri Formatarum*, *Obligationes et Solutiones*, *Obligationes Particulares*, and *Taxae*) have different functions, the content of each of them is outlined here briefly. Some subseries of the Apostolic Chamber are later ones or irrelevant to the Scandinavian countries. Such series are not included in the explanation.<sup>21</sup>

#### *Annatae* (*Cam. Ap.*, *Annatae*)

All persons who had received a papal appointment (*provisio*) to a benefice, with the estimated yearly income superior to a certain limit (24 florins or guilders or four silver marks – different European regions used different monetary values) had to promise to pay half of the estimated income of the first year to the Apostolic Chamber before they could obtain the letter of provision that had been issued. These promises (*obligatio*) are registered in the *Annatae* register series. The entries in the registers are in chronological order divided into monthly sections.

The register entries are relatively short and formulaic and include the following information: the date when the person made the *obligatio*, the name of the person in question (or if the person did not make the promise personally but through a representative, that representative's name and title), the name of the benefice and the amount of its yearly income, the reason why the benefice in question had become vacant, as well as the date of the issuing of the papal letter. Sometimes the registers also note the fact that the obligation had been made through an official document. In these cases, is also stated where and when the document had been issued and by whom.

These registers were made for bookkeeping and recording the obligations to be paid, and the margins of the copybook contain notes about the fulfilled payments of the obligations. This information includes the date of payment and the name of the person who took care of the payment. If the person could not pay within the agreed period of time (typically six months), but received a prolongation, this too is noted in the margins.

<sup>21</sup> About the various cameral register series, see Diener 1972, pp. 347–358.

The *Annatae* collections of the Vatican Apostolic Archives consist of 136 register volumes that cover the period from 1413 until 1797. Approximately the first half of them relate to the medieval period and contain documentation relevant to Scandinavian dioceses.

*Collectoriae* (Cam. Ap., *Collectoriae*)

The *Collectoriae* series includes information about the activity of the papal collectors operating far away from the central administration. The Catholic Church not only collected money in the form of fees from persons who were present in the Curia, but it also sent out representatives, called collectors, all over the Christian West in order to collect money from the local churches. The collectors had different tasks. Some of them had a mandate for a longer time to travel around a certain territory and to collect the Peter's Pence, while others had a shorter and more targeted mandate, such as collecting the money the local indulgence sellers had received by selling indulgences announced by the popes in support of crusades, building the new St. Peter's basilica, or some other purposes.

The papal collectors had the task of collecting the money from the local indulgence sellers or, in the case of Peter's Pence, from the local ecclesiastical authorities such as bishops or provosts, and to ensure that it was sent forward to the Curia. In addition to this main source of income, the collectors could also collect voluntary contributions in favour of the Holy See made by members of the clergy or payments of *annatae* or other fees related to a papal appointment to a benefice. The papal financial administration expected the collectors to note down carefully the sums they had received from different places as well as the sums they had used during their travels (the collectors were allowed to use some of the revenues for their own expenses). They were also supposed to note down the payments they failed to collect. These notes were sent together with the money to the Curia, where they were carefully examined in order to detect misuses – which were, indeed, often detected.

The documentation from the various collectors sent to the different parts of the Christian West was later collected together, and now forms the *Collectoriae* series in the Vatican Apostolic Archives, consisting of 504 volumes covering the years 1274–1447. Since different collectors undertook their bookkeeping in different ways, the *Collectoriae* volumes are not visually identical, nor have all collectors noted the same kind of information. Additionally, the series also includes other kinds of documentation, for example, glimpses of the everyday business of the Apostolic Chamber, such as lists of letters sent to legates and collectors for their distribution all over the Christian West. A significant number of the original documentation regarding the collectors – 185 register volumes – is still kept in the Archivio di Stato di Roma, from where a con-

siderable amount of documentation was transferred to the Vatican Apostolic Archives in 1918/1919, together with some other cameral holdings.

*Diversa cameralia* (Cam. Ap., Div. Cam.)

The cameral subseries also includes *Diversa cameralia*, which consists of a variety of different kinds of documentation related to financial issues, originally included in the collection of *Armoria* XXIX and XXX in the Vatican Apostolic Archives. The volumes, 161 in the old *Armoria* XXIX and 90 in the old *Armoria* XXX, contain material from 1389 until 1578 and are not heterogeneous in their form or content.

The volumes contain documentation about cameral correspondence, quittances of bishops, copies of prorogations, and other financial matters. This collection is not central for the history of the Scandinavian countries.

*Introitus et Exitus* (Cam. Ap., Intr. et Ex.)

The *Introitus et Exitus* series is the main bookkeeping series of the Apostolic Chamber, recording, in two separate sections, the incoming money (*introitus*) and the expenditures of the Curia (*exitus*). The collection, hosted nowadays in the Vatican Apostolic Archives, consists of 565 register volumes, typically composed on paper, covering the period from 1279 until 1524.

The majority of the entries in the *introitus* section concern various payments made because of the annates, and the series thus completes the information in both *Annatae* and *Obligaciones et Solutiones*. The entries usually include the following information: the date of the monetary transaction, the name of the person who paid, the amount of money paid, the reason for payment (annates or other fees, the name of the benefice in question is given), and the name of the person on whose behalf the payment was made (it was common that a procurator took care of these payments on their clients' behalf). This section includes many relevant documents for the Scandinavian church provinces.

In the *exitus* section the payments made by the Curia are registered. The entries include information about to whom the Curia has paid something, how much, and why. There are rarely entries concerning Scandinavia, since most of the payments were to do with the daily activities in the Curia, such as payments for the papal officials or to the pope himself.

*Libri Formatarum* (Cam. Ap., Libri Format.)

*Libri Formatarum* is a series which contains lists of episcopal, priestly, and clerical ordinations celebrated in the Roman churches by bishops resident in the Curia – and the payments related to these occasions. The volumes also include copies of the so-

called *litterae dimissoriales*, documents which testify that the candidate may receive ordination in Rome (this task was usually reserved for the bishop of the candidate's home diocese).

It was not possible simply to present oneself at one of the clerical ordinations in Rome: the candidates had to be examined first, so that the Church could be sure that all persons receiving the ordination in the Curia were qualified. In order to ensure the qualifications of the candidates, the Apostolic Chamber organized an official examination before each ordination. Documentation from these examinations can also be found among the documentation recorded to the *Libri Formatarum*.

The *Libri Formatarum* collection in the Vatican Apostolic Archives consists of 14 volumes covering the years 1425–1524. The series is all but complete.

*Obligaciones et Solutiones (Cam. Ap., Oblig. et Sol.)*

The *Obligaciones et Solutiones* series is kept in the collection of the Vatican Apostolic Archives and it consists of 91 register volumes beginning with the year 1295 and continuing until 1555. The series includes mainly records of financial obligations which the bishops and abbots promised to pay to the Holy See on the occasion of their appointment to an episcopal see or as the head of a large monastery. The obligations concerned two different kinds of payments: *servitia communia* and *servitia minuta*.

The *servitia communia* were taxes the appointed person had to pay to the Curia and the sum was typically divided for the common interest, that is, half of the tax went to the Apostolic Chamber and the other half was divided by the cardinals, who had been present in the consistory when the appointment had been approved by the pope. The *servitia communia* payment was estimated originally to one third (c. 33%) of the yearly income of the position to which the person in question had been appointed, but in the course of the 14th century the sums became established by the papal collectors and they were rarely updated.

The *servitia minuta*, instead, refers to a fee the appointed person had to pay for the members of the papal family and officials of the Curia on the occasion of his appointment. The sum of the *servitia minuta* was significantly smaller (c. 10%) than the *servitia communia*, and the amount of the fee was calculated according to a complicated formula before the fees too were established in the course of the 14th century.

The *servitia* payments were normally not paid immediately on the occasion of the papal appointment, but the appointee rather promised to pay the fees at a later date, either personally or through a representative in the Curia or to a collector *in partibus*. These promises, called *obligaciones*, were recorded in volumes at the time of appointment and when the payment had been fulfilled and the debt solved (~ *solutiones*), a note about this was added to the bookkeeping. The volumes containing these record-

ings are included in the *Obligaciones et Solutiones* series, which has numerous documents relevant for Scandinavian history.

### *Taxae (Cam. Ap., Taxae)*

The relatively small *Taxae* series, which consists of only 38 volumes from the years 1426–1815, includes lists of various payments made in the Curia. These include, for example, long lists of bulls expedited through the Curia mentioning also the name of the recipient of the bull and the sum, how much he (or rarely also she) had to pay for the expedition.

The *Taxae* series has little significance for the Nordic countries, since there is very little information concerning medieval Scandinavians, but the first volumes covering the medieval period contain some information about sums paid to the Curia by Scandinavian Christians. The volumes in this series are visually very heterogeneous.

### Register series of the Sacra Romana Rota (*S. R. Rota*)

The medieval archival material related to the highest papal court of law, the Sacra Romana Rota, is housed in the Vatican Apostolic Archives and it consists of various smaller collections, of which those relevant to the Scandinavian history are presented below.

Although the Sacra Romana Rota has a long history from the 12th century onwards, its source material is preserved only from the 1460s onwards. It is impossible to know what has happened to the earlier documentation, but a possible explanation is that the Curia kept only records related to its central administration. Since the activity of the Rota was not directly connected to the papal administration and the tribunal's documentation was a result of the activity and decisions of individuals (notaries and auditors), it is possible that the Rota material was not included in the papal collections, but rather ended up in private collections and disappeared over the centuries.<sup>22</sup>

### *Manualia Actorum (S. R. Rota, Manualia Actorum)*

The largest source series is the *Manualia Actorum* (*S. R. Rota, Manualia Actorum*), which contains material from the years 1464–1800, although the number of medieval volumes is relatively small, at c. 100.

The *manualia* are registers of the Rota notaries, who noted in chronological order everything that happened in those processes that were entrusted to their responsibility. The content of the *manualia* consists of procedural entries briefly noting what

22 About the Rota archives, see Hoberg 1994; Salonen 2016a, pp. 5–7.

had happened on each day in various ongoing processes. The entries include only a very few details about the litigation. Sometimes the entries do not even mention the names of the litigants, nor do the *manualia* contain copies of the documents related to the processes, such as the *articuli*, or charges, or the content of the testimony of witnesses. These documents were kept together in the *acta* of the process, which after the end of the litigation were usually sent to the litigants and thus can be found in the local archives.

The *manualia* thus give evidence as to how and when the various processes were conducted before the tribunal, which witnesses were interrogated, or when a sentence was pronounced. Therefore, this series forms a perfect source for the study of the practical side of the activities of the tribunal. Like many other papal source series, the *manualia* have a relatively poor survival rate. It has been estimated that only one *manualia* out of six or seven has survived to the present day. The survival rate with the 15th-century volumes is perhaps even smaller, but the existing volumes contain information about dozens of litigations relating to Scandinavia.

#### *Commissions (S. R. Rota, Commissiones)*

The *Commissiones* collection contains original supplications, written on paper, presented to and approved by the pope from the years 1480–1792. The aim of all these petitions was to obtain a permit (*commisio*, “commission”) to get the petitioner’s case referred to the authority of the Rota. The petitions were handled by the pope as any other petition registered in the Registers of Supplications, but for an unknown reason, the commissions were not recorded there after their approval and the original supplications were carried directly to the Rota auditors.

These documents, which belong to the first phase of the handling of litigation, are interesting because they contain information about the initial steps in litigation, identifying, for example, the judge (*auditor*) to whom the pope referred the legal proceedings, the *cursor* who carried the commission to the chosen judge, and the date when the legal proceedings began. The documentation in the *Commissiones* series is very scarce for the 15th century and is not important for Scandinavian history.

#### *Sentences (S. R. Rota, Sententiae)*

The *Sententiae* collection consists of separate paper documents containing the judicial sentences pronounced by the Rota auditors. They are interesting for historians, because they not only repeated the outcome of the litigation but included interesting information on the identity of the litigants and the main details concerning the subject of litigation, which cannot necessarily be found in the *manualia* volumes. The *Sententiae* collection includes material from 1474 onwards, but the documentation

from the 15th century is scarce and does not include documents concerning Scandinavia.

*Decisions (S. R. Rota, Decisiones)*

The *Decisiones* collection includes documentation from 1511 onwards. It consists of manuscripts that contain the legal explanations for why the auditors decided as they did. Despite the sparseness of the documentation, the collection is interesting for the study of legal history because the decisions of the Rota functioned as precedents for later decisions. Some collections of important decisions of the Rota auditors survive from the 14th century. They have not survived as separate documents but in compilations that circulated first as manuscripts and later in print, and which greatly affected European legal culture. Such volumes can be found also in the local archives and research libraries.

*The Penitentiary Registers (Reg. Matrim. et Div.)*

The source material for the activity of the medieval Penitentiary consists of the copybooks of the office, known as the Penitentiary Registers. The Penitentiary Registers are nowadays kept in the archives of the *Sacra Penitenzieria Apostolica* and consist of 746 volumes covering, with certain lacunae, the period between 1409 and 1890. The first c. 100 volumes date back to the pre-Reformation era and contain documents related to Scandinavian petitioners.<sup>23</sup> The registers have been accessible to scholars since 1983, and a number of source editions have been published in the last decades, including the Penitentiary material from the Norwegian and Swedish church provinces.<sup>24</sup>

In the course of the petition process, the approved petitions were recorded into the registers of the office so that the officials could keep track of graces they had granted. The Penitentiary Registers do not contain word-for-word copies of the original petitions but the entries are rather abbreviated versions of the documents. The Penitentiary registers are internally divided into different sections, each of which contains petitions related to a specific theme. The medieval register volumes normally contained the petitions approved by the office during one pontifical or calendar year (the system varies slightly), and in order to facilitate the finding of the decisions, the registers were typically divided into seven separate sections: *De matrimonialibus* (marriages), *De diversis formis* (different types of cases), *De declaratoriis* (declarations), *De defectu natalium* (illegitimacy), *De uberiori* (holding more than one benefice, here in connection with illegitimate birth), *De promotis et promovendis* (ecclesiastical ordinations), and

23 About the archival material of the Penitentiary, Salonen & Schmugge 2009, pp. 3–9.

24 The Swedish and Finnish Penitentiary material is edited in *Acta Pontificum Suecica II* and the Norwegian Penitentiary material in Jørgensen & Saletnich 2004.

*De confessionalibus* (the right to choose one's confessor). The different sections give a good picture of the wide range of the grace the Penitentiary could grant to its clients in the form of dispensations, absolutions, licences, and declarations.

The entries in the Penitentiary Registers run down the middle of the page, one after another, in rough chronological order. In the left margin are the place and date of approval of the petition, while the right margin mentions the home diocese of the petitioner. Some volumes also include the name of the proctor who took care of the petition as well as the fee the petitioner had to pay for the letter of grace. At the end of each entry is the name and position of the official who made the decision. This information allows us to examine the decision-making in the office. This is important because the letters of grace were always issued in the name of the cardinal penitentiary regardless of who made the decision.

In the Middle Ages, the Penitentiary did not record the outgoing letters but only the incoming petitions. Most of the Penitentiary letters that were sent all over the Christian West have disappeared over time, but the collections of numerous local archives, both ecclesiastical and secular, all over the Latin West still contain letters of grace issued by the Penitentiary. Despite their significance, the locally extant Penitentiary letters have been studied very little and have been edited systematically only in the Swedish context.

## PART II – VARIOUS DOCUMENT TYPES IN THE MAIN REGISTER SERIES OF THE VATICAN APOSTOLIC ARCHIVES

The documentation in the Registers of Supplications as well as in the series of outgoing letters (Vatican Registers, Lateran Registers, and Avignon Registers, which overlap each other) comprises a very broad spectrum of different kinds of cases. The following section concentrates on the documentation in these register series and aims at explaining what kinds of documents can be found in them. Unlike in the case of the cameral registers and the records of the papal tribunals described above, it is not easy to classify the contents of the documents in the main register series into strictly defined groups. In order to reflect the great variety of the documentation, the different kinds of documents are in the following description divided into seven groups: 1) provisions, 2) dispensations, 3) faculties/licences – graces granted for private persons, 4) privileges/indults – graces granted for institutions, 5) absolutions, 6) rectifications of petitions, and 7) others.

This division is not uncomplicated because some documents in the groups 2, 3, and 4 could also be classified in the other groups. This is not only a modern confusion, as



the medieval sources sometimes use the words faculty, dispensation, or licence interchangeably; similarly a privilege or indult can sometimes be called licence or faculty in the medieval documentation. In order to avoid this confusion, documents granted for private persons are included in section 4, and in section 5 graces granted for ecclesiastical institutions are discussed.

### *Provisions*

The papal right to grant provisions for ecclesiastical positions, called benefices, first developed during the Avignon papacy in the course of the 14th century. Until then, the right to appoint clergymen to ecclesiastical benefices was considered the right and task of the local bishops – unless the appointment right was regulated through the patronage right (*ius patronatus*). The development of the papal legislation and administration changed this practice and the popes began gradually to reserve to themselves rights to appoint clerics to benefices. The papal provision rights increased in the course of the 14th and 15th centuries, and the amount of ecclesiastical benefices belonging to this right increased over time because all benefices to which the pope had appointed someone belonged from that moment onwards under the papal provision right.<sup>25</sup>

The curial regulations know numerous different reasons why a benefice might be vacant. One of the most common reasons for vacation was the death of the previous holder of the benefice (*vacatio per obitum*). In these cases the papal documentation often gives the name of the previous holder and specifies whether he had died at home or at the Curia. The latter was a particular reason for the popes to appoint persons to vacant benefices, since the popes had reserved for themselves the appointment right in cases when the benefice holder had died in Rome.

During the Avignon papacy, it became more common to resign one's benefice into the hands of the pope (*vacatio per resignationem*), after which the popes could freely grant the vacant positions to anyone they wanted, or to the first person in the Papal Curia applying for the position. It became also possible to resign one's benefice in favour of a certain person (*vacatio per resignationem in favorem N.N.*) so that the benefice became vacant in the Curia by resignation into the hands of the pope, who then immediately appointed the intended person to the position. Two benefice holders could also turn to the pope and ask him to confirm a commutation of benefices between them (*vacatio per commutationem*). In these cases both persons resigned their benefices into the hands of the pope, who then appointed them to the other's old

25 About the development of the papal provision right Meyer 1986, pp. 26–49; Salonen 2016a, pp. 114–115.

position. In these documents the names of those resigning their positions are always noted, as well as the detail whether the resignation had been done into the hands of the pope or whether it would take place through a local representative, which was also an option. In these documents there is also always information about the name of the benefice and the amount of its estimated yearly income. The documents also repeat the name of the third person to whom the benefice should be successively given.

The reasons for vacancies mentioned above were the most common ones and they can frequently be found in the papal source material. In addition to them, the papal sources contain a great number of special cases explaining why a benefice was considered vacant and in which cases the provision right was considered to belong to the pope. Some of them were connected to the person and career of the previous holder of the benefice.

A fairly common situation was when the pope promoted a person to a higher ecclesiastical office. Since the regulations of the Catholic Church did not allow clerics to hold contemporaneously two incompatible<sup>26</sup> ecclesiastical benefices, it was a rule that at the moment of promotion of a person, his previous benefices were considered to be vacant because of the promotion (*vacatio per promotionem*). An analogous case occurred when a person did not get promoted to a higher position but was just appointed to a better (paid) position. In these cases his previous position was considered vacant *per assecutionem*. In both cases, the Vatican sources include the name of the previous holder and a reference to his promotion or new position together with the details of the thereby vacant benefice (name and value).

In some cases, the reason for a vacation refers to misbehaviour of the holder of the benefice. A benefice could, for example, be considered to be vacant if the holder of a benefice with cure of souls (that is listening to confessions and absolving sinners) did not receive the required priestly ordination within a certain time from his appointment. The ecclesiastical regulations were strict in this respect and required that only men in the priestly orders could serve in positions with cure of souls and as parish priests. If they failed to be ordained within a certain period of time, their benefice could be considered to be vacant because of the lacking promotion (*vacatio per non promotionem*). It was also possible that a priest had acted in a way – for example, committed a serious crime or sin such as homicide – that he was no more considered suitable for ecclesiastical career. In these cases he could be deprived of his benefice and the position was thus vacant because of the deprivation (*vacatio per privationem*). The papal documentation only rarely refers to benefices which have become vacant because

26 For example, one priest could not have two benefices including cure of souls in different churches because it would be physically impossible to be in two places for hearing the confessions.

their holders have decided to enter monastic life and leave their positions (*vacatio per ingressum religionis*) or – even more rarely – because the holders have preferred to leave the clerical stand and to marry (*vacatio per contractum matrimonium*). In these rare cases, the provision documentation always contains details related to the previous holder of the benefice, in addition to the basic details about the vacant benefice: his name and especially the reason why he was no longer suitable to hold the benefice (or which monastic order he was joining or why he wanted to marry – here it should be reminded that clerics who had not received the higher ecclesiastical orders, i.e. *subdiaconus*, *diaconus*, or *presbyter*, were allowed to marry).

The ecclesiastical norms also specified that the local ecclesiastical authorities, normally the local bishop, should proceed promptly when they heard that a benefice had become vacant and should appoint someone to the position without a delay, so that no ecclesiastical offices were to remain vacant for a longer time than necessary. If the local authorities failed to do so within a reasonable time (often six months), a person could turn to the pope and ask for a papal appointment, since the local authorities had not done anything in the matter. In these rare cases, the benefice was considered to be vacant *per devolutionem* and the person who was applying for the papal provision had to explain the local situation carefully.

Some papal documents also referred to other kinds of ways by which a benefice could become vacant, but these were extremely rare. The documents were not always very precise about the reason for vacation; they just stated that the benefice was vacant for certain reasons (*de certo modo vacante*).

The papal provision documentation can be generally divided into three different types of provisions. The first one includes the standard provision (*provisio*), that is, when the pope appointed a candidate to a position that had become vacant for one or more of the various reasons for which a benefice could become vacant and belonged to the papal provision right. The second one is the so-called new provision (*nova provisio*), which refers to a situation when a person had already been appointed (either by the local ecclesiastical authorities or by the pope) to a position but something had happened so that the person could not be sure that the earlier provision was valid. In these cases a new provision by the pope could settle the situation. The third one is the so-called provision for the future or expectative provision (*gratia expectativa*), which was not a provision to a specific, vacant benefice. Instead, this practice can rather be considered as a waiting list system for the next vacant benefice in a church or a diocese.

### Standard provisions

The standard provision documentation always refers to a situation when a person was petitioning for the pope to be appointed to a certain benefice that was vacant and that belonged to the provision right of the pontiff. The most important details mentioned in these documents were the name of the person who wanted to be appointed, the name of the benefice to which he wanted to be appointed (including the name of the church and the diocese where the benefice was situated), the yearly income of the benefice, and the reason for which the position had become vacant and belonged to the papal appointment right. The great majority of papal provisions are standard provisions, and these documents are typically relatively short and formulaic.

### New provision

The papal documents (both the supplication and the respective papal letter) related to a new provision were normally longer and included a detailed explanation (*narratio*), where it was described how the person in question had already earlier been appointed to the benefice in question. There were more reasons for this. The first was that the person had received the appointment through a provision by the local bishop or someone else having the authority to appoint someone to the benefice, the second was that the person had received a papal provision to the position, while the third reason was that he had received a *gratia expectativa*, which entitled him to the position.

The reason for asking for a new provision by the pope was normally that the previous provision had not led to the desired result, that is, the person had not received the position. However, since the person had an earlier provision to the position, he felt that he had a claim to it and wanted to try his chances through receiving a new provision from the pope that would help him in competing with his possible adversary. In fact, most of the *nova provisio* cases concerned a benefice dispute – although this was not always mentioned in the Vatican documentation. The typical phraseology in these documents was that the petitioner explained that the benefice had been provided to him in one (or sometimes more) of the previously explained ways, but that he either doubted the previous provision due to a formal mistake (such as wrongly estimated yearly income, a mistake in the name of the benefice in the papal letter, or the death of the pope who had granted the provision while the process was ongoing), or that he had not yet got hold of the position.

The Vatican material sometimes also included conditional provisions related to litigations about the benefices. In the Middle Ages, there were numerous court processes in which two or more persons were litigating about who had the right to a benefice.

Sometimes the quarrels continued for a long time, and one or more of the litigants or litigant parties might die or want to quit the case during the process. In these cases, some of the adversaries could try to get hold of the benefice in question by applying for a papal provision *in forma si neutri* or *in forma si nulli*. The first provision referred to a situation in which the petitioner asked to be appointed to the position in question in case the (papal) court would not make a decision in favour of one of the two litigants. The second one was used in cases when the petitioner was litigating against more adversaries and the court would not decide in favour of any of them. In these cases, the documentation sometimes also revealed the names of the other litigants, but not always. If the adversary, instead, wanted to drag out of the litigation process, the remaining litigant could apply to the pope and ask for a provision in the form *de surrogatione ad ius*, meaning that the benefice could be considered vacant because the adversary had abandoned the claim to his right to the position.

### Future provisions

During the Avignon papacy, the popes began to reserve to themselves more and more rights to grant provisions to benefices, and in the end the papal provision right not only concerned benefices that were vacant, but the popes also began to grant provisions to benefices that were to become vacant in future. These provisions were called expectative graces, and the popes could grant these graces in different forms. Clerics could receive a *gratia expectativa* for the next vacant benefice in a certain church, or the grace could encompass all benefices in a certain diocese – in rare cases in more than one diocese at the same time.

Most commonly the *gratia expectativa* graces were granted as mass documents – in the form of a *rotulus* (a roll of petitions) – sometimes for hundreds of petitioners from a university or protégées of a certain European ruler. Such petitioners normally received a papal provision letter that was valid within the territory of a certain diocese or for benefices that belonged to the appointment right of a certain ecclesiastical authority, such as an abbot of a certain monastery. In these cases the name and title of the authority with the appointment right was also given in the document.

The *gratia expectativa* graces were often granted for poor priests (*in forma pauperi*), who came to the Curia and received clerical ordinations there. The collections of the Vatican Apostolic Archives contain special register volumes in which these graces have been recorded. These were standard mass documents that each pope granted in certain periods. Since all these graces bear the same date, often of the first pontifical year, we cannot know when exactly the person in question received his grace.

The standard *gratia expectativa* documents normally entitled the holder of the let-

ter to receive the first benefice that became vacant in the territory defined in the letter. There was also an extended form of the grace, which entitled the holder of the letter to receive two or more ecclesiastical benefices, canonicates included, at the same time and wherever he wanted.

Another common form of *gratia expectativa* was a provision for the next vacant canonicate and prebend (*prebenda* = income related to the canonicate) in a particular cathedral church. Unlike the above-mentioned mass documents, these were normally the results of a petition by an individual cleric who was aiming at a certain position. Supplications for such graces are not to be found in the Registers of Supplications, but the registers of outgoing letters include a number of such letters. These provision letters were formulated so that the pope provided the person with a canonicate in a particular church with the right to receive the next vacant prebend.

### Supplication vs. papal letter

The pontiffs never granted provisions on their own initiative but a papal provision letter was always a result of a petition to the pope. Since the Curia only registered approved supplications, we do not have knowledge about petitions that were not accepted. In fact, one could argue that in standard cases that did not include any conflicts with Canon Law, the Curia normally gave a positive answer if the request was made in the correct way, that is using the correct phraseology according to the *stilus curiae*. Provision letters are a prime example of such requests. Since it was relatively easy and not too expensive to apply for provisions to various positions, the Curia received and approved many thousands of such petitions each year.

The petitions registered in the Registers of Supplications always included the basic information about the person who wanted to receive the provision (at least name, clerical status, and title, as well as home diocese) together with the necessary information about the benefice he wanted to be provided with or what kind of *gratia expectativa* the petition was regarding.

Due to the enormous number of such petitions and the ignorance of the Curia about vacant ecclesiastical positions in all the different parts of the Christian West, receiving a positive answer to a petition was not a guarantee that the petitioner would receive the position. As Andreas Meyer has convincingly argued in his research about the provisions in Zürich, Switzerland, only one approved petition out of ten led to the next phase in the provision process, that is, to the preparation and expedition of a papal letter of provision which brought the candidate closer to receiving the position.<sup>27</sup>

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27 Meyer 1986, p. 52.

In other words: nine supplications out of ten remained as approved petitions without the petitioner proceeding to the preparation of the papal letter.

There were many reasons for this. As Meyer argued, it was easy to receive a positive answer, but the next phase in the provision process was much more complicated. The preparation of a provision letter was relatively expensive and therefore many petitioners did not want to spend their money on a letter if they could not be certain that they had a chance to be appointed to the position by the local ecclesiastical authorities. They might have heard that there were other candidates aiming at the position or that the local bishop never accepted anyone from outside his own diocese, and so realized that they had no chance to be appointed.

If the petitioner decided to proceed with the preparation of the provision letter, he had to pay to the Curia not only the fees for the composition of the letter (including, for example, salary for scribes and other officials participating in the handling of the case, as well as the cost of the parchment for the letter and the wax for the seal) but also to convey the relevant payments to the Apostolic Chamber. The relevant payments included the so-called *annatae* fee that was a payment equivalent to the first year's income of the position. These payments were recorded in the *Annatae* series. If the person did not have enough cash or credit to pay the fees immediately, he could make a promise to the Apostolic Chamber to pay the sum, for example, within the following six months. These promises were noted down in the register for *obligationes* and when the sum had been paid, the act was recorded in its sister register series for *solutiones*. When all this was done and the papal letter ready, the petitioner received the letter and could take it to the person who was responsible for appointing persons to the position at which the petitioner was aiming.

The papal registers of outgoing letters often contain copies of two different versions of a letter in one provision case: one version was directed to the person in question and another version was sent to the executors of the letter. The executors were the trustees of the person who received the provision, and their task was to ensure that the content of the papal bull was put into vigour, that is, to help the person to receive the benefice if the local ecclesiastical authorities were opposed to the papal provision. In principle, the main content of both letters was the same (mentioning all the necessary details mentioned already in the petition), but the letters also differed in certain details.

The papal letter always addressed the person who received the letter (and the provision) as the pope's beloved son (*dilectus filius*), unless he was a bishop when he was addressed as a venerable brother (*venerabilis frater*). The letters normally began with the standard phraseology demonstrating that there was question about a provision letter, namely a phrase beginning with the words *Vite ac morum honestas aliquae laudabilia probitatis et virtutum merita super quibus apud nos fidedigno commendaris testimonio*

*nos inducunt* ... If the person in question had a university degree, this was taken into account in the phraseology with an addition *Litterarum scientia* placed before the standard phrase. For noblemen the addition was *Nobilitatis genere*. The letter starting with such words thus confirmed that the person had been granted a papal provision and that he should receive it legally. In case of a provision for a canonicate, the letters also state that the candidate should be received as a canon, have a place in the choir, and a voice in the chapter.

The letters to the executors, on the other hand, told that they should make sure that the person in question received the position, and informed about the sanctions the executors could use in the event that they encountered resistance. If the person to be appointed had not been in the Curia and shown there that he was qualified for the position, the papal provision letters – especially the *gratia expectativa* letters – instructed the executors to examine the candidate and to make sure that he was competent enough in reading, singing, and Latin grammar. Since the same phrase was also used in the letters for men with a university education, it is clear that the statement was only a standard formulation. Therefore, the wording should not be interpreted literally as evidence that the pope must have been uncertain about the capability or literacy of the person.

In addition to the standard content, the provision documentation (both supplications and papal letters had the same details) may also have included other special clauses or issues. These could be related, for example, to the residence obligation in the position if the petitioner wanted to receive a dispensation from it. The documents often also included a dispensation from the pluralism regulation and stated that the person could hold contemporaneously two or more incompatible ecclesiastical benefices. Sometimes the petitioners asked for and received a dispensation from some other requirements related to the position at which they were aiming. These could be requirements about knowledge of the local languages for persons coming from outside the territory, or for a university degree for persons who did not have a sufficient academic qualification. The pope could also grant dispensation so that the patronage right would not be valid for the candidate.

The approved petition and the papal letter always have the same date notwithstanding the letter having been composed some time after the papal decision was made.

### *Dispensations*

A dispensation can be defined as an act whereby in a particular case a lawful superior grants relaxation from an existing law. In the Middle Ages, the popes – and the dif-



ferent offices within the Curia with a papal delegation – could grant different kinds of dispensations for Christians. The most common form of dispensation granted for laypeople was marital dispensation, which allowed a too-closely related couple to get legally married with each other notwithstanding the marital impediments defined in Canon Law. The members of the clergy or the members of the various monastic orders instead could apply for numerous different kinds of dispensations. Some of them were related to the regulations concerning ecclesiastical benefices and some referred to personal irregularities of the clergymen.

Just as for any other kind of papal grace, those Christians who needed a papal dispensation had to turn to the pope with a supplication in which they explained what their problem was and what kind of dispensation could solve that. If the pope or his representative considered that the request was fair and the matter belonged to the papal authority, the Curia normally granted the requested dispensation. The dispensations could be granted either by the Papal Penitentiary, by the Apostolic Chancery, or (later) by the Apostolic Dataria. The Penitentiary in particular granted a huge number of dispensations regarding marriages.

### **Dispensations for laypeople – marriage dispensations**

The only type of dispensation granted by the Curia to laypeople was a dispensation to get married despite the various marital impediments defined in Canon Law. The regulations of Canon Law, mainly formulated during the Fourth Lateran Council celebrated in Rome in 1215, defined very strictly who was allowed to marry and to whom. The ecclesiastical norms did not allow persons related to each other by close ties of consanguinity or affinity (the limit was set at the fourth degree of relationship, which in case of consanguinity meant third cousins) from marrying each other. Similarly, marriages were forbidden between persons who were tied to each other by the ties of spiritual (through the sacraments of baptism or confirmation) or adoptive relationship. If a couple related to each other in a prohibited way, however, considered it important to get married to each other, it was possible to receive a papal dispensation from the above-mentioned marital impediments.

The marital dispensations were issues regularly handled by the Curia, therefore the documentation related to these issues is also of relatively standard type in its content. In the petition, the couple had to give their names and home dioceses and explain how they were related to each other. The couples who wanted a dispensation should have asked for it before getting married. If they married each other without a dispensation, they violated the ecclesiastical norms in a way that they drew an automatic excommu-

nication upon themselves and needed a papal absolution from the sin, but they could continue in their marriage with the help of a subsequent dispensation. In normal cases, a marriage dispensation automatically included a mention of the legitimization of the couple's offspring.

The papal letter composed according to the details mentioned in the supplication was typically addressed to the bishop of the home diocese of the petitioners. The phraseology in the papal marriage dispensation letters authorized the bishop to examine the case and to check that all details (especially the type and the closeness of the relationship) mentioned in the petition were correct, and if all was found to be right, then to allow the couple to be married.

### Dispensations for the clergymen

Unlike laypeople, men belonging to the clerical stand could turn to the Curia for obtaining many different kinds of dispensations. A certain number of such dispensations were related to the various regulations related to benefices, while others helped men striving for ecclesiastical careers to get rid of an irregularity which impeded them to enter, or those already in one to act in their clerical orders.

The most common dispensation regarding the ecclesiastical benefices concerned pluralism. The ecclesiastical norms defined clearly that a clergyman could hold contemporaneously only one benefice which involved the cure of souls. If the yearly income from this benefice was not sufficient for comfortable living, it was possible to apply for a dispensation which allowed the person in question to hold two benefices at the same time. The practice of applying for such dispensations became more and more common during the Middle Ages – and especially among the curialists, whom Erasmus of Rotterdam called “benefice hunters” – and it became part of the daily practice of the Curia to grant such dispensations. Such dispensations sometimes not only concerned two incompatible offices but, especially in the late Middle Ages, the Curia often granted dispensations to hold three, four, or even more benefices at the same time. Some petitioners applied separately for such dispensations, but most petitions related to the incompatibility regulations were granted within a papal provision letter.

Another type of dispensation for clergymen concerned irregularity, which meant inability to act in ecclesiastical offices or to receive clerical or priestly ordination. The regulations of Canon Law knew two separate reasons for a person to be irregular: committing a severe crime or sin (*ex delicto*) or having a defect (*ex defectu*).

The latter case regarded the various regulations the Catholic Church had stipulated for its servants. A man in ecclesiastical career had to be born out of a legitimate marriage. Illegitimate children were thus automatically considered as irregular because of

a birth defect (*defectus natalium*). The norms of Canon Law also ordered specific age requirements for receiving the different clerical orders (for example, 18 for a subdeacon or 25 for a priest). All those who had not yet reached the required age could not be ordained because of age defect (*defectus aetatis*). And finally, the Church wanted to control the physical quality of its employees and did not allow anyone with a visible physical defect to become part of the clergy. Those, who had bodily problems – defective eyesight, missing or deformed fingers, a hunchback or limp, for example – were considered irregular because of corporal defect (*defectus corporis*).

Since the Church needed competent young men, in the course of the 12th century it had developed the possibility to apply for a dispensation which would overcome these defects. Especially typical were petitions for dispensation from the birth defect. These were mainly granted by the Papal Penitentiary but also by the Apostolic Chancery and Apostolic Dataria. The three papal offices also granted dispensations from the two other kinds of defect.

For the petitioners with a birth defect or an age defect, it was easy to apply for a dispensation since no further information was required. As a result, such decisions can almost be called mass documents. The petitioner had only to explain what his problem was and ask for dispensation. In the case of the birth defect he had to explain the reason for his illegitimate birth, that is, to tell the social status of his mother and father (unmarried woman and a priest, or married woman and unmarried man, for example). Those who wanted to receive the clerical ordinations before the established age had to explain how old they were and why it was necessary to receive the ordination prematurely (for example, because of a lack of priests in their home diocese or priest-monks in their monastery). There was no limitation for the dispensations from the birth defect, but in case of the age defect, the papal officials kept the line that dispensations were generally not granted to too-young men. One or two years too young seems to have been the limit.

In contrast, the Church was much stricter with those who had a physical problem. These dispensations were always results of individual evaluation. The person applying for a *defectus corporis* dispensation was always examined by ecclesiastical authorities who checked the defect and decided whether it was small enough that the congregation would not be disturbed by it. If the petitioner was personally in the Curia, three prelates residing there took care of the examination and gave their judgement whether the person could be dispensed. If he was not in the Curia, the papal officials made a positive but conditional decision referring the final solution in the case to the local ecclesiastical authorities, who were supposed to examine the candidate and decide either in his favour or against him. Such dispensations were normally requested at an early phase before the person had entered the ecclesiastical service, but sometimes a clergyman might have had an accident which affected his body, and he then had to apply for

a dispensation for continuing in his career. In these cases the Curia seems to have been slightly more lenient towards the petitioners.

Dispensations were also granted for clerics who had committed a crime or sin that had made them irregular to continue in their priestly vocation. Since in these cases it was often a question of severe crimes or sins against the ecclesiastical regulations, such as homicide, violence, simony, sacrilege, apostasy, or perjury, the persons who were asking for a dispensation of irregularity because of a delict were normally also excommunicated and needed – in addition to the dispensation – an absolution from the sin they had committed.

In the papal documentation, the clerics petitioned to the pope for a dispensation (and absolution) and in their supplication explained what kind of sin or crime had made them irregular. This was normally done through a longer narration in the supplication in which the petitioner explained minutely what had happened and why – and especially in cases related to killing someone they tried to convince the papal officials that they had not killed intentionally but only in self-defence using only allowed means (the Canon Law allowed clerics to carry a small knife, but no other weapons). The papal officials – very often those of the Papal Penitentiary who typically dealt with such petitions, together with, but in much smaller scale, the officials of the Apostolic Chancery and the Apostolic Dataria – examined the facts mentioned, checked (sometimes with the help of the experienced lawyers working for the Sacra Romana Rota) that what they had done did not contradict the ecclesiastical norms, and eventually granted the requested dispensation (and absolution).

In certain special cases, it was possible for the clergymen to ask, instead of a dispensation, for a rehabilitation or habilitation, which would similarly restore their full rights to act in ecclesiastical career despite some problem, often related to excommunication in connection to an ecclesiastical court process. Similarly, the Papal Penitentiary could grant official declarations that stated that the person in question was not guilty of killing anyone but that he could continue in his ecclesiastical career. Alternatively, the Penitentiary could declare a marriage or forced monastic profession void, if there was a canonical ground for that.

Unlike the documentation regarding the papal provisions, in these cases it was a rule that a successful petition was turned into a papal letter of grace, which could act as testimony that the petitioner(s) had been dispensed by the Curia and could act accordingly: get married despite an impediment, hold more benefices at the same time, or continue in ecclesiastical career despite an irregularity, be it *ex defectu* or *ex delicto*. The letters of grace were addressed to the petitioners themselves in cases in which the intervention of local ecclesiastical authorities was not necessary. In many cases, however, the letters of grace were sent directly to the local bishop whose task it was to make

sure that the content of the letter of grace was correct so that he could proceed to the execution of the papal grace.

The approved petition and the papal letter always have the same date notwithstanding the letter having been composed some time after the papal decision was made.

### *Faculties and licences – personal graces*

Numerous Christians – both laypeople and members of the clergy – turned to the Curia in order to receive different kinds of faculties or licences that would allow them to do something that was not normally permitted by the ecclesiastical norms. The division between dispensations, indulgences, and faculties / licences is not clear, and it is not unknown from the papal sources that for instance one and the same papal grace is sometimes defined as a dispensation and sometimes as a licence. Like dispensations, faculties and licences were also normally granted for individuals and they were valid either for a restricted period of time or until the death of the person in question.

The most common forms of special licences for Christians were those related to the act of confession. The Curia could grant so-called confessional letters (*littera confessionalia*) that allowed the holder of the letter to choose freely his personal confessor despite the decision of the Fourth Lateran Council in 1215 stating that Christians had to confess to their parish priest. There were different kinds of confessional letters. The most basic one allowed the person simply to choose a confessor, while the most precious one (*remissione plenaria*) allowed the chosen confessor to absolve the holder of the letter from any sins (also from those reserved to the papal authority). In some other forms of confessional letter, the confessor was granted special authority to absolve the holder of the letter from a specifically mentioned sin reserved to the papal authority, such as killing someone, or a priest from the sin of keeping a concubine. Parish priests could also receive faculties to absolve their parishioners from sins that were not normally within the powers of a parish priest (*facultas absolvendi*).

A papal licence could also allow Christians to eat meat or dairy products during the fasting periods. This kind of grace was known as a “butter letter” (*Butterbrief*) in the German-speaking parts of the Christian West and it was intended for people living in cold northern territories where it was difficult to catch fish or obtain olive oil – or for Christians who had dietary issues such as fish or nut allergies.

Some of the licences granted by the Curia to Christians concerned the ecclesiastical celebrations or exercising one's religion. Those who were often travelling around, such as local rulers or mendicants, could receive a licence to carry a portable altar (*altare portatile*) and to celebrate at any place (*licentia celebrandi ubicumque*). The inhabitants of the northern parts of Europe applied for a special licence allowing them to celebrate

the hours in normally non-permitted times, such as before sunrise (*licentia celebrandi ante diem*), which was especially practical for Scandinavian Christians during the dark winter months when the sun barely rose over the horizon. The Curia could also grant Christians licences to participate in ecclesiastical functions during an interdict (*licentia audiendi missam*), which was granted to them if they could demonstrate that they had not given any cause for the ecclesiastical punishment.

The clerics could also receive other kinds of faculties from the Curia related to the carrying out of ecclesiastical functions. Those clerics who did not want to celebrate according to the liturgy of their dioceses could receive a licence to say mass differently (*licentia dicendi horas*). These licences were mostly granted for those who had stayed for some time in the Curia and wanted to continue celebrating according to the Roman rite. Also, Canon Law prohibited celebrating in places that had been polluted (by either bloodshed or the shedding of semen) until the local bishop had visited and reconciled the place. If the local bishops were busy, they could apply for a faculty or licence to send someone to reconcile the place on their behalf or a priest could receive a personal licence to reconsecrate holy places (*facultas/licentia reconciliandi*).

Sometimes a licence or faculty from the pope could also be considered a personal favour. For example, an abbot of a monastery could receive a licence to use the episcopal utensils even though his ecclesiastical rank would not have allowed him (*licentia utendi mitra/pontificalia*). Another form of personal favour by the Holy See was to allow a priest to make a will and leave his personal property to his relatives or friends instead of leaving it all to the Church, as was the custom in the Middle Ages. These graces are known as *licentia testandi*. Another special form of licence for clerics was that to allow an illegitimate child to conceal his illegitimacy in papal documents such as provision letters. These licences are called *licentia tacendi super defectu natalium*.

In addition to these personal licences or faculties, the Curia could grant the petitioners numerous different kinds of licences or faculties related to the possessing of ecclesiastical benefices. It was mentioned earlier that some ecclesiastical positions required that their holders had to be ordained to priesthood because the position involved cure of soul and full altar service. Sometimes the candidates for such positions could not meet with such requirement and needed a faculty that helped them in the issue. In addition to dispensations for too-young priest candidates, the Curia could grant faculties for the candidates to receive the required ecclesiastical orders more quickly than it was normally possible or during periods when ordinations did normally not take place. Such a grace was called *facultas promovendi*. Sometimes the pope could instead grant a clergyman a licence to keep his ecclesiastical position without the obligation to be promoted to a required order, such as the priesthood. Such graces were called *facultas non promovendi*.

For those clerics who wanted to hold an ecclesiastical benefice and receive income

from it without residing in the place, the Church could grant faculties for not residing (*facultas de non residendi / de fructibus percipiendi*). These graces allowed the recipients to live elsewhere and to ignore the possible residence obligation related to the ecclesiastical position they were holding.

The most common types of faculties related to benefices were those allowing the holder of a benefice to resign it to the hands of a certain person (*facultas resignandi*) who after the resignation could appoint the successor to the position. Similarly, the pope could grant a faculty which allowed two clerics to exchange their benefices with each other so that the local ecclesiastical authorities could not interfere (*facultas permutandi*).

In some cases, the resigning of a benefice in favour of someone else included a pact according to which the successor agreed to pay a yearly pension to the previous holder of the position out of the income of the benefice. The payment was called a *pensio* and it can be considered as a legal way of passing benefices to other persons instead of selling them, which would be simony and strictly illegal and punishable. Receiving a papal confirmation for such practice made the transaction of the position with the pension totally legal and it was made through an official decision called reserving of a pension (*reservatio pensionis*). Similarly, the Curia could reduce, translate, or make void an earlier agreed pension by a decision (*reductio / translatio / cassatio pensionis*).

Belonging to the *familia* of the pope or of a cardinal, of a bishop, or even of a ruler could be an important factor for the clerics, especially in case of a papal provision. First of all, the *familiares pape* could enjoy certain privileges, such as a discount of the price of composing papal letters or precedence in provision cases over those who had same kind of provision but who did not belong to the *familia* of the pope. The Curia could also issue letters regarding one's membership of this privileged group. It was possible to receive from the Curia a declaration stating the status of belonging to the papal *familia* – or of having received some other papal position of honour such as papal acolyte or chaplain. It was also possible for the papal *familiares* to ask for a letter stating that they could use the title even during their possible absence from the Curia (*prerogatio pape familiaritatis in absentia*).

The persons who wished to have such personal favours from the Curia always turned to the papacy with a supplication and, if the pope or the officials of the Curia who took care of the handling of the case agreed upon the request, the petitioners could have the letter of grace issued. These letters were normally addressed directly to the person in question, since there was normally no need to get a third person involved as an executor of the grace.



### *Privileges and indults – institutional graces*

Privileges are permanent concessions allowing the recipient something that was outside the ecclesiastical norms, while an indult is a licence granted by the pope authorizing an act that the ecclesiastical law does not sanction. The spectrum of issues in which the pope could grant a privilege or indult is huge and includes many different kinds of grace. The borderline between faculties and licences on the one hand and privileges and indults on the other hand is scarcely perceptible.

The popes could grant various institutions, in most cases ecclesiastical institutions, different kinds of privileges and indults. The most common privilege that a church or a monastery could receive was an indulgence (*indulgentia*). An indulgence letter guaranteed that the visitors of these places would receive a certain number of indulgences that diminished their eventual time in purgatory. The indulgence letters meant more pilgrims for churches and monasteries and thereby also extra income, and these letters were therefore much desired. There were various types of indulgence letters. A pope could issue indulgence letters that granted for the visitors indulgences of one year, while cardinals could grant indulgences of 100 days and bishops of 40 days. On special occasions, such as during the Holy Years, the popes could grant plenary indulgences that would remove the burden of all sins committed by an individual up to that time. Indulgences were normally granted for important occasions such as the consecration of a new ecclesiastical building or for collecting money for a crusade or for building a new church after the previous one had been destroyed by a fire or other catastrophe. The indulgence letters in the papal collections usually contain a long list of days when the grace was valid – for example, during the most important ecclesiastical festivities and saints' days in the diocese – or it could specify to whom the grace was meant, for example, for those who donated money to the *fabrica* of the church for its building or decoration or those who participated in ecclesiastical services during the mentioned festivities – or both.

With privileges, the popes could also change the legal status or income of a church or a monastery. This took typically place through granting the institutions privileges that allowed two parishes to be united (*unio*), or by incorporating (*incorporatio*) or annexing (*annexatio*) a parish to another parish, or more often to a monastery. The pope could also make a reverse decision and exempt a church or monastery from the authority of either a person or another ecclesiastical institution (*exemptio*). With a papal permit, it was also possible to erect a new church, monastery, or altar (*erectio*). In these cases, the petitioner had to take on the responsibility of the financing of the new institution. The documentation related to these matters always explained why it was necessary to unite the parishes, to put a parish or monastery under the control of



another ecclesiastical institution, to remove an earlier connection of superiority, or to build a new church or monastery in a certain territory. These details were carefully explained in the narration of the petition and repeated in the papal letter of grace.

Various ecclesiastical institutions have also turned to the Holy See in order to receive a papal confirmation (*confirmatio*) for a matter they considered important. Papal confirmations could be requested in almost any kind of matter. There could have been a local dispute about some property belonging to the institution and its representatives hoped that a papal confirmation of the property rights would halt the adversaries. In another case, an ecclesiastical institution might have wanted to make new statutes defining, for example, the rights and obligations of its members and wanted a papal confirmation for this. A papal confirmation could also be useful in cases when two litigant parties had reached a compromise that they wanted to be mutually respected. In addition, private persons, who had erected a church or an altar in a certain church and wanted to maintain the patronage right to the benefice, could ask for a papal confirmation for their right.

Finally, an ecclesiastical institution could ask for a special protection from the pope in the form of a conservatory letter (*littera conservatoria*). This letter stated that the pope had put the institution under his special protection and that nobody could violate the rights and property of the institution without severe consequences.

The privileges and indulgences were results of a supplication presented to and approved by the pope, or his officials. Unlike in the case of personal graces, when the letter of grace was normally addressed to the recipient, the privileges concerned a larger number of Christians and were therefore often addressed more generally. Some of the letters could be addressed to local bishops or abbots, but many of the solemn privileges are addressed to all Christians, *omnibus christifidelibus*, and begin with the phrase stating that the content of the privilege was to be valid and remembered for ever, *ad perpetuum rei memoriam*.

### *Absolution*

The ecclesiastical norms, based on the Ten Commandments and other regulations from the Bible as well as the later decisions made by the various ecclesiastical councils and papal decretals, set strict limits to what Christians could do and what was prohibited. Christians who violated these norms committed sins. In order to get rid of the burden of sin, the sinner had to confess what she or he had done and to receive pardon in the form of absolution. Most sins were such that they could be confessed to and absolved by the local priests, but certain more severe sins were reserved to the authority of the local bishops. If a Christian had committed a particularly serious sin,

such as killing a priest, for example, only the pope could absolve the sinner.

From the 12th century onwards – together with the development and codification of the regulations of Canon Law – the popes began to reserve to their sole authority the absolving of more and more different kinds of sins. Those who were guilty of such acts had to turn to the papacy and receive a papal absolution. Such absolutions were in most cases granted by the Papal Penitentiary, but sometimes such cases were also handled by other papal offices, and traces of these cases can be found in papal register series other than those of the Penitentiary.

In this documentation, the sinner had to tell in his or her petition what was the sin committed and to ask for papal absolution. The list of different sins that required papal intervention was long. The most common sins encountered in these documents were homicide, violent behaviour, apostasy, sacrilege, heresy, and simony. Since it was important to tell the pope all relevant details, such supplications often contain a lengthy narration, rich in details, which were then copied into the text of the subsequent papal letter of absolution. If the sin was committed by a member of the clergy, the sinner had often become irregular at the same time, and so needed a combined absolution and dispensation which freed him from the burden of sin and restored his clerical rights.

### *Rectifications to the petitions*

The papal letters were usually considered void if they contained false information. In order to avoid such situations, it was possible for the petitioners who noticed a mistake in their petition – and consequently also in the papal letter composed according to the information mentioned in the petition – to rectify the mistakes by a subsequent petition to the pope. There were two possibilities for rectifying the mistakes.

The first one was to correct the mistakes before the papal letter had been composed and this is called in the curial terminology *reformatio*. A *reformatio* meant a new supplication to the pope in which the petitioner explained what was wrong in the previous supplication and asked for a new papal approval. The papal letter of grace was then composed on the basis of the correct information mentioned in the second supplication.

If the petitioner had already proceeded to the composition of the papal letter and only afterwards noticed that there was a factual mistake in it, he could petition to the pope and explain what was wrong in the original supplication (and the subsequent papal letter) and ask for a letter of declaration stating that the already composed papal letter was valid despite the mistake in it and the supplication. These letters are known as *perinde valere* letters.

Both forms of rectification were used in similar kinds of situations, and there were

numerous types of errors that could have been made. Regarding the papal provisions, the most common mistakes concerned the estimated incomes of the benefices. If the petitioner noticed that he had given a too low (or in rare cases too high, in cases of *reductio* of the value) value for the benefice to which he wished to be appointed, it was possible to correct this mistake. The petitioners had also sometimes forgotten to mention in their petition some personal detail, such as their illegitimacy, or that they were members of the papal family (*familiares pape*), or that they belonged to the entourage of the pope or one of the cardinals. This missing information could also be added later either as a *reformatio* or through a *perinde valere* letter stating that the previous papal letter was valid despite the missing information.

In addition to the *reformatio* and *perinde valere*, there was another kind of papal grace, the so-called *prorogatio*, for which the clients of the Curia could apply. These were typically used in situations when the petitioners had received a papal grace that was valid for a certain period of time only. If the petitioner, however, wanted to prolong the time, he could apply for a *prorogatio*. Typical prorogations concerned, for example, licences to study abroad and not to reside in a benefice (the so-called *cum ex eo* licence). These licences were usually granted for seven years but in the cases where the studies took a longer time, they could be prolonged. Similarly, the officials of the Curia regularly granted dispensations that allowed the petitioner to hold more than one benefice at a time, but sometimes such dispensations were granted only for a limited number of years. These could also be prolonged.

Sometimes the reason for asking for a *prorogatio* also depended upon the Apostolic Chancery regulations that stated that the petitioner had to get his letter of grace issued within six months or one year from the date of the approval of the supplication. If this was not done, the papal decision became automatically void. If the petitioner for some reason wanted to delay the issuing of the papal letter for a longer time, he could apply for a *prorogatio* for the time limit for issuing the papal letter of grace. This was particularly practical in case of provisions if the candidate was not totally sure whether he could be appointed to the position or not.

The papal administration offered also a fourth kind of possibility for rectifying the content of the papal letters, namely through a *revalidatio*. This possibility was used usually in connection with the *gratia expectativa* letters, which were normally valid until the person in question had used them and been appointed to a benefice. In some cases the appointment through the *gratia expectativa* had, however, turned out to be uncertain – for example, because an adversary had begun a litigation process or because the income of the position proved to be too small – and the person in question wanted to reuse the grace. This was possible through a *revalidatio*. In the petition for receiving such a grace, the petitioner had to explain what had happened after he had

received the original grace (e.g. to which benefice he had been assigned and what the yearly income was) and why he wanted the grace to be prolonged.

Lastly, there was one more type of rectifying previous papal decisions, namely asking for a letter stating that the *collator* (that is, the person who could appoint candidates to ecclesiastical benefices) mentioned in a *gratia expectativa* letter should be changed to another person. The reason behind such a request could be that the recipient of such a letter found out that the same *collator* was mentioned in too many similar letters granted for others or there might be question of change in personal relations between the original *collator* and the candidate. Such a papal decision was called *mutatio gratiae expectativae* but very often these documents were registered and classified as *perinde valere* documents.

### *Other types of documents*

The central papal administration also had the powers to grant different kinds of other documents to Christians who needed a favour from the Curia. Some of these documents can be often found in the pages of the papal copybooks, while some others are relatively rare.

One relatively common documentation is a so-called *commissio*. These documents are related to ecclesiastical court processes (either in the Curia or a local one), which the petitioner wanted to transfer from the authority of one judge to another person. It was possible to ask for the transfer of a court case from one tribunal to another, if the petitioner could argue to the pope that the intended one was, for example, partial or that there was not safe access for the petitioner to the judge or tribunal. In these cases, the pope could grant a *commissio*, by which he referred the handling of the case to another judge. The petitions typically explained carefully what the cause of the litigation was, where the litigation was currently handled, and why – and to whom – the case should be referred instead. The same details were repeated in the papal letter of commission. These documents are very interesting and provide much detailed insight into the activity of ecclesiastical tribunals and judges all over the Christian West.

The papal letters of grace were typically expedited in the form of a papal letter (*littera*), and the petitioner of the papal favour had to pay for their preparation. It was not cheap to get a letter of grace issued in the Curia, and many petitioners, especially in provision matters, waited with the expedition of the letter until they could be sure that they had a chance to receive the position. In certain cases, it was not necessary to communicate the papal decision in the form of a *littera* and it was possible to do it through a cheaper variant, namely a papal brief (*breve*). If a petitioner did not want to pay for an expensive letter with a papal bull, he could petition to the pope and ask that

his letter of grace would be expedited in the form of a brief (*per breve*) instead. This possibility was used particularly in connection of court processes, and some petitioners also included another request in them, namely that the original petition should be included in the letter (*supplicatione inclusa*).

In addition to the norms of Canon Law valid for the whole of Latin Christendom, there were many different kinds of local regulations that had to be followed. Such regulations included, for example, the statutes of dioceses, cathedral chapters, or other ecclesiastical institutions, and they had to be respected by the persons who were subject to them. Good examples of such regulations were the statutes of cathedral chapters defining what kinds of qualities their members had to possess or statutes defining who was the patron of a church and thus could nominate candidates for the benefices. In principle, these regulations had to be followed – unless one received a letter from the Curia stating that the pope had overruled them. Such a papal decision was known as a *derogatio*. Christians could ask for such letters in almost any kind of matter.

In certain cases, the Curia could also grant official declarations (*declaratio*). The most well-known type of such papal grace were the declarations of innocence typically granted by the Papal Penitentiary for priests who had been involved in events that led to someone's death but who could not be held responsible for the killing because they were either acting in self-defence or there was question of an accident. But the Curia could also grant declarations in other, less serious matters, for example, to declare that a person belonged to the papal family (*declaratio familiaritatis*) and was thus entitled to all the benefits reserved to the *familiares*. It was also possible for the papal officials to declare a monastic profession void if it had been made through pressure or that a marriage was valid despite some doubts about its legality.

Finally, the Curia could help with a papal letter to those Christians who had economic problems. These documents are rare among the papal sources but they show that the long arms of the papacy also reached to the financial side of the life of Christians. The Curia did not pay anyone's debts or order the debtor to ignore a debt, but the pope could grant for people in economic trouble a special kind of grace, a *moratorium*, which granted the person some extra time to pay his debts. The *moratorium* could, for example, extend the agreed payment time for some months, which gave the indebted person time to rearrange his debts, for example. In order to receive such a grace, the petitioner had to explain carefully his economic problems and express his willingness to solve them with the debtors.



MARKUS HEDEMANN

# A Lost Notary Instrument

*The Holstein Process in the Curia in 1424–1425*

## AN UNCOMFORTABLE QUESTION

What is all of this good for? Do these letters provide us with a completely new view on the status of the church here in Denmark, its relation with the state, and its relation with the pope during these centuries? The answer cannot be anything but no: that kind of knowledge has not been provided to us by the letters, and it is for a good reason that the results of all this are viewed with a good deal of scepticism.<sup>1</sup>

These are the questions the eminent Danish scholar Alfred Krarup, one of the editors of *Acta Pontificum Danica 1316–1536*,<sup>2</sup> posed in 1925 after having gone through countless documents in the Vatican Archives in the wake of Pope Leo XIII having opened the repository to scholarly research in 1881.<sup>3</sup>

The question and the answer must necessarily provoke some discomfort. Does the cost-benefit analysis of the work in the Vatican Archives in the first quarter of the 20th century really suggest that it would have been better not to spend substantial amounts of money and time reading, transcribing, and editing the treasures made accessible after the grand opening of the Vatican Archives in 1881? However, Krarup adds:

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1 Krarup 1925, p. 203: “Hvad Nytte gør egentlig det hele? Har vi ved disse Breve faaet et helt nyt Syn paa Kirkens Stilling her i Danmark og dens Stilling til Staten eller dens Forhold til Paven i disse Aarhundreder? Svaret maa blive, at det har Brevene utvivlsomt ikke givet os, og ved Bedømmelsen af Resultatet har det derfor ikke været ualmindeligt, at man betragtede Nyttens af det hele med megen Skepsis.”

2 Henceforth: APD.

3 Tussing 2007, pp. 364–386.

Now, let me refrain from acting like the *advocatus diaboli* defending the papal letters in every aspect; nevertheless I should say that even though they cannot meet very high expectations ..., despite the monotony of the various graces that often make them quite tiresome, a lot can be learned from them in detailed aspects of topography and personal relations, as is acknowledged by Archivist Thiset and Dr Bobé. They shed a sharper light over the details of ecclesiastical politics of the 15th century, as Lindbæk showed in his dissertation on the period of King Christian I and King John (Hans), and let me as a field of particular interest draw attention to the papal fiscal policy that was already a major point in the book of Dr Moltesen: now, one can see much clearer than ever before, to what extent the Curia used the appointment of various offices to pull money out of the country.<sup>4</sup>

Even though Krarup admits that some knowledge has – after all – come out of the huge work in the papal archives, his optimism is far from exaggerated. The present author, however, finds it difficult to see why the establishing of Scandinavia's inclusion in the trivialities of the papal bureaucracy should not be a valid result in as much as it adds yet another piece of knowledge to the understanding of this very bureaucracy. The aim of the present article is twofold. On the one hand, it emphasizes the observations of Krarup, drawing upon the attempt by the three Holstein counts to liquidate the sentence promulgated by the Roman king (and later Roman-German emperor) Sigismund of Luxemburg in Ofen (Budapest) on 28 June 1424.<sup>5</sup> This sentence, the "Ofen sentence", adjudicated the Duchy of Schleswig to the Danish king Erik VII of Pomerania thus depriving the Holstein counts and brothers, Heinrich, Adolf, and Gerhard, of the duchy as their hereditary fief. In order to liquidate the Ofen sentence, the Holstein brothers tried to lodge a case of appeal in the Curia. This case is of a highly politicized nature that nevertheless would have been impossible to conduct, had the parties – of course, King Erik did everything possible to impede the Holstein counts in the Curia – not had an intimate knowledge of the trivialities of everyday

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- 4 Krarup 1925, p. 203: "Nu skal jeg vel vogte mig for at optræde som *advocatus diaboli* og forsvare Pavebrevene paa alle Punkter, men jeg vil dog nok mene, at selv om de ikke kan tilfredsstille meget højt spændte Forventninger ..., så kan der dog trods Bevillingernes Ensformighed, som ofte gør dem ret kedsommelige, ikke desto mindre læres adskilligt fra dem i flere Retninger: De giver os en mængde nye Detail-Oplysninger om topografiske og Personalhistoriske Forhold, saaledes som det er erkendt af arkivar Thiset og Dr. Bobé; de belyser skarpere end før 15. Aarhundredes Kirkepolitik i Enkeltheder, saaledes som Lindbæk har vist det i sin Disputats for Christiørn 1.s og Hans' tid, og som et særligt interessant Omraade kan jeg måske fremhæve den pavelige Finanspolitik, som allerede var et Hovedpunkt i Dr. Moltesen's Bog; det ses nu langt klarere end før, i hvilken Grad Kurien ved Embedsbesættelser trak penge ud af Landet."
- 5 *Diplomatarium Danicum* (henceforth: DD), no. 14240628001, <http://diplomatarium.dk/dokument/14240628001>. Here is not the time and place to expand on the conflict between Denmark and the Holstein counts that lasted for decades and eventually resulted in the de-throning of King Erik in 1439. For this, see Hedemann 2007.



papal bureaucracy. On the other hand, this article shows that, analogous to the processing of these trivialities, the Holstein attempt to lodge an appeal is indicative of the fact that within the framework of secular and non-trivial high politics, both the pope and the Curia were unavoidable factors.

The acts of the Holstein case are transmitted in a notary instrument printed in Copenhagen in 1792, in the source edition collection *Scriptores Rerum Danicarum* vol. VII.<sup>6</sup> The original instrument, written by a certain Cyprianus Francischi de Pisis, is lost. It has not been possible to find even traces of the original, but at a certain time it must have been kept in the Schleswig city archives as is evidenced in a note by the editor of the text, P.F. Suhm: "According to the scribe, otherwise unknown to me, this process is copied from an original document contained in the Schleswig archives."<sup>7</sup> This note testifies that at least one transcription of a version of the instrument must have been in Copenhagen at a certain point. It seems that Suhm never had the original instrument in front of him.<sup>8</sup>

The following will be an attempt to connect the Holstein case in the Curia to contemporary, early 15th-century high politics as well as to describe the legalistic framework within which the Holstein party had to operate.

## INTERNATIONAL BACKGROUND

When, the Roman king Sigismund, the highest secular judge in the Christian world, adjudicated the Duchy of Schleswig to the Danish king and realm in Ofen (Budapest) on 28 June 1424, King Erik VII of Pomerania achieved a monumental triumph over the Holstein counts and brothers, Heinrich, Adolf, and Gerhard. Since 1411 it had been the Danish strategy to involve the Holy Roman Empire in the conflict with

6 A further edition of the print as well as a translation into modern Danish is to be found at DD, no. 14241007001, <http://diplomatarium.dk/dokument/14241007001>. However, the references in this article will be given to *Scriptores Rerum Danicarum* (henceforth: SRD) VII as this edition has pagination that will assist the reader in locating quoted material and references.

7 SRD VII, p. 416: "Processus hic descriptus est, ut mihi ignotus scriba testatur, ex originali in archivo slesvicensi asservato."

8 Cf. SRD VII, p. 450 (see below): "Bullam hanc advocationis omisit exscriptor ex archivo slesvicensi, ejusque mentionem facit his verbis: 'Martinus episcopus servus servorum dei, ad futuram rei memoriam humilibus &c (vid. C 390 ubi eadem bulla verbotenus habetur, usque ad) pontificatus nostri anno octavo.' Cum vero schedulas, quas exscriptor nominatus citat, ignoramus, & interea ex archivo regio copiam processus in curia romana accepimus, hanc bullam exscribendam hocque suo loco inserendam curavimus."

Holstein over the Duchy of Schleswig in order to put an end, once and for all, to the endless fighting. In the summer of 1424 Sigismund needed powerful friends to fight the Hussites, which may have caused him to support King Erik who at least on paper had a formidable appearance.<sup>9</sup>

The Holstein proctor in Ofen, Nicolaus Sacchow, immediately lodged a protest against the sentence – in vain, of course.<sup>10</sup> The triumph belonged to Erik, who departed for the Holy Land to thank God for his great success. Nicolaus Sacchow, instead, went home to Holstein in order to prepare the next move in the legal fight against King Erik.

That move was to have the case tried in the Papal Curia. It was a bold but logical manoeuvre, given that the pope could be expected to look upon the Holstein case positively, unlike King Sigismund. At the time (7 October 1424) when the Holstein request for a trial of appeal or nullity was presented to Pope Martin V, relations between King Sigismund and the pope were more than strained because of Sigismund's lack of success in fighting the Hussite heresy. Furthermore, Sigismund was in a weak position in his relationship with the princes-elect who for some time had been openly opposing him.<sup>11</sup>

The fact that co-operation between King Erik and King Sigismund prior to the Ofen sentence had been excellent must have made Erik less sympathetic in the eyes of the pope. Consequently the pope's attitude towards the Holstein brothers and their cause should have been the more positive, although it can hardly be said that he viewed them with genuine love either. In the political context of the autumn of 1424, it was clear that a negative attitude towards King Sigismund was synonymous with a negative attitude towards King Erik and a positive one towards the Holstein counts.

#### THE HOLSTEIN REASONS FOR A PROCESS OF NULLITY

On 7 October 1424, a Holstein petition was delivered to Pope Martin.<sup>12</sup> It stated that as orphans and minors, *orphani et pupilli* (their father Gerhard had died on the battlefield 1404 and their mother was most likely no longer alive in 1424), the three Holstein brothers had been unjustly expelled from their paternal inheritance (i.e. the Duchy of Schleswig) and suffered the most terrible oppression (*enormiter oppressi*). In

<sup>9</sup> Hedemann 2007, pp. 34–35.

<sup>10</sup> SRD VII, pp. 395, 446.

<sup>11</sup> Hoensch 1996, p. 312.

<sup>12</sup> SRD VII, p. 427. The same document is included also in *Acta Pontificum Danica*, nos. 1446–1447.

terms of Canon Law, the Holstein brothers stood on firm ground since from a legal point of view a *pauper* was also a person to whom the Church had special obligations. This is already expressed in the provisions of process in which the *personae miserabiles* enjoyed special protection by the Church, i.e. all those without any kind of means or, even if they had some, widows and orphans who found themselves in an emergency situation. From Gratian onwards we have provisions and commentaries that put the *personae miserabiles* under the special protection of the Church.<sup>13</sup>

The three brothers were described in the petition as minors as they had not yet reached the age of 25 years.<sup>14</sup> This cannot under any circumstances be true for the oldest brother, Heinrich, who was born in 1397. Adolf and Gerhard were born in 1401 and 1404 respectively.<sup>15</sup> Regarding admittance into priesthood, the age was set at 25 by the Council of Vienne in 1311–1312, which might have been the inspiration for the author of the Holstein petition.<sup>16</sup> But the main thing is that no provision defined the age of a minor exempting him or her from participation in secular trials. The keyword, thus, is *pupillus*, minor. Apart from that, the allegation of minority in the petition contrasts starkly with the process prior to the Ofen sentence, in which Heinrich time and again claims to have been unjustly treated as he had asked for and been denied the endowment of the Duchy of Schleswig on behalf of himself and his brothers after having come of age.<sup>17</sup>

Having stated the three Holstein brothers' status as minors and orphans, the petition asks the pope to confer a process of appeal against the Ofen sentence to one of the cardinals. In addition to this – it is not entirely clear whether this is an additional or an alternative request – the petition also requests a process of nullity, *causa nullitatis*, be conferred to one of the cardinals; a process of appeal and a process of nullity are not

13 Plöchl 1955, p. 456: "Der Arme war also rechtlich eine Person, der gegenüber die Kirche besondere Pflichten hatte. Dies kommt schon im Prozessrecht zum Ausdruck, wo die *personae miserabiles* als Kläger und Zeugen den besonderen Schutz der Kirche geniessen. Es sind alle jene, die entweder mittellos sind oder, selbst wenn sie Eigenbesitz haben, in besondere Notlage geraten sind, wie etwa Witwen und Waisen. Von Gratian an finden sich Vorschriften und Kommentare, die die *personae miserabiles* dem Schutz der Kirche unterstellen" and p. 358: "Wiedereinsetzungsgründe waren *laesio enormis* und *iusta causa*. Von Rechts wegen erfreuten sich dieser wohltat Minderjährige, kirchliche Anstalten usw." C.II, q.1, c.14, edited in Friedberg I, col. 444. Cf. the petition: "cum sedes apostolica omnium indebite oppressorum, maxime orphanorum et pupillorum præcipium sit refugium ..."

14 SRD VII, p. 427: "[Henricus, Adolphus et Gerhardus] qui nondum vicesimum quintum suæ ætatis annum compleverunt."

15 Rasmussen *et al.* 2005, p. 46.

16 Naz 1935–1965. Clem. 1.6.3., edited in Friedberg II, col. 1140.

17 SRD VII, pp. 335, 343, 370.

the same thing. It is fair to say that a process of appeal is centred around the very question that gave rise to a sentence, whereas a process of nullity only treats the question of whether or not the rules of procedure have been duly followed prior to the sentence.<sup>18</sup>

### THE PROCESS OF NULLITY IS GRANTED

Pope Martin V met the petitioners half-way in as much as he confined the process to just a process of nullity, as is clearly stated in his letter to Cardinal Antonio (Panciera) of Aquileia who was appointed as judge in the process: "At the behest of our lord the pope, the most reverend father and lord, the cardinal of Aquileia, shall only conduct a process of nullity. And he shall summon also by way of edict according to requirement."<sup>19</sup> Pope Martin V can be said to have made life a little bit easier for himself in his choice of a form of process that did not pertain to the substance of the Schleswig conflict, i.e. the question of to whom the duchy belonged. As a temporary result one must say that the designation "process of appeal" in the – very scarce – literature on the Holstein process in the Curia is wrong; it was not a process of appeal, it was a process of nullity, and this term will be used in the following.<sup>20</sup>

The same day as Cardinal Antonio was ordered to conduct the process of nullity, i.e. 7 October 1424, the Holstein proctor Lyder Rottorp appeared in the Curia and presented his mandate to the cardinal. The mandate was written by the notary Mathias Ditmari shortly after the Ofen sentence (3 July 1424), which indicates that very early after this

18 Curtin 1956, p. 33: "The plaint of nullity against the sentence differs intrinsically from the appeal in that it is interposed because of a defect extrinsic to the sentence, a defect of form, while, on the contrary, the appeal is lodged because of an intrinsic defect in the sentence, namely for the reason that the sentence is unjust or does not conform to the rights of the parties." and p. 35: "... the history of the plaint of nullity clearly shows that the plaint of nullity was also lodged before the appellate judge, and likewise canon 1895 permits the plaint of nullity to be joined cumulatively with an appeal in certain cases. In this regard however care must be taken that the plaint of nullity be combined with the allegation of injustice as an accessory motive, and not as the principal reason for the appeal; otherwise the appeal will not be admitted." Although Curtin is referring to the 1917 version of the Canon Law, his observations seem highly relevant in this context.

19 SRD VII, p. 427: "de mandato domini nostri papæ audiat reverendissimus pater dominus cardinalis aquilegiensis causam nullitatis duntaxat, & citet, ut petitur etiam per edictum." For a biography of Cardinal Antonio, see <http://www.fiu.edu/~mirandas/bios1411.htm#Panciera>. I owe the reference to my colleague Dr Anders Leegaard Knudsen.

20 The process has only recently been treated systematically in Hedemann 2010. In the standard literature on the history of Schleswig-Holstein it is mentioned very briefly, e.g. Waitz 1851, pp. 323–324; Erslev 1901, pp. 107–108; Hoffmann 1990, pp. 250–251.

verdict, the Holstein party had had a process in the Curia in mind.<sup>21</sup> In the mandate there is a clear innuendo that the Ofen sentence is illegitimate: the verdict is consequently characterized as “alleged” (*pretensa*). The mandate states that all means possible are going to be used against the Ofen sentence, secular as well as ecclesiastical, which is an additional expression of the Holstein will to counter the verdict in the Curia.<sup>22</sup>

Lyder Rottorp was sworn in by the cardinal the same day, and he swore to conduct his task as proctor diligently and faithfully and not least for an appropriate salary. His first act was to call in two witnesses, Ludolf Robring, canon in Lübeck, and Dietrich Poltzin, proctor in the *audientia litterarum contradictarum*, one of the papal tribunals. They were both given access to the cardinal, and when asked whether or not it was safe personally to approach and to summon King Erik to the Curia, they answered under oath that such an enterprise would be highly dangerous. As a consequence of this, Lyder Rottorp requested the cardinal to summon King Erik by way of a public edict. This request was met.

Cardinal Antonio issued a long account of the circumstances surrounding the summons on 9 October 1424.<sup>23</sup> He describes that he had accepted the papal order and that witnesses on behalf of the Holstein party had clearly pointed out the dangers of personally presenting King Erik with the summons. As a result the cardinal decided to execute the summons by way of recitation in the *audientia publicarum litterarum* and by fastening the summons to the porches of Santa Maria della Rotonda and St Peter's Basilica in Rome and to the porches of the cathedrals in Lübeck and Schwerin. The summons forbade the Danish party to try alternative processes while the process of nullity took place in the Curia; otherwise, the Danish party would automatically forfeit justice. On 27 December 1424, the summons was attached to the porch of the cathedral in Lübeck by Nicolaus Sacchow; on 15 January 1425 it was attached to that of the cathedral in Schwerin by the clergyman N. Deghenhard.<sup>24</sup>

#### THE MISSION OF BISHOP CHRISTIAN OF SAAREMAA

In the north, the involvement of the Curia could of course not be ignored, even if King Erik himself was on pilgrimage to the Holy Land. On 29 January 1425, Bishop Christian of Saaremaa (Ösel) appeared in the Curia on behalf of the Danish party and presented a petition to the pope as well as a notary instrument containing the

<sup>21</sup> SRD VII, p. 428.

<sup>22</sup> SRD VII, p. 428.

<sup>23</sup> SRD VII, p. 432.

<sup>24</sup> SRD VII, pp. 441ff.

Ofen sentence.<sup>25</sup> In the petition, Christian provided two reasons why the pope ought to liquidate the process of nullity. First, the bishop “could not believe” that the pope was about to use his sickle to harvest “foreign” crops thereby pointing to the classical dichotomy between secular and ecclesiastical jurisdiction. Second, he added that the Holstein brothers had not called themselves *miserabiles* and *pauperes* in their letter of petition as they should have done, and their use of the terms *oppressi*, *orphani*, et *pupilli* did not fulfil the requirement of an ecclesiastical process according to Bishop Christian. Given that the designations *miserabiles* and *pauperes* were not used, he argued, the Holstein brothers should not be suspected to be minors; on the contrary he claimed that they must have reached at least their 20th year at the time the Ofen sentence was passed, i.e. 28 June 1424, and so, given their full maturity according to secular law, they could not have been subject to any kind of injustice to be alleviated by an ecclesiastical court.<sup>26</sup> Bishop Christian’s way of arguing is a good example of the extremely formalistic way of thinking in the Middle Ages. He showed how the opposite party had omitted information and tried to abuse the papal system of justice with unfair claims. Canon Law states that the ecclesiastical court system should help poor and parentless children – not adult men. And by showing that the Holstein brothers were adult men, Bishop Christian dragged the carpet from under their juridical claims by arguing that their case should not be handled by an ecclesiastical tribunal at all.

After this argumentation Bishop Christian presented the Ofen sentence itself in the form of a notary instrument. The instrument had been written down on 20 October 1424 in the city of Vordingborg, on Zealand, at the behest of Queen Philippa, who had been left in charge of affairs while King Erik was abroad. Regarding the date of the instrument and the proclamation of the summons in the *audientia publica contradictarum litterarum* eleven days previously, the Danish party must be said to have been well aware of what was going on in the Curia quite early. The instrument contained a full transcription of the Ofen sentence itself, which included two Latin versions of the

25 SRD VII, p. 434. Our knowledge of Bishop Christian and his relationship with King Erik is very limited. However, the use of a man who was not a member of the Danish council or even a member of the Danish nobility (or even a Dane, for that matter) as the King’s special envoy is indicative of the way King Erik executed his royal power by picking men without a particularly strong powerbase, men whose position and rise to power were almost entirely dependent on the will of the king.

26 SRD VII, p. 434: “Attento presertim, quod in principio commissionis prescriptæ asseratur, sedem apostolicam omnium oppressorum presertim orphanorum & pupillorum fore singulare refugium, attamen nulla oppressio in eadem specificè designatur: & quanquam exponentes prefati se minores viginti quinque annis asserant, hæc tamen assertio non videtur sufficere ad cognitionem causarum huiusmodi ad forum ecclesiasticum deducendi, cum alias miserabiles aut pauperes se non expriment ut credantur saltem annum vicesimum ætatis attigisse.”

documents in Middle Low German from 1 and 5 January 1423 respectively, whereby King Erik and the Holstein brothers agreed to let King Sigismund adjudicate the conflict over Schleswig.<sup>27</sup> Bishop Christian certainly had a point: nothing suggested that the three Holstein brothers were minors at the passing of the Ofen sentence.

Bishop Christian succeeded in putting a temporary halt to the process of nullity. On the pope's instruction, Cardinal Antonio had to attend the secret council to contemplate the process further with Pope Martin. The meeting took place on 30 March 1425. Unsurprisingly perhaps, the conclusion of the debate was that the carrying through of the process in the Curia was justified despite Bishop Christian's arguments.<sup>28</sup> The very same day the Holstein proctor Nicolaus Sacchow came back from the north and presented himself to the cardinal. He showed the summons issued on 9 October in order to illustrate that the period of 70 days given to the Danish party to meet in the Curia had expired, which caused Cardinal Antonio to issue a new summons on 16 April.<sup>29</sup> This summons stated that if the Danish party did not enter the Curia in order to oppose the Holstein arguments, it would be sentenced as *contumax*, i.e. willingly absent, and the process would follow its due course, which meant a sentence in favour of the Holstein party. No more than two days later, another Holstein proctor, Lyder Rottorp, appeared before the cardinal and succeeded in having him declare the Danish party *contumax*.<sup>30</sup>

With the cardinal's declaration of *contumacia*, the Holstein party had obtained an important victory because now Cardinal Antonio was able to pass a sentence without the presence of the Danish party. However, a third summons had to be issued according to the rules of procedure, which took place on 25 April 1425. This third and final summons legitimized that a sentence without the royal presence could be passed.<sup>31</sup> From the third summons, we learn that the Holstein party had presented a notary instrument of the Ofen sentence: "further, the summoned party is obliged to justify the sentence passed by the Roman king Sigismund, lord and master, which justification has to take place in the presence of the aforementioned cardinal in this process that aims at the nullification of the abovementioned sentence which is alleged to be a sentence of arbitration."

27 Hedemann 2010, p. 178.

28 SRD VII, p. 437.

29 SRD VII, p. 443.

30 SRD VII, p. 443.

31 SRD VII, p. 448. The procedure for summoning at the Curia was as follows: a summons was sent to get the adversary party to appear before the judge. If they did not show up, another and a third summons had to be sent before the judge could proceed to the closing of the case without the presence of the adversary, which meanwhile had been declared *contumax*.



The Holstein party presented their notarial version of the Ofen sentence on 20 April.<sup>32</sup> Prior to that, some skirmishes had taken place. We can understand that the proctor Lyder Rottorp had demanded the notary instrument from Mathias Ditmari, who in some way or other must have been part of the Holstein delegation dispatched to the Curia and who was more than unwilling to hand over the instrument. As a consequence, Cardinal Antonio threatened Mathias Ditmari with excommunication if he did not hand over the instrument immediately, and he emphasized that the instrument would be decisive for the case. Thus, Mathias Ditmari had to give in and hand over the instrument. However, in order not to appear completely thwarted in the situation he demanded a decent salary. It is telling that he is “awarded” the office of eternal vicar in Bardewick not long after, on 12 May 1425.<sup>33</sup>

There can be no doubt that Nicolaus Sacchow protested immediately after the Ofen sentence.<sup>34</sup> But it is difficult not to suspect that the Holstein notary instrument containing the Ofen sentence and Nicolaus Sacchow’s protests had not at least been exposed to some sort of post-editing or post-rationalization. Indeed, it is not completely improbable that Mathias Ditmari simply wrote down the instrument only as a result of the cardinal’s order, which may serve as an additional explanation as to why he was so reluctant to hand over the instrument in the first place.

Nicolaus Sacchow’s many protests were as follows: King Sigismund could not be a lawful judge in the case inasmuch as Sigismund’s representative judge, Duke Heinrich Rumpold of Silesia, had died and not handed the case over to Sigismund; the agreement to Sigismund’s arbitration between the Danish and the Holstein party, the so-called *compromissum*, from January 1423 was invalid; there was a flaw of procedure since the conflict of Schleswig had not been presented to Sigismund in due time; in addition to that Sigismund had not given the Holstein party the required time to present their case; an appeal had been presented to Sigismund as a consequence of the bad treatment of the Holstein party committed by Sigismund’s commissioner, Ludovicus de Cattaneis; “if”, Nicolaus Sacchow continued, “I claim from other reasons that are apparent from the *compromissum* that You (i.e. Sigismund) cannot be a lawful judge, and if that is the case – which I cannot believe – I claim that You have not followed

32 SRD VII, pp. 444–447.

33 APD VII, no. 5750.

34 Cf. SRD VII, pp. 394–395.

the right procedure.”<sup>35</sup> In conclusion Sacchow demanded the nullification of the sentence: *alioquin et ex causis premissis de nullitate sententiæ protestor*.<sup>36</sup> Compared with the protests presented in the instrument of 20 April 1425 there are certainly many similarities. However, in one crucial respect it differs from Sacchow’s original protests as it mentions the minority of the three Holstein brothers as one of the reasons why the Ofen sentence had to be nullified.<sup>37</sup> This fits suspiciously well into the process in the Curia that after all was granted solely out of acceptance of the Holstein claim that the three brothers had been minors during the passing of the Ofen sentence. In addition, it seems that Lyder Rottorp only presented the instrument of Mathias Ditmari verbally for Cardinal Antonio, which opened for possibilities to spin it in a favourable manner.<sup>38</sup>

The Holstein party could from the very onset of the process of nullity expect a sentence in their favour, and especially so after the third summons that characterized the Ofen sentence as “alleged”, *pretensa*. Nevertheless, it is strange that the Holstein party waited approximately half a year before they brought about an instrument with the sentence, before that is, they brought about their version of the sentence. One explanation is that they simply did not have an instrument before Mathias Ditmari more or less willingly fabricated one for them. Another explanation is that the Ofen sentence itself was not a particularly good argument either for the granting of a process of appeal – which indeed was not granted – or for a process of nullity. It is telling that, on the contrary, Bishop Christian of Saaremaa did not hesitate to present the Ofen sentence and, so to speak, let it talk for itself. As regards the form of the presentation there is a significant difference in as much as Bishop Christian’s presentation focused on the content of the sentence itself, whereas Lyder Rottorp’s presentation on 20 April 1425 focused on the protests of Nicolaus Sacchow.

35 In modern eyes a somewhat self-contradictory accusation, but not in the eyes of the protagonists themselves. The same type of reasoning appears in the process prior to the Ofen sentence as King Erik argues that the Holstein brothers would have forfeited their title to Schleswig as a fief, if there were feudal law in Denmark, which is, however, not the case. Cf. SRD VII, p. 296 § 4: “... etsi eorum dominus feudi essemus, prout non sumus, tunc credimus ipsos utique eorum feudum erg nos amisisse ...”

36 SRD VII, p. 395.

37 SRD VII, p. 446: “Item dico, quod compromissum factum est per minorennes sine auctoritate superiorum et de jure invalidum.”

38 SRD VII, p. 445: “deinde ... magister Luderus Rottorp ... dictum instrumentum sententiæ per prenomiatum Matheum Ditmari ut premittitur productum, in quantum pro se et parte sua predicta et contra partem adversam facit, hic repetiit et verbo solum et duntaxat de novo reproduxit.”

## THE PAPAL BULL OF RETRACTION

After the third summons all obstacles to the nullification of the Ofen sentence were removed.<sup>39</sup> Until then the process had followed the prescriptions of the type of process a judge appointed by the pope had the authority to conduct.<sup>40</sup> The sentence Cardinal Antonio was about to pass could only fall in one direction, that is in favour of the Holstein brothers. But before it came to that, Pope Martin himself interfered in a highly irregular way: on 23 May 1425 he suddenly liquidated the process with a so-called bull of retraction, *bullā advocatiōis*. In the Danish National Archives six versions of this bull are housed, of which four must be designated concepts, whereas two identical versions with the papal seal attached must be regarded as the final version. This version is also the one that appears in the very notary instrument containing the process.<sup>41</sup>

The four concepts have an interesting passage that the Schleswig case is of a purely secular nature and that the appeal ought rather to be lodged before King Sigismund – a passage that seems to have been inspired by Bishop Christian of Saaremaa. A further passage says that King Sigismund had acted correctly in the case. Therefore, according to the concepts, it cannot be justified to nullify the Ofen sentence because of defects in the procedure. These two passages have not found their way into the final version. This version states only that the Holstein brothers had obtained a process of nullity because they were minors; however, King Erik had petitioned the pope to take care of the process out of “apostolic grace”, i.e. to put a halt to the process. This was exactly what happened with the issuing of the bull. In other words, it was not possible for the pope to issue a bull accepting Bishop Christian’s argumentation that the case was of a purely secular nature. The bull, therefore, is a clear expression of Pope Martin’s obvious desire to save face. The same day that he issued the bull of retraction, he issued a letter disguised as a petition on behalf of the three Holstein brothers, but in reality it was a bull with which Pope Martin redelegated the case to King Sigismund because he could not be proven to have committed any mistakes in the procedure or acted unjustly. The fiction was that it was a consideration based on Canon Law rather than acceptance of the secular nature of the Schleswig case that prompted Martin to redelegate it to King Sigismund.<sup>42</sup>

39 SRD VII, p. 447.

40 Brundage 1995, pp. 128–130.

41 DD, no. 14250523001, <http://diplomatarium.dk/dokument/14250523001> (versions A and B are identical as well as identical with the version in SRD VII, p. 450).

42 APD II, no. 1474. The editor remarks: “This letter has the form of a petition from the three brothers, but the decision is contrary to the brothers’ wish. All in all, the letter is a peculiar mix of petition and bull.”

The bull of retraction mentioned that a petition had been delivered on behalf of King Erik. It has not been possible to establish the existence of any such petition, but the pope was undoubtedly acquainted with the letters from King Sigismund to the nobility and clergy in northern Germany from 11 to 12 March 1425 in which the king asked for support to execute the Ofen sentence. In these letters Sigismund emphasized the insult he had suffered as a result of the Holstein process in the Curia, and he stated explicitly that the three brothers were not at all entitled to try the case before an ecclesiastical tribunal.<sup>43</sup> So it seems that Sigismund's pressure worked. In the spring of 1425, things had changed radically, and the pope could not allow himself to oppose King Sigismund as he had done in the previous autumn. Since then Sigismund had had luck in fighting the Hussites and he had warded off a dangerous oppositional move from the princes-elect. Furthermore, the Danish king looked as strong as ever which is why it would have been unwise to support the Holstein cause further.<sup>44</sup>

That Cardinal Antonio was prevented in passing the sentence of nullity because of Pope Martin's coarse provision must have been a bitter experience for the Holstein party, which was expecting a legal triumph. For the cardinal himself it must have been a highly unsatisfactory way to have the work with a long and complicated process completely overruled. A certain Bishop Oluf of Aarhus, proctor of King Erik, showed up in the Curia and requested the bull of retraction to be delivered to him, which Lyder Rottorp as a last desperate manoeuvre tried to prevent by demanding that the bishop prove that his mandate was genuine. Cardinal Antonio acquiesced and arranged a meeting. When the parties met, Antonio declared that he was not obliged to deliver the bull of retraction before Bishop Oluf had produced counter-arguments to the Holstein accusations. But the cardinal and the Holstein party suffered their last defeat as Pope Martin ordered the bull to be delivered. So, Ciprianus Francischi de Pisis' entire notary instrument containing the Holstein process ends with an account of how the pope ordered Cardinal Antonio to deliver the bull.<sup>45</sup>

## CONCLUSION

It is easy to show that the Holstein allegation of minority during the passing of the Ofen sentence is a lie. To a modern reader it is challenging to accept that this lie could

43 DD, no. 14250311001, <http://diplomatarium.dk/dokument/14250311001>; DD, no. 14250311002, <http://diplomatarium.dk/dokument/14250311002>; DD, no. 14250312001, <http://diplomatarium.dk/dokument/14250312001>.

44 Cf. Hoensch 1996, p. 324.

45 SRD VII, p. 441.

be advanced without anybody apparently remarking it. Here it is very important to remember the extreme formalism that characterized trials in the Middle Ages. One could not argue against the content of what was presented in a correct form. But one could try to illustrate that the form was not correct. That was exactly what Bishop Christian of Saaremaa did: he did not argue with reference to the exact age (that he most likely did not know or, for that matter, care about) of the three Holstein brothers, rather with reference to the classical dichotomy between secular and ecclesiastical jurisdiction and the fact – at least to his mind – that the Holstein petition was not correctly formed, which was why the Holstein brothers could not claim minority.

The Holstein as well as the Danish use and intimate knowledge of this extreme formalism illustrates very well that the political protagonists in Scandinavia as a fully natural behaviour took the papacy into account as a means of achieving one's goals or preventing others from achieving theirs. In that respect, Scandinavia was exactly like the rest of Europe. The papacy was a fully integrated and natural part of the Scandinavian political landscape, and in that respect the same triteness has the same effect as in bureaucracy connected to appointments, indulgences, dispensations, permissions, etc. The Holstein process in the Curia is the least-explored case pertaining to Scandinavian high politics. It can be said with certainty, though, that it fits very well into a pattern according to which the papacy was instrumentalized throughout the entire Middle Ages in achieving the goals of the various political protagonists, whether secular or ecclesiastical. Similarly, war and turmoil in Scandinavia were just as natural concerns for the popes as were war and turmoil anywhere else. A good example is the bestowal of indulgence issued one day before the bull of retraction to all who helped to rebuild the island of Fehmarn that had been sacked in the summer of 1420 by King Erik and his forces. There can be no doubt that the indulgence can be seen as an attempt to bring about peace and normality in Scandinavia and thereby fewer worries for the popes.<sup>46</sup>

Finally, just as Alfred Krarup did, we can ask: would it raise the level of knowledge of the Holstein process in the Curia significantly if the original notary instrument containing this process showed up as a result of, let us say, a Scandinavian scholarly effort?<sup>47</sup> I think that depends very much on the understanding of the word "significantly". Such a find would certainly bring us closer to the protagonists, but most likely an original instrument would not provide us with much new and surprising information. Newly discovered documents very rarely do that; that is simply not how the modern historical discipline works. The significance of a possible find of the notary instrument lies in its being an expression of an ongoing, necessary dialogue with his-

<sup>46</sup> APD VII, no. 5752.

<sup>47</sup> The author has unsuccessfully tried to ask for the instrument in the Archivio Apostolico Vaticano, in the city archives of Pisa and Pistoia as well as the archive in Schleswig.

tory, a dialogue that not even a scholar as distinguished as Alfred Krarup is entitled to abort by claiming that scholarship has reached a level of knowledge that makes further efforts more or less superfluous.



Letter granting papal indulgence for participating in or contributing to the crusades against the Turks, printed on parchment in 1475 in Lübeck. Space is left for adding the name of the recipient, in this case the Danish nobleman Otto Nielsen (Rosenkrantz) to Bjørnholm. As Nielsen died in 1477, at the latest, the indulgence letter represents one of his last, pious deeds. The letter was issued by Marinus de Fregeno, special papal legate to the Kingdoms of Denmark, Norway, and Sweden, to the Duchies of Schleswig, Holstein and Stormarn, to the dioceses of Münster, Cammin, and Schwerin, and to the Eastern and Western Frisia and Dithmarschen, Livonia and Lithuania. Original in the Royal Library of Denmark, Copenhagen, Inc. 2656.



KURT VILLADS JENSEN

# Papal Crusade Bulls and Preaching to Scandinavia

## INTRODUCTION

No systematic study has previously attempted to cover the manifold aspects of the papal crusading bulls and the crusade preaching in Scandinavia throughout the Middle Ages. The present article will not deviate from that tradition. The topic is simply too broad and comprises so many various aspects that it is difficult to comprehend it exhaustively. The aim of this article is more modest, namely to present some of the source material and suggest various ways in which it could possibly be used for better understanding aspects of Scandinavian medieval societies, medieval crusade preaching in general, and papal relations to Scandinavia. It is not an attempt to provide a diachronic overview of developments in Scandinavian and papal crusading history throughout the Middle Ages, but instead simply to point to various themes which papal sources allow us to pursue further, but which have still not been fully explored.

The aim of the following is to exemplify how papal crusade bulls and crusade preaching influenced daily life in Scandinavian cities and the religious-military expansion throughout the Middle Ages.

## CRUSADES AND CRUSADE PREACHING

The crusades began with preaching, namely with the sermon that Pope Urban II gave on 27 November 1095 in conclusion of a general church council in Clermont in south-



ern France.<sup>1</sup> Pope Urban's words sparked an enthusiasm throughout the entire Latin Christianity, mobilized tens and maybe hundreds of thousands of individuals, and inspired them to leave their homes and begin the long march to the Holy Land to liberate Jerusalem and the Holy Sepulchre from the hands of the infidels, which duly happened in the summer of 1099 in a massacre of apocalyptic dimensions.<sup>2</sup> According to contemporary chronicles and annals, the words of Pope Urban II spread to the end of the world and inspired Scandinavians to participate in the First Crusade, as they were to do in the many subsequent crusades until the Lutheran Reformation in the first half of the 16th century.

The words of Urban's sermon are known in various versions that all differ from each other to some extent, but not fundamentally. From the 12th century, a few influential and famous crusade sermons have been preserved in various forms, such as the sermons by Bernard of Clairvaux in 1145–1146 to mobilize support for the so-called Second Crusade,<sup>3</sup> or the one by Bishop Pedro Pitões of Porto to summon support to a crusade conquest of Lisbon in 1147.<sup>4</sup> From the 13th century and later, the source material becomes richer and includes numerous examples of sermons, sermon manuals, and preaching privileges to individuals or groups. From the 13th century onwards, it is possible to get a much clearer idea about how crusade preaching was staged and performed in practice, which themes were fundamental for persuading people to participate, and what became the legal and religious status of the crusader.

In the decades around 1900, crusade sermons were an important research topic. This field of study was then left relatively neglected until it was revitalized in the last decade of the 20th century, and it has now become a flourishing and important international topic. It has, however, not been much touched upon in the case of Scandinavia. A few scholars have investigated papal involvement in the Baltic crusades and included preaching in their investigations,<sup>5</sup> but not specifically preaching in or about Scandinavia. Research on medieval preaching in general is substantial and solid in Sweden, especially because of the huge collections of sermons from Vadstena monastery. Sermon studies are also pursued, albeit to much lesser extent, in Norway, Denmark, and Finland, but none of the scholars engaged in this have concentrated upon crusade preaching and most of them have simply neglected this important aspect of medieval public communication. The only comprehensive investigation of Danish

1 Urban's sermon, see Cole 1991. Crusade preaching, Maier 1994; 2000. The crusades, and mobilizing for the First Crusade, see Riley-Smith 1986; 1997; Purkis 2008; Tyerman 2006.

2 Kedar 2004.

3 Gervers 1992; Phillips 2007, pp. 37–114; Purkis 2008, pp. 86–119; Kienzle 2013.

4 *De Expugnatione Lyxbonensi*.

5 Jensen 2007; Fonnesberg-Schmidt 2007.

medieval sermons, for example, was published in 1969 and mentioned crusade sermons as widespread and important, but devoted a little more than one page in total to the phenomenon.<sup>6</sup>

After the conquest of Jerusalem in 1099, the idea of crusading spread immediately to other religious border areas in Latin Christendom. In 1108, or maybe even earlier, the archbishop of Magdeburg issued a letter in which he described the horrible assaults of the pagans along the Baltic coast upon Christian communities, and how they slaughtered and massacred Christians and used their blood in abominable rituals. The picture he painted of pagans is taken almost verbatim from Pope Urban's Clermont sermon, the biblical references are the same, and pagans in the Baltic are presented exactly in the same way as the Muslims in Jerusalem. The archbishop of Magdeburg therefore summoned princes in Northern Europe to put up resistance and defend the true faith, and to fight for "our Jerusalem" in the north. If they did so, they would not only gain the same indulgence as those going to Jerusalem in Palestine, but they could also acquire rich and fertile land.<sup>7</sup> The idea of Jerusalem was thus transplanted from the deserts of the Middle East to the icy shores of the Baltic, and along with it the need for preaching of religious crusading warfare arrived at the north.

## SOURCES

Information about crusade preaching in Scandinavia can be drawn from various sources. Papal bulls to Scandinavia concerning crusading have survived in sufficient number to obtain a fair impression of content and change over time, and most of them are known from the copybooks of the Papal Curia which are much better preserved than any Scandinavian medieval archive. There were two kinds of crusading bulls. Some were general and directed in the same form to rulers or ecclesiastics in several European countries, while others were specific and directed to one single or a few Scandinavian recipients.

The main focus in this article is on papal bulls commissioning individuals or institutions to preach crusade and defining for how long a time, where, and against whom this should be done. Some bulls, for example those appointing papal legates or papal collectors of crusade taxes to the north or similar, mention in much more general terms crusade preaching as one of their obligations among many others. The information about crusade preaching in these bulls is supplemented by royal, ecclesiastical, or

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6 Riising 1969, pp. 29–30.

7 Constable 1998.

private charters referring to crusade preachers, to indulgence, or to crusades and crusaders. Contemporary Nordic narrative sources, in contrast, provide vivid descriptions of crusading warfare and killing in practice and some of the ideas behind, but mention only very briefly the preaching preceding the expeditions.

This article is based solely on charters sent to Scandinavian recipients or issued in Scandinavia. This is an unfortunate limitation, since the material would have much benefited from being contextualized with comparing it to similar sources from other areas around the Baltic and to the Latin West in general. However, this was not practically possible without a larger research effort. The Scandinavian material investigated here amounts to (around) 175 documents, but a more meticulous search – for example a close reading of the 150–200 surviving charters from Sweden alone that mention the Hospitallers – could certainly substantially enhance the amount of evidence for crusade preaching.

The number of sources is obviously also dependent upon how we should define a crusade sermon. In this context, I have chosen an inclusive and broad definition that includes specifically arranged sermons at a given time and space, aiming at summoning support for one specific crusade, but also general preaching, prayers, and exhortations as part of the ecclesiastical liturgy to support crusading as such.

The spoken words of the preachers are gone, but we can nevertheless get an impression of the message conveyed. A few crusading sermons from Scandinavia do still exist, from the 12th and the 15th centuries. Some are copies of common Latin European sermons, others may have been composed in the Birgittine abbey of Vadstena in Sweden.<sup>8</sup> However, it is also possible to get an idea of the themes that were actually applied in preaching by looking at the papal bulls that called to crusade. The bulls opened with an introduction, an *arenga*, explaining in high rhetorical style why the pope had decided that it was necessary to launch a new crusade. For example, the introductions could describe in vivid details the pagans' cruel and blasphemous deeds and killing of innocent Christians, or they could include biblical prophecies of the signs of God's wrath and the approaching end of the world, or they could stress the mercy and forgiveness of the Saviour and the possibilities of gaining indulgence. In short, the bulls' introductions were composed as a sort of mini-sermons or a compressed collection of exempla to support the preacher, and they thus indirectly give directions for how the papacy wanted specific crusades to be preached.<sup>9</sup>

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8 Jensen 2007, pp. 104–111.

9 Maier 1994, p. 117; Smith 2017.

## LIFE IN THE CITY

Crusade preaching changed fundamentally the liturgical life in the churches and the public life in the cities. After the unfortunate events of the Fourth Crusade, which in 1204 plundered Christian Constantinople instead of capturing Jerusalem according to the original plan, the preparations for crusading became intensified and increasingly standardized and regulated, especially during the pontificate of Innocent III (r. 1198–1216). In 1213, the pontiff promulgated the bull *Quia maior* with a moving and ardent exhortation to all Christians to come to the help of the Holy Land, but also with a long range of practical measures to promote crusading attitudes. Among other things, it was decided that every day during mass, after the kiss of peace and before receiving communion, all men and women should prostrate themselves flatly on the ground while the clerics with loud voice sang the Old Testament's psalms *Oh God, the gentiles have entered into your inheritance* and *May God rise up, and may his enemies be scattered*. Afterwards, the celebrating priest should pray to God to liberate from the hand of the enemies the land that has been consecrated by the blood of Christ.<sup>10</sup>

Similarly, Pope Innocent decreed that a solemn public procession should be arranged in the cities every month in which men and women – separately if practically possible – should proceed through the streets with overt humility, and with passionate prayers they should implore the Lord to liberate the Holy Land. Pope Innocent had great confidence in the effect of prayers and liturgical ceremonies against the enemies of the faith. On 16 May 1212 he had organized a huge procession in Rome, and it had resulted in a great Christian victory against the Muslims at Las Navas de Tolosa in Spain.<sup>11</sup> The liturgical warfare was now extended to all Latin Christianity, including Scandinavia. In Christoph Maier's words: "The institution of regular crusade liturgies carried the crusade into the churches of Christendom at large."<sup>12</sup>

How all these processions should be implemented in practice and in detail was specified in other papal bulls to local ecclesiastical authorities. One such has survived, issued in 1224 by Pope Honorius III to Bishop Peter of Roskilde. The papal letter or-

10 SDHK, no. 33: "Singulis quoque diebus intra missarum solemnias post pacis osculum cum iam pro peccatis mundi offerenda vel sumenda est hostia salutaris omnes tam viri quam mulieres humiliter prosternantur ad terram, et a Clericis Psalmus iste *Deus venerunt gentes in hereditatem tuam* alta voce Cantetur, quo cum hoc versu devote finito *Exurgat Deus, et dissipentur inimici eius, et fugiant a facie eius qui oderunt eum*. Sacerdos qui celebrat orationem istam super altare decantet *Deus qui ammirabili providentia cuncta disponis te suppliciter exoramus, ut terram quam Unigenitus filius tuus proprio Sanguine consecravisti de manibus inimicorum Crucis eripiens, ...*"

11 Maier 1999; cf. Twyman 2004.

12 Maier 1999, pp. 359–360.

dered the bishop to organize and oversee that crusade is preached in the entire church province of Lund,<sup>13</sup> that is Denmark, southern Sweden, Schleswig, Holstein, Rügen, and the distant and newly conquered Estonia. Bishop Peter was allowed to open churches that had been closed because they were under interdict, in order to preach crusade, and he could absolve excommunicates if they took the cross and promised to go on crusade. Every month he should arrange public processions through all major cities in the entire church province, and he should ensure that the psalm “All nations whom thou hast made shall come and worship before thee, O Lord; and shall glorify thy name” was sung every day. He should diligently observe the participants in the processions, and if he deemed that any of them deserved it, he could grant them ten days’ indulgence, but no more. In addition, he should arrange for money to be collected during the preaching and carefully keep it for the pope to use when “the time of crusade had come”.<sup>14</sup>

The bull *Quia maior* of 1213 was reissued several times by later popes, sometimes with minor changes that did not, however, fundamentally alter the message or diminish the omnipresence of crusade discourse in the public spheres of the cities. In 1333, for example, Pope John XXII stated that the prayers during mass should not be read daily, but once per week, alternating between being directed to the Trinity, to the Holy Cross, and to the Holy Virgin. This should continue for as long as “the present persecution” of the Christians continued.<sup>15</sup>

The processions and preaching in public became standard elements of urban life throughout the Middle Ages, be they papally initiated or just inspired by this tradition. After the fall of Constantinople to the Turks in 1453, crusading liturgy was intensified; and in 1455 Pope Calixtus III decreed that all church bells should ring every day at noon to remind everyone to stop “and pray for the Christians who fight against the Turk and other pagans”.<sup>16</sup>

In October 1489, the papal nuntius Antonius Masth had a huge wooden cross erect-

13 The letter was addressed to the bishop of Roskilde because the See of Lund was shortly vacant as the pope and the chapter of Lund could not agree upon a candidate.

14 *Diplomatarium Danicum* (henceforth: DD) 1:6, no. 10.

15 SDHK, no. 3979, 26 July 1333: “... qualibet Ebdomada semel certa die pronuntianda Populo vna Missa pro liberatione dicte terre de manibus hostium perfidorum, prefata prosecutione durante cum infrascriptis orationibus sollempniter celebretur, ita quod in prima de Trinitate in secunda de Cruce, et in tertia Ebdomadis de beata Maria virgine, et sic deinceps ...”

16 ‘Roskilde-Aarbogen 1448–1549’, p. 309: “[Mcccclv] Samme aar døde paffuen Nicolanus den fæmte aff thet naffn. I hans stædt bleff wduolt Calixtus den tredie, huilcken som wor en godt from mand oc hæffde mange gode wilkor. Han skickede, att ther skall ringes y middage stundt, naar klokken slar xij, at mandt skall ther aff på mindes att bede gott for the Christne, som strider emodt Turckeren oc andra hedninge.”

ed inside the parish church of Stockholm, Storkyrkan, when he began his crusade preaching campaign against the Turks and his selling of the c. 20,000 letters of indulgence that he had brought with him, probably printed in Lübeck.<sup>17</sup> Later that same year, on New Year's Eve, Antonius Masth conveyed a relic of St George from the pope to Stockholm and deposited it in the new, enormous equestrian statue of the saint that was inaugurated in the church on that day, and which celebrated the victory of Regent Sten Sture the Elder against Danish invaders in the Battle of Brunkeberg in 1471.<sup>18</sup> We have no firm evidence to confirm it, but Antonius Masth would obviously have used the crusader saint and his statue as examples in his public crusade preaching.

Outside the cities, the evidence for crusade preaching is sketchy and piecemeal, but we get a short glimpse of the extent and coverage during the preparation for the Third Crusade in 1189–1192, as described in a short chronicle from the early 1190s about some Danish magnates' decision to join the crusade. Jerusalem had been conquered by Saladin in 1187, and the papal bull spreading this sad news reached the royal court in Odense in Denmark during the Christmas celebration. According to the text of the papal letter, tears had run from the eyes of Pope Gregory VIII and dropped to the parchment and mixed with the ink – Jerusalem had fallen. The Danish magnates present when the text of the letter was read aloud burst into tears and promised to journey to liberate Jerusalem, and they therefore decided to have the crusade preached at all law assemblies and in all churches, “so that what few had been informed about would reach the ears of everybody by public announcement”.<sup>19</sup> This example demonstrates how papally initiated crusade preaching was quickly spread over all Christian territories by the top level passing it on to the lowest and most widespread institutions, legal as well as ecclesiastical. It must have been common throughout the Middle Ages, but we simply lack evidence from Scandinavia to show it.

#### CRUSADE EXPANSION – WHERE TO?

With crusading came a new justification of warfare and an intensification of Scandinavian expansion. In addition, after 1100 many Scandinavian expeditions followed

17 SDHK, no. 40408, 28 December 1489: “crucem predicando contra Turchos erexit crucem in summa ecclesia Holmensi”; cf. Nyberg 1984, pp. 129–130; Undorf 2014, p. 104; Eisermann 2017, p. 86.

18 Collijn 1919.

19 ‘Historia de Profectione Danorum in Hierosolymam’, pp. 467–468: “Decreuerunt igitur uerbum istud diuulgandum in placitis, predicandum in ecclesiis, ut, quod iam pauci perceperant, clamore publicato ad aures uulgi procederet.”

traditional routes from the Viking Age, but for crusading. They became part of a common Latin enterprise and created new networks, and they led to the establishing of more permanent institutions and power structures.

The First Crusade in 1095–1099 was preached in the north and it induced a huge number of Scandinavians to join, but we have no extant sources that relate the content of the sermons or how the preaching was organized by the papacy. It is certain that Danes and Norwegians also took part in later crusades to the Middle East. There are far fewer sources to prove the Swedes' engagement but there is no reason to doubt that they also fought in Palestine.<sup>20</sup> However, a new crusade front opened in the Baltic and became, as mentioned, the goal for concerned preaching by 1108 with the letter from the archbishop of Magdeburg to princes in the north. Papal crusading policy was thereby transmitted to the Baltic, directly or in this case indirectly, as was to happen repeatedly in the centuries to follow.<sup>21</sup>

On Christmas Eve 1144, Emir Zenghi of Mosul conquered the first crusader state that had been established after the First Crusade, namely Edessa. After the loss of Edessa, intensive crusade preaching was immediately organized everywhere in Latin Europe. Bernard of Clairvaux was instrumental in this mobilizing of crusaders to Palestine, but princes in the north pointed out that they also had enemies of the Church living much nearer to their own lands, and Bernard granted them permission to fight against infidels in the Baltic and promised them the same indulgence as to those fighting in Jerusalem. In 1146, a papal legate Hubaldus attended a church council in Odense in Denmark to preach "Bernard's crusade",<sup>22</sup> as a later source called it, and the Danish historian Saxo related around 1200 how Pope Eugene III had sent out preachers to exhort all Christians to attack the infidels who were closest to their homes.<sup>23</sup> The pontiff had also preached to the crusaders that if they died, their souls would be in heaven, before their blood turned cold on earth.<sup>24</sup> The preaching worked. Two Danish kings fighting each other made a truce and joined German forces in a crusade against the pagan Wends of Dobin in Wismar Bay in northern Germany. The crusaders won and liberated Christian prisoners and ensured that pagans were baptized, but the expedition was only a temporary success. As soon as the armies left, the locals returned to paganism. After years of concerned crusading efforts, however, the main fortress and cult centre of the Wends at Arkona on the island of Rügen was finally conquered and

20 The most comprehensive account of Scandinavians participating in the crusades to the Holy Land is still Riant 1865.

21 Constable 1998. On Baltic crusades, Christiansen 1980; Bysted *et al.* 2012.

22 DD 1:2, no. 86.

23 Saxo 14.3.5.

24 'Knytlinga Saga', cap. 108.



destroyed in 1168 by the Danish king Valdemar I, but crusades against the Wends continued for another couple of decades.

The conquest of Arkona led to an extension of papally authorized crusading further to the Baltic East. In 1170/71, Pope Alexander III issued a bull to rulers and ecclesiastics in Denmark and Norway in which he promised indulgence to those who would fight against Estonians and other pagans who attacked and persecuted Christians.<sup>25</sup> In another bull to the archbishop of Uppsala and to Earl Guttorm – there was no generally recognized king in Sweden because possible candidates were occupied in killing each other – Pope Alexander III demanded that the Swedes should take over fortresses in Finland and take hostages to ensure that the Finns did not continue apostatizing as soon as the Christian army had left.<sup>26</sup> Neither of these two bulls talks directly about crusade preaching, but the first one in particular with promise of indulgence must have been followed by public promulgation and preaching.

The crusades towards Estonia were conducted from the north by Danes and Swedes and from the south by German crusaders with a base in Riga, and from the 1220s onwards supplemented and soon organized by the Teutonic Knights. A major stronghold was gained for the Christians with the Danish conquest of Tallinn in 1219 but Estonia was not yet under firm control, and crusade preaching against Estonian apostates from Christianity or Estonian “heretics” continued for another almost 40 years. Then the crusade preaching ceased, and from the late 1250s the popes seem to have considered Estonia fully Christian or at least fully under Christian control. Apart from some pagan invasions or rebellions around 1300 and preaching in support of the Danish king and his vassals, no further calls for crusade to Estonia were needed.<sup>27</sup>

Instead, adjacent regions increasingly became targets for crusades. Semgallia, Curonia, Livonia, Prussia, and Lithuania continued to be crusader areas, Lithuania until the second half of the 14th century. The Tavastians and Carelians in Finland were living in a geographically loosely defined area and were objects of several Swedish crusades during the 13th and 14th centuries, supported by papal preaching bulls.<sup>28</sup> It is probably the same groups in the far north that were called “the pagan neighbours of Norway”, when King Haakon in 1241 was granted a papal permission to commute his crusading

25 SDHK, no. 210, dated 1165, but DD 1:3, no. 27 more probably 1170/71.

26 Here, the question is about the so-called *Gravis admodum* bull, edited in SDHK, no. 207, dating to 1165, and in *Diplomatarium Fennicum* (henceforth: DF), no. 24 with a more probable dating to 9 September 1171.

27 *Bullarium Danicum* (henceforth: BD), no. 929; BD, no. 940.

28 For example, SDHK, no. 514, 9 December 1237; SDHK, no. 934, 1274 (DF, no. 113 dates to 1256); SDHK, no. 3554, 16 August 1328.



vow to the Holy Land to fighting against such neighbours, and was promised the same indulgence as if he had gone to Jerusalem.<sup>29</sup>

From the 1220s, news of Mongol invasions from Central Asia reached Western Europe, and in 1240–1241 the Mongols moved in on a front stretching hundreds of kilometres from the Balkans in the south to northern Poland and won spectacular victories against some of the most professional European armies. For some reason, they returned to the steppes and did not follow up on the victories, but the papal response was a crusade-preaching campaign, mainly in Eastern Europe.<sup>30</sup> The Mongol threat has left surprisingly little evidence in Scandinavia. In 1243, Pope Innocent IV granted to Earl Knut of Norway the permission to join a crusade in Hungary against the Tartars because there was no large, general crusade to the Holy Land that he could follow at that time.<sup>31</sup> A general church council was supposed to convene in Rome in 1262 to discuss a possible crusade to solve the Mongol problem, but it was postponed due to the death of Pope Alexander IV, and the delegates, including some from Scandinavia, were sent home.<sup>32</sup> When negotiations were resumed in October 1263, it resulted in Urban IV's crusading bull *De summis celorum* prompting crusade preaching in all Scandinavia – and a number of other countries – to support the Holy Land, which was threatened by the Mongols. The bull gave far-reaching privileges to support the crusade, including, for example, dispensations for 50 Danish clerics born out of wedlock, so that they could be ordained priests if they went on the crusade personally or financially supported others to go.<sup>33</sup>

From the 1320s we have the first papal bull authorizing Scandinavian crusades against the *ruteni*, the Russians or in general Orthodox Christians in the east, who also soon were to be called schismatics and infidels. There had earlier been Swedish crusades against the territories of Novgorod, but how they were supported by papal licence to preach is unknown.<sup>34</sup> In 1322, the papal collector in Scandinavia, Nicolaus Sigvasti, wrote to Pope John XXII and reported that the Peter's Pence had been collected for five years but not sent on to Avignon, and he suggested that the means should be used for fighting against the Russians, schismatics, and pagans who invaded Sweden, and that the pope should support such action with indulgence and promised

29 *Diplomatarium Norvegicum* (henceforth: DN) I, no. 24.

30 Sinor 1999; Ruotsala 2001; Schmieder 2006.

31 DN I, no. 27.

32 DN I, no. 55.

33 BD, no. 592.

34 Especially Torgil Knutssons against Ingermanland in 1292 with the foundation of the fortresses of Vyborg and Landskrona, near present-day St Petersburg. *Erikskrönikan* 1324ff; 1458–1467.

remission of sins.<sup>35</sup> Whether this actually happened is not known. In 1323, a treaty was signed in Nöteborg regulating the border between Sweden and Novgorod, but it meant no permanent peace.

In 1328 King Magnus Eriksson of Sweden and Norway suggested to Pope John XXII that the money collected in his two countries should be divided in two halves, of which one should be sent to the Papal Curia and the other used locally in Swedish crusades against Russians and pagans. Magnus Eriksson organized a spectacular and huge crusade against Novgorod later, in 1348, but achieved little.<sup>36</sup> He came back with a new army on a large fleet in 1350, but many of the ships sank in a storm on the River Neva, and the crusade had to be postponed. In 1351 Pope Clement VI issued a bull to the three Scandinavian church provinces, Uppsala, Nidaros, and Lund, and ordered the organizing of crusade preaching to protect the newly converted Ingris and Carelians against attacks from the Russians, "enemies of the Catholic faith."<sup>37</sup> When Pope Clement died in December 1352, his successor, Innocent VI, reissued these crusading bulls. It all came to nothing. The Black Death had struck, and postponed further Swedish crusading plans for many years.

The Russians became the most important crusading enemy for Scandinavia throughout the Middle Ages, and crusades were preached against them on several occasions. Novgorod was the political centre of the Russians until the 1470s when the expanding Moscow under Ivan III conquered and controlled the city-state. In the decades around 1500, Russians became involved in the continuous wars between the rulers of the Kalmar Union and successive regents of Sweden. In 1485, Pope Innocent VIII ordered Archbishop Jacob Ulfsson of Uppsala to try to persuade the Union king John (Hans) to fight against "Russians and infidels", and in 1488 the pontiff appointed Bishop Simon of Tallinn nuntius to negotiate peace in the lands of King John, to enable the king to organize a common expedition with the Teutonic Order against the Russians. Simon could even threaten with excommunication if the Swedish princes did not respect the peace agreements<sup>38</sup> – meaning that King John could launch a crusade against Sten Sture, if the Swedish regent prevented a crusade against the Russians.<sup>39</sup>

35 SDHK, no. 3118.

36 The negotiations to conclude the war seems to have included exchange of high-status hostages. King Magnus in 1350 donated land to the Swedish monastery of Värfruberga in connection with the entrance of "a Russian girl" into the monastery; SDHK, no. 5911; cf. SDHK, no. 6031.

37 SDHK, no. 6127: "catholice fidei inimici".

38 APD IV, no. 3106; APD IV, no. 3108: "Treugas ipsas, etiam cum censurarum aggravatione, observari faciendi et mandandi ..."

39 For Sten Sture's reaction, and negotiations with the Teutonic Order and Riga, see Nyberg 1984, pp. 125–128; for relations to Ivan III, see Pape 2008.

In the 1490s, the situation changed as King John in 1493 began negotiations with Ivan III of Moscow, probably directed against Sten Sture and the Teutonic Order. In 1496, Sten Sture received a papal bull, which authorized his wars against Russians – and therefore also their Danish allies – as proper crusades and instituted crusade preaching in all Sweden.<sup>40</sup> The papal bull had little practical effect, as wars on the eastern Swedish frontier, in Finland, had already begun in 1495 and severely weakened Sten Sture, who in 1497 lost a major battle in Sweden against King John, who afterwards was recognized as king of Sweden. The episode may not be of great political significance in itself. It illustrates, however, how Russians continued to be a target for papal crusading efforts, but in shifting alliances with various Scandinavian rulers, and how crusading or the threat of crusading therefore indirectly became an important instrument in the many internal struggles for power among Scandinavians.

There was a clear papal interest in initiating and supporting crusades in the north against the Russians, but this ran parallel to the many crusading initiatives in the Mediterranean. In the 12th to 14th centuries, Mediterranean crusades were directed towards the Holy Land and the reconquest of Jerusalem after 1187, while from the mid-14th century onwards they were directed against the Turks, especially after the Ottoman conquest of Constantinople in 1453. The ubiquitous and well-organized preaching in all churches and cities against Saracens and for Jerusalem has been mentioned above and was, until the 14th century, the most prominent of the preaching campaigns. This was supplemented with targeted preaching for specific expeditions. In 1308, for example, Pope Clement V organized preaching all over Europe including Scandinavia to support a common crusade of Hospitallers and the French king to the Holy Land, which was to set out in spring 1309.<sup>41</sup> In June 1309, the pope also demanded the various Mendicant orders to intensify their preaching to assist the Hospitallers.<sup>42</sup>

The earliest crusade preaching in Scandinavia specifically mentioning the Turks was initiated by Clement VI in 1343 to support the king of Cyprus against the Turkish expansion in southern Greece.<sup>43</sup> The crusade was to be preached for three years. Twenty years later, in 1365, the next king of Cyprus conquered and sacked Alexandria in a well-prepared expedition, but only a week or so later he had to leave the city because of the approaching Mamluk army. This initial success and the ensuing sudden defeat resulted in a major preaching campaign in 1366, including in Scandinavia, to raise a

40 APD V, no. 3536; APD VI, no. 5201; SDHK, no. 43327 (only regest).

41 SDHK, no. 2252; BD, no. 991.

42 DN VIII, no. 35.

43 SDHK, no. 4922; *Diplomatarium Suecanum* (henceforth DS) II, no. 1560, but wrongly dated to 1307, cf. DN VI, no. 169.

crusade against the Saracens “and their friends the Turks”.<sup>44</sup> Pope Urban V sent general bulls to the Scandinavian church provinces about the matter, but also one separate to King Valdemar IV of Denmark<sup>45</sup> who had two years earlier visited the king of Cyprus and the pope and taken the vow to go on crusade. The personal letter from the pope, however, did not lead to anything since King Valdemar was too occupied at home and could not leave for the Mediterranean.<sup>46</sup>

After the fall of Constantinople in 1453, the Turkish problem was discussed at church councils and political meetings all over Western Europe. Crusading preachers were appointed and sent out. In 1457 it was Marinus de Fregeno, who was to stay in Scandinavia and around the Baltic Sea for years, preaching and collecting substantial sums to support the crusade by selling indulgences, and who ended as bishop of Cammin.<sup>47</sup>

The crusade preaching apparently worked. Immediately after the conquest in 1453, 6,000 Scandinavians should allegedly have set out to fight against the Ottomans. But they were prevented from reaching their goal because of wars in Sweden.<sup>48</sup>

The public crusade preaching was well attended, and a great number of individuals supported the crusades financially in order to gain the indulgence offered to those listening to the sermons. In addition, they received various papal privileges because of their engagements. In 1462 the Danish noblewoman Margareta Bjelke received a licence to choose her confessor because of her “contribution to the crusade against the Turks”,<sup>49</sup> and in 1475 the Danish knight and member of the royal council Otto Nielsen Rosenkrantz obtained the same privilege.<sup>50</sup> These two cases are known today because the original letters of indulgence, edited and sealed by Marinus de Fregeno, have been preserved, but they are only a tiny fragment of the total amount of indulgence letters granted in connection with crusade preaching. From Sweden alone, almost 100 letters concerning Marinus de Fregeno or issued by him are known today, and most of them relate to crusade preaching and indulgence.<sup>51</sup>

Crusade preaching against the Turks, as well as against the Russians, continued in Scandinavia until the Lutheran Reformation, and the rulers of the Kalmar Union were actively involved in planning and preparing crusades on the highest diplomatic level

44 SDHK, no. 8966.

45 APD VII, no. 5481.

46 Bysted *et al.* 2012.

47 Jensen 2007, esp. pp. 93–96.

48 DN XVII, no. 1062.

49 APD VII, no. 5938.

50 APD VII, no. 5990. The original letter of indulgence issued by Marinus de Fregeno to Otto Nielsen Rosenkrantz is preserved in the Royal Library in Copenhagen, Inc. Haun. 2656 tv-40.

51 A search in SDHK for “Fregeno” gives 99 hits.

with the papacy and the emperor. In addition, crusades were preached against other enemies of the faith during the later Middle Ages.

The many and large crusades against the Hussites in Bohemia have left surprisingly few traces in Scandinavia, although we know that Scandinavians participated, and that the Union king Eric of Pomerania probably studied the wars and adapted the newest military strategies from them. In 1434, the Council of Basel decided to impose a tax on all ecclesiastical income to fight the "Bohemian heretics". This was also publicized in Scandinavia and must have been accompanied with preaching against the Hussites.<sup>52</sup> Marinus de Fregeno in 1474 should also collect money and preach against them,<sup>53</sup> and in 1518 the Union king Christian II was encouraged by the papacy to combine his military force with Emperor Maximilian against the Hussites and the Turks.<sup>54</sup>

One of the most peculiar crusading bulls, exceptional in a European context, was issued in 1401 by Pope Boniface IX in support of the Union queen Margaret. She had explained to the pope how exposed the newly founded Kalmar Union was, established only in 1397 and with vast lengths of coastline that were totally impossible to fortify and defend. Her lands were attacked continuously by neighbours who plundered and burned and raped. Boniface therefore demanded the three Scandinavian archbishops to preach a crusade and to exhort the inhabitants to take the cross and fight against these peoples, "be they Christians or pagans".<sup>55</sup> These crusaders would gain the same indulgence as those going to Jerusalem.

It is unique that a pope called for a crusade against Christians, and in principle and theologically it was impossible. It could only be justified if Christians had apostatized or become heretics in one respect or another. This happened later, in 1411, when Pope John XXIII let be preached in the whole of Scandinavia a crusade against the "so-called Pope Gregory XII", who had been condemned by the Council of Pisa as a heretic. John XXIII very carefully stressed that Gregory was a schismatic and a heretic and that he had committed sacrilege.<sup>56</sup>

Why Margaret in 1401 had received such an unusual licence to kill Christians must be connected to the fight amongst various pretenders to the throne of St Peter. Boniface IX was the Roman pope from 1389 to 1404 while other popes resided in Avignon. Only the Council of Constance in 1414–1418 ended the great schism within the West-

<sup>52</sup> APD III, no. 1723.

<sup>53</sup> APD IV, no. 2511.

<sup>54</sup> APD VI, no. 4659; cf. APD VI, no. 4568.

<sup>55</sup> DN XVII, no. 215: "gentes huiusmodi siue christiani siue pagani fuerint."

<sup>56</sup> SDHK, no. 17723: "velamine perditionis filii Angeli Corario heretici atque scismatici, per generale Pisanum concilium iusto Dei iudicio sentencialiter condemnati, qui se Gregorium xii ausu sacrilego nominare dampnabili malignitate presumpsit hactenus et presumit, ..."

ern Church, and until then Boniface needed all the support he could get. His rewards were wide-ranging privileges, as the one to Queen Margaret.

Sometimes only indications and circumstantial evidence have survived to tell about a papally authorized crusade preaching. In 1514, the Union king, Christian II, secured a papal bull granting indulgence to all those "sailing to the islands on the other side of the frozen sea."<sup>57</sup> It must have been followed by intensive preaching activities, although we have no direct information about this part of the preparation for the crusade. The target of the expedition was Greenland, which had been abandoned by Scandinavians in the last half of the 15th century, and perhaps the crusade was intended to continue from Greenland to Asia and Jerusalem. The expedition was apparently prevented from setting out in 1514, but the plans were not abandoned. They were resumed and all prepared in 1519, a Franciscan friar Vincent was papally appointed as new bishop of Gardar in Greenland, and what must have been an intensive crusade preaching campaign was supplemented with a pictorial programme in churches illustrating the crusading fleet.<sup>58</sup> It was the intent of King Christian II "with a mighty fleet to liberate Greenland from the hands of the idolaters."<sup>59</sup> However, the Swedes rebelled again, and Christian II's plans of a northern crusade came to nothing.

## CONCLUSIONS

The papal crusading preaching bulls to Scandinavia provide a rich and underexplored source material, both for daily life in the cities and churches and for the shifting political alliances within Scandinavia and with neighbouring countries. They show a Scandinavian engagement in the crusades, on the one hand resembling that of most other Latin European countries in the Middle Ages, and on the other hand with their own, local crusading areas. The Baltic attracted crusaders from German areas and later from the whole of Western Europe, but it was first of all a Scandinavian sphere of interest. The Livonians, Finns, Carelians, and the Russians were the main targets for Scandinavian crusading, which could easily be combined with Scandinavians also participating in Mediterranean crusades.

57 DN XVII, no. 1260: "Et primo de indulgentiis navigantibus ultra mare glaciale ad insulas concedendas, ..."

58 Bisgaard 2008.

59 DN XVII, no. 1184: "Sane ecclesia Gadensis, que ad presens dote caret, et cuius civitatem, que triginta annis episcopo caruit, carissimus in Christo filius noster Christiernus Dacie Rex illustris potenti classe manibus Idolis servientium recuperare et ipsi ecclesie dotem assignare intendit, ..."

Crusade preaching in Scandinavia seems to have been very well organized since at least the late 12th century, stretching out to the most isolated corner of the realms. It connected Scandinavia to rest of Europe, and also testifies that the papacy was well informed about what happened in Scandinavia.

TORSTEIN JØRGENSEN

# Between Theology and Jurisdiction

## *Some Aspects of the Norwegian Petitions to the Papal Penitentiary*

### INTRODUCTION

It is hardly possible to form a consistent picture of the different aspects and doings of the medieval Roman Church without taking some basic elements of its self-understanding into consideration. At least, if the aim is to understand how the Church itself motivated its mission and role in the world, one needs to keep in mind that its *ecclesiology* – i.e. its teaching about itself – lay at the bottom of all its enterprises and activities.

By taking a closer look at how the late medieval Church dealt with the issue of clerical violence, this article will illustrate how the Church balanced theology and jurisdiction in accordance with its ecclesiological self-understanding. In the late Middle Ages, the Church procedures on this point appeared as a finely tuned balance in both theory and practice that had been developed throughout the entire history of the Church.

The basic theological motivation behind the very existence of the Church was grounded on its spiritual task in the world, namely to convey God's grace to all humankind.<sup>1</sup> But in doing so, the Church had over the centuries developed a complex set of measures to guide souls on their way to heaven which also included an intricate jurisdictional structure of Canon Law, ecclesiastical courts, confessionals, and different sets of juridical procedures.

This article will pay special attention to a limited but relevant selection of primary texts in which clerical violence is a main issue. The texts used are preserved in the late medieval registers of supplications to the Papal Penitentiary, which was one of the most important medieval papal offices. The article argues that the petitions presented

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1 Mt. 16:17–20, 28:18–20; Jn. 17:1–26.



to and approved by the Penitentiary represent a historical text material in which the interrelation between theological self-understanding and jurisdiction in the late medieval Church came to reach perhaps one of its most sophisticated levels. The article has the following structure: first, it will outline some basic aspects of the Church as both a spiritual and civil community. Second, it will look at how the Church defined the walls separating its inside and its outside by focusing on the phenomenon of excommunication as a main instrument to guard its identity and maintain its borders – in spiritual as well as in societal matters. Third, the article will investigate the demarcation line between the ecclesiastical and civil laws through concrete Norwegian examples. Lastly, the article will analyse the issue of violence perpetrated by the clergy as dealt with in Canon Law and as treated by the Papal Penitentiary with special reference to the above-mentioned double ecclesiological identity of the Church. This latter point will also be exemplified by cases from Norway.

#### THE CHURCH AS A SPIRITUAL AND CIVIL COMMUNITY

A basic theological term to describe the Church as a community between God and man is expressed in the concept of *covenant*. The term is a central notion both in the Old and in the New Testament.<sup>2</sup> But there is a difference between the two that we need to note. Whereas the Old Testament covenant had its historical *Sitz im Leben* in the state of old Israel, with the aim of forming a theocratic society in accordance with religious and divine norms,<sup>3</sup> the new covenant realized in the Christian Church was of a more spiritual kind, consisting of believers in the Christian faith regardless of political citizenship or ethnic identity.<sup>4</sup> During the period when the texts of the New Testament were composed in the 1st and 2nd Christian centuries, the Church stood in no formal relation to any state or political authorities, and its rules and regulations governing the members' lives were entirely internal.<sup>5</sup>

This, of course, changed dramatically when Christianity became the official religion of the Roman Empire at the beginning of the 4th century. And, as we all know, this new status of the Church set the tone for the long struggle in Western Christendom to draw a demarcation line between the Church and the society, between *regnum* and *sacerdotium*, and between civil and Canon Law. What is of interest to note in our context here is that the Church in the formation of its ecclesiology throughout this period

2 Gen. 9:15–17; Mt. 26:28; 1 Cor. 11:25; Heb. 8:6–13.

3 Cf. the so-called Book of Covenant in Ex. 21–23, and Lev. 17–26.

4 Rom. 11:26–27; Gal. 3:15–29.

5 Jørgensen 2014b, pp. 113–127.

took its inspiration both from the theocratic Old Testament standards, and from the spiritual New Testament ideals. Thus, the regime of the Church was in this way somehow all encompassing. One line of its domain stretched into civil society in the here and now as a formative power to peoples' external lives, to ethics and laws, and to social relations at different levels. The other line went into peoples' souls, their conscience and beliefs, their destiny beyond death, and from man to God. Together the two lines formed a dialectic unit, in which the one could not be separated from the other.

#### EXCLUSION AND REINTEGRATION – AS THEOLOGY AND JURISDICTION

This double perspective in its self-understanding also had a bearing upon the way the Church handled its border between those within and those outside the community. During the first 300 years, the criteria for being reckoned as a member of the Church were of a purely religious kind, based on baptism, fellowship in faith and cult, and common standards of ethical behaviour. The need to protect the purity of the Church by establishing formal procedures for excluding persons who did not fit into the community is already stated in the New Testament, such as by St Paul in his first letter to the Corinthians: "Don't you know that a little yeast works through the whole batch of dough? Get rid of the old yeast that you may be a new batch."<sup>6</sup> But, how categorical this provision might sound, the exclusion was in principle not final. The main aim of the sanction was not that of punishment, but of leading the lost soul back to the fold – as also stated by St Paul: "Count him not as an enemy, but admonish him as a brother."<sup>7</sup> This overall concern of using excommunication as a means of guidance for people who had gone morally or doctrinally astray is reflected, for instance, in the 3rd-century *Didascalia Apostolorum*,<sup>8</sup> according to which repentant sinners were to be ritually expelled from the Church by the bishop while the congregation entreated the bishop to pardon them. The excommunicates were assigned a penance of up to seven weeks of fasting, and in this period, they were barred from participating in the Eucharist, but allowed to come and hear the Word of God.<sup>9</sup> Only notoriously unrepentant sinners were to be shunned.

The development of a closer relationship between lay and ecclesiastical authorities that took place in the period from Constantine to the breakdown of Carolingian rule

<sup>6</sup> 1 Cor. 5:67.

<sup>7</sup> 2 Thess. 3:15.

<sup>8</sup> See *Didascalia Apostolorum*, p. 111.

<sup>9</sup> Kelly 1978, p. 219.

changed the Church sanction of excommunication from being a merely religious matter to also becoming a matter of great importance in the realm of civil society. From the late 7th century onwards, public penitence was prescribed only for severe sins and could be administered by both secular and ecclesiastical courts, or by the two working in union.<sup>10</sup> To be excommunicated was from then on not only a sanction of relevance to one's life in the Church or to one's relation to God, but very much so also to one's life in civil society. Thus, by using the mentioned biblical metaphor of the contagion of sin, Pope Gregory VII (r. 1073–1085) at the Synod of Lent (1078) in the canon *Quoniam multos* imposed a ban on any kind of contact or dealings with excommunicates, except for wife/husband, children, or other dependents of the excommunicate.<sup>11</sup>

Of relevance to the interpretation of the cases of clergy and violence dealt with by the Papal Penitentiary is also the canon *Si quis suadente*<sup>12</sup> of the Second Lateran Council (1139). With this canon, the Church made a step to strengthen the special status of the clergy by prescribing the penalty of excommunication for people who laid violent hands on clerics or monks. It was also decided that excommunication incurred in this way could only be lifted by a special mandate of absolution at the Holy See.<sup>13</sup> By the end of the 12th century a new form of excommunication was introduced, namely that of *latae sententiae*, that took effect *ipso facto*, that is, as soon as the crime was committed, without procedures of examination or denouncement.<sup>14</sup>

A main concern for the Church in the late 12th and the first half of the 13th centuries was to develop more consistent procedures in ecclesiastical courts, and to further clarify the separation of the Church's penitential and juridical *fora*. The two *fora*, also described as the internal and external forum, gained an increasing importance in this period, and excommunication was a sanction that belonged to both, although in different ways. Around the year 1200, it is therefore relevant to speak of two essentially different sanctions. The internal forum, to which the sacrament of penitence belonged, comprised the private confession and sacramental absolution and penance administered by priests. Although this forum ministered also to mortal sin, which had to be confessed and expiated on pain of eternal damnation, it retained, as far as social isolation was concerned, only the penalty of exclusion from the Eucharist and other

10 Vodola 1986, p. 12.

11 *Das Register Gregors VII*, 2, pp. 372–373.

12 C.17, q.4, c.29, edited in Friedberg I, col. 822.

13 The growing number in the years that followed of penitential matters that could only be treated at the Papal Curia is in fact a main factor to explain the establishment and growing influence of the Papal Penitentiary, the main task of which was – on mandate from the pope – to deal with such so-called reserved cases.

14 Vodola 1986, p. 31.

sacraments. It was therefore referred to as the minor excommunication. In principle, the temporal exclusion from the Eucharist was a private matter between the sinner and the confessor, hidden beneath the ecclesiastical seal of confession. Any measures to isolate the excommunicate in addition to the sacrament were not applied.

Major excommunication, on the other hand, was a sanction to be administered by ecclesiastical courts and entailed full social exclusion.<sup>15</sup> The kind of crimes that were to be heard by ecclesiastical courts were the same as those mentioned in the *Liber Extra* and, of course, all those collections of Canon Law regulations that in the following years would be included in the growing juridical collection, nowadays known as the *Corpus Iuris Canonici*.

Concerning people who had communicated with a person sentenced to major excommunication, with the exception of those lawfully allowed to have contact with the person, this was regarded as a sin to be confessed to, and absolved by, the parish priest.

By the end of the 13th century, Pope Boniface VIII (r. 1294–1303) declared in his decretal *Licet* that excommunicates should be denounced publicly, and only after this become the object of public avoidance.<sup>16</sup> In this way he modified – and in reality annulled – the above mentioned decree of Clement III that prescribed avoidance of excommunicates *latae sententiae* only on the basis of *fama*. But the actual rules about avoidance as they were supposed to be practised were not modified. Excommunicates should not, for instance, be greeted on the street and all normal conversation with them was forbidden.

#### DRAWING THE DEMARCATION LINE BETWEEN ECCLESIASTICAL LAW AND CIVIL LAW – THE CASE OF NORWAY

In the procedures of drawing a demarcation line between ecclesiastical law and civil law, the Church also acted according to the basic principles of its ecclesiological self-understanding as a theological and juridical unit. An extensive and detailed explanation of this topic will go beyond the frames of this article, but a brief look at how this was practised in the case of Norway in the high and late Middle Ages can give a good illustration.

The main Norwegian source about this issue is to be found in the agreement signed by King Magnus the Law-Mender and Archbishop Jon the Red (Lat. *Rufus*) of Nidaros in 1277, referred to as the *Compositio Tunsbergensis*, the Tunsberg Agreement, or in

<sup>15</sup> For the above points, see Vodola 1986, pp. 35–38.

<sup>16</sup> VI 5.11.14, edited in Friedberg II, col. 1103.

Norwegian, *Settargjerden*.<sup>17</sup> The treatment of sin in the internal forum was, naturally enough, not a topic of the *Compositio*; nor was the treatment of purely secular crimes.<sup>18</sup> What does appear as a main point of the agreement, however, is an attempt at a clarification of the rights of the Church in the treatment of purely ecclesiastical cases<sup>19</sup> and mixed cases<sup>20</sup> in matters pertaining to the external forum. A main concession on the part of the king in this agreement was his renunciation of royal jurisdiction in matters of ecclesiastical law,<sup>21</sup> which he, as the document states, renounced fully.<sup>22</sup> Such cases were, as the text puts it:

... cases in which clergymen are at law with one another or are sued by laymen, cases concerning matrimony, birth, patronage, tithes, holy vows, wills – especially when gifts to churches, holy places, and monasteries are involved –, and the protection of pilgrims coming to Saint Olav's or other Norwegian cathedrals' doorsteps. Furthermore, cases concerning church property, sacrilege, perjury, usury, simony, heresy, fornication, adultery, and incest and other similar things which in any way may belong to the ecclesiastical law.<sup>23</sup>

However, the renunciation on the part of the king was, also in these cases, not so total after all, for at the end of the list a decisive reservation was added, namely that of "... royal right in cases in which, according to custom or the laws of the country, fines are to be imposed."<sup>24</sup> But any detailed reflection on the demarcation line between cases *ad ecclesiam spectant mero iure* and cases to be solved also *regio iure* is unfortunately not given.

During the Middle Ages the dividing line between the two realms in the question of jurisdiction was never precisely drawn, and from time to time this was the object of further discussion and attempts at clarification. Thus, in 1337 the Norwegian Na-

17 *Norske Middelalderdokumenter i Utvalg*, pp. 136–151.

18 "delicta mere civilia".

19 "delicta mere ecclesiastica".

20 "delicta mixta".

21 "causarum ad ecclesiam spectantium".

22 "retenciavit ... omni iuri".

23 "... omnes cause clericorum quando inter se litigant uel a laicis impetuntur, matrimoniorum, natalium, iuris patronatus, decimarum, votorum, testamentorum, maxime quando agitur de legatis ecclesijs et piis locis et religiosis. Tuicio peregrinorum visitantium limina beati Olavi et aliarum ecclesiarum cathedralium in Norwagia et eorum cause. item cause possessionem ecclesiarum, sacrilegij, periurij, usurarum, simonie, heresis, fornicacionis, adulterij et incestus et alie consimiles que ad ecclesiam spectant mero iure ...", translated in *Norske Middelalderdokumenter i Utvalg*, p. 143.

24 "... saluo semper regio iure in hijs causis ubicumque debetur ex consuetudine approbata uel legibus regni multa pene pecuniarie persoluenda", translated in *Norske Middelalderdokumenter i Utvalg*, p. 143.

tional Council issued, after a disagreement between the king and the archbishop, an instruction how the episcopal *officialis*<sup>25</sup> and the royal law speaker<sup>26</sup> should co-operate and share power when fines were to be imposed for violations in the realm of ecclesiastical law.<sup>27</sup>

#### THE PENITENTIARY CASES OF CLERICAL HOMICIDE BETWEEN THEOLOGY AND JURISDICTION

Regarding homicide – including killing perpetrated by clerics – this was certainly a matter of great concern both to the Church and to the king. For the king, killing committed within his realm was a main issue in all the Norwegian medieval laws. Two particular aspects connected to these cases in the civil legislation were those of loss and compensation. For the king, homicide meant the loss of one of his subjects, and for the next of kin it meant the loss of a family member and a contributor to the family's prosperity. Thus, these cases were, as stated in the Tunsberg Agreement, to be solved also *regio iure*. In the civil jurisdictional system two fines to the king were imposed; the former called *þegn-gildi*<sup>28</sup> was a compensation for the lost subject, the latter called *fríðkaup*<sup>29</sup> was a purchase by the killer of the king's peace. In addition came the economic compensation called *frændbót*<sup>30</sup> levied on the killer and paid to the relatives of the victim. These fines were imposed on lay people as well as clerics if found guilty of having been involved in killing.<sup>31</sup>

A serious sin like homicide was also of extreme importance to the Church. Cases of clerics who had taken another person's life were especially serious and were therefore met by particular measures, in legislation and in juridical and penitential procedures. According to Canon Law, priests involved in violence and killing became *ipso facto* irregulars, i.e. their priestly acts were considered invalid, and in practice they were suspended.<sup>32</sup> Canon Law forbade clerics to carry weapons, or tools used as weapons. Axes and knives were allowed to be used by priests only for domestic and practical

25 Juridical expert and member of the diocesan chapter.

26 In Norwegian: 'Lógmann'.

27 *Norges Gamle Love indtil 1387*, 3: *Lovgivningingen efter Kong Magnus Håkonsons Død 1280 indtil 1387*, pp. 161–162.

28 'þegn' = subject, 'gildi' = debt. Cf. the Old English term 'thane gelt'.

29 'Fríð' = peace, 'kaup' = purchase.

30 'Frænd' = relative, 'bót' = fine.

31 For further information about the civil Norwegian jurisdiction on homicide, see Jørgensen 2014a, p. 71.

32 X 5.31.10, edited in Friedberg II, col. 838.

purposes.<sup>33</sup> The law was also explicit that violations of the law on this point entailed excommunication: "Clerics carrying and using weapons shall be excommunicated."<sup>34</sup> In the late Middle Ages clerical violence and killing belonged to the so-called reserved pontifical cases that could only be dealt with and solved at the Papal Curia.<sup>35</sup>

Let us take a closer look at some examples of supplications to the Papal Penitentiary by Norwegian killer-priests. In the simpler cases, when guilt was admitted, the protocolled version of the petition in the papal registers is short. One such example is a supplication from a cleric from the diocese of Oslo, Arne Amundsson, who had killed the sub-deacon, Jon Andreasson. The text goes as follows:

Holy Father, Your devoted man Arne Amundsson, cleric in the diocese of Oslo, explains to Your Holiness that he once killed the sub-deacon Jon Andreasson, and for this reason incurred the sentence of excommunication as generally promulgated in such cases. The said petitioner now asks Your Holiness to absolve him from the sentence of excommunication and the crime of homicide and his other sins by ordinary mandate.

Granted, by ordinary mandate. D<ominicus>, <Cardinal of the church of> the Holy Cross.

Rome 19 January 1456.<sup>36</sup>

As the example shows, the petition text is as naked and bare as it can possibly be – only stating the basic facts of the killing followed by the petition for the grace related to matters that the supplicant wants to obtain from the pope. We should note that these matters were threefold and involved 1) an already denounced sentence of excommunication,<sup>37</sup> 2) a crime of homicide, and 3) a sinful act. Thus, the grace granted included both a pardon of the crime in the external forum and forgiveness of sin in the internal forum. For petitioners belonging to the clerical stand, it was important to

33 Small knives, for instance, could be used at meals. Kuttner 1935, p. 342f.

34 X 3.1.2. (*Clerici arma portantes et usurarii excommunicentur*), edited in Friedberg II, col. 449.

35 X 5.12.2.4, X 5.25.1, edited in Friedberg II, cols. 803f., 825. See also Schmugge *et al.* 1996, pp. 8–11.

36 APA, *Reg. Matrim. et Div.*, vol. 5, fol. 146r, edited in Jørgensen & Saletnich 2004, p. 144:

"Beatissime Pater, Exponit Sanctitati Vestre devotus vester Arnerius Amundi clericus Asloensis diocesis quod ipse olim Iohannem Andree subdiaconum interfecit, propter quod sententiam excommunicationis incurrit in tales generaliter promulgatam. Supplicat Sanctitati Vestre predictus exponens quatenus ipsum a sententia excommunicationis et a reatu homicidii et peccatis suis aliis absolvere dignemini, ut in forma. Fiat ut in forma. D<ominicus>, Sancte Crucis.

Rome xiiii kal. feb<ruarii> anno primo <Calixti pape iii>."

37 Cf. the above-mentioned decretal of Pope Boniface VIII that excommunication should be denounced publicly. Normally such denouncement was given by the episcopal court.

receive also a dispensation from the state of irregularity – which they had incurred *ipso facto* – because only a dispensation allowed them to continue in their priestly career and even to advance in the ecclesiastical hierarchy. Furthermore, the clerics needed an additional absolution if they had continued to serve as priests while in the state of irregularity, so-called *excessus*.

In the more complicated cases, especially when the guilt was not admitted or when there was a matter of doubt about the guiltiness, the petitioners could request from the Penitentiary a declaration which confirmed the petitioner's innocence. In these cases, the argumentation in the recorded petition text is generally longer and legally more complex. One feature is that these texts list mitigating circumstances, such as self-defence. Another aspect is that these cases were committed to an *auditor*, a legal expert in the Papal Curia, for examination of the juridical correctness of the document. Additionally, the cases were eventually committed to a person, typically to the *ordinarius* (that is the local bishop), whose task it was to check the correctness of the details mentioned in the text and thus make sure that the petitioner had told the truth. The Norwegian material in the Papal Penitentiary contains eight such supplications from clerics, which in contents and form are in line with similar supplications from the other countries. An illustrating example of such a text is the supplication from the Stavanger priest, Jon Ingemundsson, who had killed the layman Herman Bolbersan:

Jon Ingemundsson, a priest from the diocese of Stavanger, explains that he one evening was sitting at the dinner table in a house together with Herman Bolbersan, a layman who, when he was still alive, was his servant, in order to eat or to refresh himself. It then happened during an exchange of words between them that the said Herman demanded from the petitioner the salary owed to him by the latter for his service or his job as a servant. Since the petitioner refused to pay the salary when he was asked Herman added that he would kill him if he did not satisfy his request immediately. When the petitioner again refused to pay, Herman struck the said petitioner with a sword he held in his hands, and with one blow pierced and ripped the latter's coat at his right shoulder without, however, injuring his body. The petitioner, afraid of being exposed to Herman's anger and by no means intending to kill Herman, but rather to keep him away and to block his hands, averted violence by violence. With a small knife he had used at the table, he injured Herman with one stab in the chest. Of this, Herman died before nightfall.

Although the petitioner was not guilty of this death other than in the aforementioned manner, but has been mourning his death deeply and is still mourning, and has a devoted and fervent desire to serve licitly in all his holy and priestly orders, some people who are envious of the petitioner assert, however, that he thus has made himself guilty of homicide and therefore is unable to licitly serve in all his holy and priestly orders. To silence the voices of these detractors the said petitioner now asks Your Holiness for a declaration to be issued stating that he by what happened neither made himself guilty of homicide nor incurred any stain of irregularity or inability, but unimpeded by the said circumstances freely and licitly can serve in his holy orders, by special mandate.



Granted as below, Iul<ianus>, bishop of Bertinoro, regent.

To be committed to the ordinary, who, provided that the necessary inquiries prove that the petitioner by averting violence with violence hit Herman in self-defence against mortal danger, shall declare as is requested.

Rome 9 February 1484.<sup>38</sup>

Although the registered text here is longer than the earlier example, especially due to its more detailed narrative of the event of the killing, we should note that it is still a strictly edited text. In conformity with all supplications to the Penitentiary, the text was composed by a professional curial proctor, whose aim it was to emphasize in a legally correct way the extenuating circumstances relevant for the handling of the case in accordance with Canon Law. In this case especially two such circumstances were ap-

38 APA, *Reg. Matrim. et Div.*, vol. 33, fol. 173v, edited in Jørgensen & Saletnich 2004, pp. 160–161: “Iohannes Ingemundi presbiter Stawargensis diocesis <exponit> quod, cum ipse olim in quadam domo de sero in mensa seu tabula cum quodam Hermanno Bolbersan laico ipsius domini adhuc vivente familiari animo ibidem comedendi seu se recreandi cum sedisset, accidit quod inter verba inter eos habita, dictus Hermannus ab ipso exponente salarium, in quo sibi ratione famulatus seu servicii erat obnoxius, primum dari petisset et cum sibi petenti huiusmodi salarium dare obstinuisset, demum et ipse Hermanus subiunxisset quod nisi ipse exponens sibi ad statim de salario huiusmodi satisfaceret, eum interficeret, uti et tunc ipse Hermannus dictum exponentem quam primum tunc non solvebat, in ipsius scapula dextra vestes sibi cum quodam gladio, quem in suis tenebat manibus, unico ictu perforando seu scindendo absque tamen sui corporis lesione percussit, et cum exponens furori ipsius Hermanni cedere pavisset, non animo ipsum Hermannum interficiendi, sed potius ipsum a se divertendi et ut manus eius impedire possit vim vi repellendo cum quodam parvo cultello, quo ipse exponens in dicta mensa seu tabula utebatur, in illius pectore unico actu vulneravit, ex quo idem Hermannus illatenus nocte diem vite sue clausit extremum.

Cum autem, Pater Sancte, dictus exponens in morte dicti Hermanni, absque ut premittitur, culpabilis non fuerit, ymo de ipsius morte ab intimis doluerit et dolet de presenti, cupiatque ex magno devotionis fervore in omnibus etiam sacris et presbiteratus ordinibus suis licite ministrare, a nonnullis tamen ipsius exponentis emulis asseritur ipsum propter premissa homicidii reatum incurrisse et propter ea in omnibus sacris etiam presbiteratus ordinibus suis licite ministrare non posse; ad ora igitur talium etc. emulorum obstruenda, supplicat eidem Sanctitati Vestre prefatus exponens quatenus ipsum occasione premissorum nullum homicidii reatum incurrisse nullamque irregularitatis sive inhabilitatis notam contraxisse, sed predictis non obstantibus ipsum in dictis suis etiam sacris et presbiteratus ordinibus libere et licite ministrare posse, misericorditer declarari mandare dignemini de gratia speciali.

Fiat ut infra, Iul<ianus>, episcopus Brethonoriensis, regens.

Committatur ordinario et si vocatis vocandis sibi constiterit quod exponens vim vi repellendo et se defendendo aliter fugere seu movere non valens evadere dictum Hermannum percusserit, ut prefertur et de aliis expositis, declaret ut petitur.

Rome v id. feb. <anno xiii Sixti pape iv>.”

plicable. One was self-defence in a situation of mortal danger without possible escape. In such a situation the use of violence was accepted, and referred to as legitimate violence.<sup>39</sup> Also the expression “averting violence by violence”<sup>40</sup> was a relevant canonical term. The other was the fact that Jon used only a small knife against Herman’s sword, which legalized his stab in agreement with the so-called principle of “moderation of instruments”.<sup>41</sup> In addition came the stressing by fixed formulas that the petitioner had mourned the death, was still mourning it, and had a fervent desire to continue to serve in his orders in a licit way. In these words concerning a compassionate person and a repentant sinner with a strong holy vocation the theological underpinning of Canon Law principles and their administration becomes visible. A repentant heart was necessary for obtaining absolution in the internal forum.<sup>42</sup> Even in cases where guilt was not admitted, the demonstration of a clean and pious heart was relevant in the assessment of innocence.

The administration of grace by the Papal Penitentiary in the late Middle Ages, as exemplified by its handling of the above-examined cases of homicide committed by Norwegian priests, bears witness of a well-functioning and highly qualified office. When looking at the legislation and procedures in force in this curial unit these indeed were of a jurisdictional nature at a level that could match any of the civil law systems of its time. As cases were first dealt with at diocesan courts, and as such belonged to the external forum, we must reckon that violent priests also – at least in principle – were exposed to social exclusion and avoidance as prescribed in Canon Law as long as their cases were under treatment.

However, when addressing the Curia in the form of a petition to the Papal Penitentiary for absolution, the killer-priests also found themselves in the internal forum. As we have explained above, the theology, juridical procedures, and entire sets of operations of the Papal Penitentiary resulted from an ancient line of development with roots all the way back to the early Church. What we see is that at this top level of the Church the internal and external fora so-to-speak became one room within which the administration of St Peter’s key was a main concern. The absolution granted was not only a legal pardon of a crime<sup>43</sup> through which the penalty<sup>44</sup> of social and juridical

39 ‘vis licita’, Clem. 5.4.1., edited in Friedberg II, col. 1184. See also Schmugge *et al.* 1996, p. 99.

40 ‘vim vi repellendo’, X 5.39.3., edited in Friedberg II, col. 890.

41 ‘moderamen ratione instrumenti’, Kuttner 1935, pp. 340–341.

42 Cf. The principle of confession in the general term “contritio cordis, confessio oralis et satisfactio operibus”.

43 ‘crimen/reatus’.

44 ‘poena’.

sanctions was lifted. It was also, and above all, a theological remission of sins<sup>45</sup> through which was taken away the sinner's guilt,<sup>46</sup> which, if unsolved, would have excluded the perpetrator from the realm of grace and salvation.

## CONCLUSION

The title of this article referred to the combination of theology and jurisdiction in the life of the Western Church as a dichotomy. And, as the analysis has shown, it certainly was. The analysis has also shown that the relation between theology and jurisdiction can also be described as a meaningful dialectic. Thus, it is legitimate to conclude, as an answer to the main question raised in this article, that the medieval Church in its combination of the internal and external *fora* in the Papal Penitentiary established a body for the administration of penance and grace in accordance with its very basic ecclesiological self-understanding at an impressive level of sophistication. In its dealing with the so-called reserved cases with the exclusive right for the pope to decide, the Church maintained its universal legal authority in a number of matters of great importance in medieval life. At the same time, the Church in its dealing with these cases also fully realized its basic vocation to convey God's grace and to lead souls who had sinned on their path to heaven.

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45 'peccata'.

46 'culpa'.

KIRSI SALONEN

# Papal Provisions: Process, Sources and Problems

## *The Case of the Praepositura in Linköping in 1512–1515*

This article discusses the praxis, sources, and problems involved in the process of papal provisions to ecclesiastical positions through one example case, the *praepositura* (position of the provost, Sw. *domprost*) in the cathedral of Linköping in the early 16th century. Before analysing this specific case with the help of source material from the Vatican Apostolic Archives and the Swedish National Archives, the article presents the different stages in the papal appointment process and explains what kinds of sources were produced in the course of such a process.

### PAPAL PROVISIONS – PRAXIS AND SOURCES

Usually, it was the task of the local bishop, the *ordinarius*,<sup>1</sup> to appoint clerics to ecclesiastical positions, benefices, but in certain cases the popes could overrule the episcopal appointment right. The papal provision right began to develop during the high Middle Ages and became a very complex system, which has been discussed by several scholars.<sup>2</sup> According to this system, the popes had, for example, reserved for themselves the right to appoint persons to all those benefices that became vacant in the Papal Curia. That included, among others, all those benefices which became vacant after the pope had appointed their possessor to another ecclesiastical benefice. According to the ecclesiastical norms, a person could possess only one benefice at a time, unless he had

1 *Iura episcopalia*: X 1.31.16; *Ius episcopale*: X 1.41.3, X 2.24.27, X 2.25.6, edited in Friedberg II, coll. 192–193, 224, 371, 377; Hinschius 1878, pp. 38–44; Brilioth 1948, pp. 228–229; Inger 1961, pp. 108–110.

2 Baier 1911, pp. 1–48; Linden 1938, pp. 10–17; Meyer 1986, pp. 26–49.

a special papal dispensation. Therefore, at the moment of a papal appointment to a new position, the previous benefice(s) of the appointed person became vacant by the Apostolic See (*apud sedem apostolicam*) and fell under the papal provision right. For example, this happened typically when a member of a cathedral chapter was elected bishop. The position of the bishop-elect – often one of the highest positions within the chapter called prelatures – became vacant and it was typically given to another member of the same chapter, whose less important benefice became vacant and so on. This process could be called the rotation of benefices.<sup>3</sup>

But how did the pope appoint someone to a benefice? And what kinds of sources are available from this process? The first step for obtaining a benefice from the pope was to present a petition directed to the pontiff. The petitions – or supplications as they were called in the language of the Papal Curia – were written on paper by a procurator who knew the curial writing style and other regulations and took care of the whole petition process. The procurator handed the supplication in to the papal administration and it was first checked by the officials of the Curia. If its content was found correct, the petition was presented to the pope (or in his absence, to the vice-chancellor) who signed the supplication if he agreed with what was asked. After that, the signed petition was carried to the papal *datarius* for dating of the document. Then the approved and dated supplication was taken to the registration office, where its content was copied to the copybooks of incoming petitions.<sup>4</sup> At this point, it was important that the petitioner or his procurator checked all details in the document. If something was wrong or missing, it was still possible to get the errors corrected by presenting to the pope a subsequent petition, called either *reformatio* or *perinde valere*. After the composing of the papal letter, the original petitions were not retained because they no longer had a legal function. For this reason, there are only a few such documents left in the collections of local archives. In comparison, the registers of supplications have survived relatively well and contain copies of hundreds of thousands of petitions.<sup>5</sup>

When the petition was proved to be correct and registered, the next step in the appointment process began: a papal letter was composed on the basis of the wording in the supplication. The papal letter testified that the pope had agreed with what the petitioner had asked for. The preparation and expedition of a papal letter was done usually either through the Apostolic Chancery (*expeditio per cancellariam*) or through

3 Salonen 2016a, p. 83.

4 This is the series *Registra Supplicationum*, nowadays kept in the Vatican Apostolic Archives. AAV, *Reg. Suppl.*

5 About the practice, see Frenz 1986, pp. 91–103.

the Chamber (*expeditio per cameram*).<sup>6</sup> The officials of the Chancery or the Chamber composed a draft for the letter, on the basis of which the scribes composed on parchment the official provision letter, which was eventually sealed with the papal seal to testify its authenticity. When the papal letter was ready, the petitioner could get it registered, after a small extra payment, in the copybook of outgoing papal letters.<sup>7</sup>

At this point, it is good to stress that – as Andreas Meyer has shown in his study concerning the Grossmünster of Zürich<sup>8</sup> – a large proportion (90%) of approved supplications never resulted in the composition of a papal letter. The reason for this was that it was relatively easy and not too expensive to receive a papal approval for a petition, but, especially in case of benefice, it was not necessarily easy to get the appointment accepted by locals. Since the issuing of a papal letter was expensive, many petitioners never proceeded to this stage if they could not be sure that they had a real chance of obtaining the position for which they strived. Additionally, according to the curial regulations, the appointment letter had to be expedited within six months from the approval of the supplication, otherwise the concession became void, unless the petitioner asked the pope for a prolongation.<sup>9</sup>

The appointment process in the Curia did not end when the applicant received the papal appointment letter in his hands. He still had to pay all the fees for the preparation of the letter to the officials of the Apostolic Chamber. On top of that, he had to pay the usual appointment fee called *annatae*,<sup>10</sup> and the act of payment was registered in the *annatae* registers kept by the clerks of the Apostolic Chamber.<sup>11</sup> If the petitioner did not have enough cash or credit, he could also make a promise to pay the sum within the following six months, and this act was registered in the *cameral* registers called *Ob-*

6 This chamber does not refer to the Apostolic Chamber dealing with the papal economy but a *camera secreta*, a secret (but known by all) room or corridor leading to the papal apartment in the Vatican palace, which could be used by persons close to the pope and was a kind of quick (and expensive) way to get things accepted directly by the pontiff. There were also other ways of expedition but these were used more rarely. See Frenz 1986, pp. 104–163.

7 This is the series *Registra Vaticana* (the main series of outgoing letters), *Registra Avenionensia* (for letters expedited during the Avignon papacy), or *Registra Lateranensia* (for letters expedited after the popes had returned to Rome after the period in Avignon), nowadays kept in the Vatican Apostolic Archives. AAV, *Reg. Vat.*; AAV, *Reg. Aven.*; AAV, *Reg. Lat.*

8 Meyer 1986, p. 52 and ch. 3.5 (pp. 81–114).

9 von Ottenthal, *Kanzleiregeln*, pp. 204–205 (Martinus V, 86).

10 The *annata* was a fee, which was counted on the basis of the yearly income of the benefice. It had to be paid for a papal appointment if the yearly income of the benefice exceeded the sum of 24 florins/ducats or four silver marks. Poorer benefices were exempted from this payment. Frenz 1986, p. 69.

11 AAV, *Cam. Ap.*, *Annatae*.

*litationes et solutiones*.<sup>12</sup> When all payments had been versed and the successful payment had been noted in the main bookkeeping series of the Curia, *Introitus et exitus*,<sup>13</sup> the appointment process in the Papal Curia was over.

Following the Papal Curia part of the procedure, the petitioner took the appointment letter to the bishop of the diocese where the benefice was situated, and asked to be officially installed in the position. If the bishop agreed, the petitioner received the position, but it happened relatively often that the local ecclesiastical authorities had another candidate in mind and the appointment process ended with a litigation process. If the disagreement could not be settled locally, the litigants could begin a court process in the highest ecclesiastical tribunal, Sacra Romana Rota, which eventually established who should have right to the position. These documents can be found in the archives of the tribunal.<sup>14</sup>

### THE CASE OF LINKÖPING

After this introduction, let us now proceed to the particular case in example, which drew my attention some years ago when I studied the source material of the Sacra Romana Rota in the Vatican Apostolic Archives. The late medieval archival material of the Rota contains references to twelve processes originating from the territory of the Swedish church province of Uppsala. The cases date to between the years 1487 and 1516.<sup>15</sup> One of these cases is a litigation process regarding the position of provost at the Linköping cathedral, which lasted from mid-May 1514 until June 1515.

The material in the Rota archives regarding this case is relatively sparse. It consists of only 26 entries in the Rota *manualia*<sup>16</sup> and does not reveal all details regarding the litigation process. For this article, I have combined the information in the Rota archives with other sources, such as local documentation, earlier petitions to the pope, and papal provision bulls, which are preserved in copies in the Vatican collection of the Swedish National Archives in Stockholm. The additional material offers a number

12 AAV, *Cam. Ap., Oblig. et Sol.*

13 AAV, *Cam. Ap., Intr. et Ex.*

14 AAV, *S. R. Rota, Manualia Actorum*.

15 AAV, *S. R. Rota, Manualia Actorum, passim*. For a brief summary of all Swedish litigations, see Salonen 2016b.

16 AAV, *S. R. Rota, Manualia Actorum* 88, fols 250v, 251r, 252r, 255v, 256v, 258r–259r, 265v, 286r–287r, 385r, 386v, 388r–389v, 392r, 396v, 400v, 406r, 410v, 413v, 415v, 418v, 455r. Unfortunately, the entries finish with the Rota volume and the following volume of the auditor Paulus de Capisucchis, who was appointed judge in the causa, has not been preserved, so the Vatican sources cannot tell us how the process finished.

of extra details that help in drawing a more comprehensive picture about the litigation and its local circumstances.

The protagonists in this case were two very well-known Swedish clerics, the later archbishop of Uppsala, Gustav Trolle,<sup>17</sup> and the later bishop of Linköping, Jöns Månsson.<sup>18</sup> The controversy between Gustav Trolle and Jöns Månsson is relatively well-known through other sources, and several historians have discussed the case<sup>19</sup> – however they seem not to have known about the existence of the Rota documentation, or at least they have not referred to it.

The until-now known sources have already given quite a comprehensive picture of the litigation. It began in January 1512, when the regent of Sweden (Sw. *riksföreståndare*) Svante Nilsson died.<sup>20</sup> The regent had supported the bishop-elect Hemming Gadh of Linköping, who had never received a papal appointment to the position.<sup>21</sup> After the death of his political supporter, the bishop-elect had to give way to a new bishop of Linköping. The cathedral chapter of Linköping aimed to appoint as his successor Gustav Trolle, whose father Erik Trolle<sup>22</sup> was at that time a serious candidate for the vacant position of the regent of Sweden after Svante Nilsson. The political climate in Sweden, however, took a different turn when in summer 1512 Sten Sture the Younger<sup>23</sup> was elected as the Swedish regent instead of Erik Trolle, and the chapter preferred to elect to the See of Linköping the local provost Hans Brask<sup>24</sup> instead of Gustav Trolle. As a consolation, Gustav was offered the position of provost, which would be vacant after Hans Brask's appointment as bishop – and the cathedral chapter elected Gustav provost of Linköping on 12 December 1512.<sup>25</sup>

The cathedral chapter still needed to receive a papal confirmation for the episcopal appointment<sup>26</sup> and the subsequent rotation of benefices in the cathedral chapter, including the appointment of Gustav Trolle as provost. The chapter entrusted this task

17 Carlsson 1919a.

18 Schück 1975.

19 Schück 1959, pp. 132–134; 1975.

20 Westin 2013a.

21 About Hemming Gadh, see Carlsson 1915.

22 Carlsson 1919b.

23 Westin 2013b.

24 Sjödin 1926.

25 RA 0201, A 22, f. 47v.

26 The See of Linköping had been in hands of the Spanish cardinal Jacobus Serra in the role of an *administrator*, and the elect could be confirmed bishop only after the cardinal had resigned his rights to the Linköping See. It was one of the main tasks of Jöns Månsson to negotiate a solution with the cardinal – which he did in spring 1513. The document related to this is edited in *Acta Pontificum Danica* VI, no. 5204 (c. 1513).



to Jöns Månsson, who resided at the Papal Curia at that time and acted as the representative of the chapter there. Jöns Månsson did, in fact, take care of the episcopal appointment as asked, and Hans Brask received his provision bull on 6 April 1513.<sup>27</sup>

But regarding his second task, that is, to ensure the appointment of Gustav Trolle as provost of Linköping, Jöns did not follow the instructions from the Linköping chapter. Instead, he petitioned to Pope Leo X (r. 1513–1521) in his own name and asked to be appointed to the provostship. The pope approved his petition on 8 April 1513.<sup>28</sup> In this petition Jöns claimed – untruly – that the right to appoint a person to the position belonged to the pope through *ius devolutionis*, that is, because the position had been vacant for too long a time.<sup>29</sup>

We do not know if Jöns Månsson had tried to get hold of the provostship in Linköping earlier or if he had been in contact with the locals. What we do know is that his trick was not appreciated by the chapter of Linköping and that Bishop Brask was not willing to let Jöns have the position. The local sources do not reveal anything about the circumstances in Linköping, but the Vatican collection includes a document which reveals something about the events. On 19 September 1513 Pope Leo X approved a new petition made by Jöns Månsson with which he obtained a new provision (*nova provisio*) to the Linköping provostship. The wording of this petition reveals that the pope had appointed Jöns to the position but that he had not received it because an “intruder” was holding it and because many men claimed that he had no right to it. Jöns stressed in the petition to the pope that the chancery regulations expected him to get his provision bull expedited within six months from its approval, but because of the resistance at home, this was impossible, and therefore Jöns asked for a new provision letter which would give him more time to try to settle the issue back home.<sup>30</sup> Jöns Månsson must have been serious in his attempt to obtain the provostship because he made yet another similar *nova provisio* petition to the pope a month later, on 22 October 1513,<sup>31</sup> and a reformation to that on 15 December in which he asked for

27 RA, Nyare danska avskrifter ur Vatikanarkivet, 6.4.1513 (= AAV, *Reg. Lat.* 1281, fol. 37r–v).

28 AAV, *Reg. Suppl.* 1406, fol. 254r. RA, Bååthska Samlingen, Vatikankopior 30, Dataria, *Reg. Suppl.* 1511–1514, 15140408. *Nordisk familjebok* claims that Trolle received papal confirmation for the provostship in April 1513 but such a document cannot be found among the Vatican sources.

29 The *ius devolutionis* means that popes can take for themselves the right to appoint persons to benefices which have been vacant for a long time due to the failure of the local bishop to appoint anyone to it. About *ius devolutionis*, see Linden 1938, p. 17 and Meyer 1986, p. 26.

30 AAV, *Reg. Suppl.* 1425, fols 204v–205r; RA, Bååthska Samlingen, Vatikankopior 30, Dataria, *Reg. Suppl.* 1511–1514, 15130919.

31 AAV, *Reg. Suppl.* 1430, fols 46v–47r; RA, Bååthska Samlingen, Vatikankopior 30, Dataria, *Reg. Suppl.* 1511–1514, 15131022.

an additional dispensation allowing him to obtain two benefices at the same time.<sup>32</sup>

It is well-known that Jöns Månsson had been in Rome during this process but it is unknown when Gustav Trolle arrived in Rome to defend his rights to the provostship. Herman Schück writes in his *Ecclesia Lincopensis* that Jöns Månsson had to fight against Gustav Trolle, who had arrived in Rome. But Schück does not explain the events in more detail. He only mentions that the Linköping chapter had, in November 1514 – that is more than a year later – protested against the *modus operandi* of Jöns Månsson.<sup>33</sup>

The Vatican sources however cast some more light to this situation. The Rota material demonstrates that both Gustav Trolle and Jöns Månsson were present in Rome in the spring of 1514. The Rota manuals reveal that there had indeed been a litigation process about the provostship of Linköping between Gustav and Jöns, which started in May 1514. The first entry regarding this case is dated to Friday 26 May 1514, when Gustav Trolle appeared before the Rota auditor Paulus de Capisucchiis – to whom the handling of the litigation had been entrusted – for the first stage in the litigation process known in Latin as *terminus ad dicendum contra commissionem*.<sup>34</sup> This was a stage which had been preceded by summoning the defendant to appear before the auditor. When summoned, he had received a copy of the commission, which he had to study and make his response to. At this occasion, it was established that Gustav had to appear before the auditor on the next juridical day,<sup>35</sup> that is, Monday 29 May.

The Rota sources show that Gustav did indeed come before the auditor on that day, and the second stage in the litigation process, *terminus ad libellandum libellarique videndum* (the term for giving and receiving the libel), took place. Then the defendant (that is, Gustav) received a copy of the libel presented by the plaintiff (that is, Jöns) and, after studying its content, he could present his objections to the auditor. On this session, it was established that the following stage before the auditor should take place within twelve juridical days (i.e. it should occur on or before 28 June).<sup>36</sup> But the case took a new swing, when Jöns appeared before the auditor on Wednesday 31 May and asked for a prolonging of the time period reserved for the transferring of the handling

32 AAV, *Reg. Suppl.* 1435, fol. 162r; RA, Bååthska Samlingen, Vatikankopior 30, Dataria, Reg. Suppl. 1511–1514, 15131215 (15131022).

33 RA 0201, A 22, fol. 47v (SDHK, no. 37639) – 18 November 1514. Schück 1959, p. 134.

34 AAV, *S. R. Rota, Manualia Actorum* 88, fol. 250v.

35 Juridical days included the days when the Rota held its meetings, *audientia*, that is Mondays, Wednesdays, and Fridays of each week unless an important saint's day, ecclesiastical festivity, or other occasion at the Papal Curia meant that the *audientiae* were cancelled. About the court days and the Rota see Salonen 2016a, pp. 56–57, 63–64.

36 AAV, *S. R. Rota, Manualia Actorum* 88, fol. 251r.

of the case to local experts.<sup>37</sup> Gustav did the same on the Friday of the following week, 9 June,<sup>38</sup> and Jöns complained the day after that the one year's prolonging granted for Gustav was too much.<sup>39</sup> Auditor Paulus de Capisucchiis agreed to rethink the issue. On the following Monday, 12 June, Gustav appeared before the auditor and complained against the complaint of Jöns,<sup>40</sup> against which Jöns counter-complained on the following day.<sup>41</sup> On Wednesday 14 June, Jöns asked for and received a prolonging of nine months.<sup>42</sup>

After that, the litigants had a break, and Gustav returned before the auditor on Sunday 6 August for observing, when Jöns' witness, cleric Olaus Ulrici from Roskilde, took his oath.<sup>43</sup> On the following day, Gustav made an official complaint against the witness,<sup>44</sup> but Olaus was allowed to testify on the Saturday of the same week, 12 August, because he was leaving Rome and had only a short time within which he could testify.<sup>45</sup>

After that, the litigation process had a longer break and the litigants returned to the court only in the early spring of 1515. In the course of late February and March, the litigants mainly appeared before the auditor to apply for extensions of the time needed to prepare the necessary documentation, and to complain against each other and their complaints.<sup>46</sup> The only events of substance in the litigation took place when two of Jöns' witnesses, Jacobus Botlevi and Olaus Jacobi, took their oaths on Monday 5 March and were interrogated on Wednesday 7 March.<sup>47</sup>

The litigation began again seriously on Friday 30 March, when the cursor in the Curia presented to the auditor a document, in which Jöns summoned Gustav before the auditor within twelve days for hearing his detailed and definite complaints (*terminus ad ponendum <positiones> et <ad> articulandum*).<sup>48</sup> On Monday 16 April Jöns presented his detailed positions to the auditor and Gustav should have had just one day's time to comment against them.<sup>49</sup> Gustav, however, only appeared before the auditor

37 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 252r.

38 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 255v.

39 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 256v.

40 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 258r.

41 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 258v.

42 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 259r.

43 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 286r.

44 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 286v.

45 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 287r.

46 AAV, S. R. Rota, *Manualia Actorum* 88, fols 385r, 386v, 389v, 392r, 396v, 400v.

47 AAV, S. R. Rota, *Manualia Actorum* 88, fols 388r–389r.

48 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 406r.

49 AAV, S. R. Rota, *Manualia Actorum* 88, fol. 410v.

on Saturday 21 April and apologized for his delay.<sup>50</sup> After that follow a few entries in the Rota *manualia* in which the litigants accuse each other – Jöns accused Gustav of not observing the stipulated terms and Gustav complained against his accusations. This continued for the whole of April until the case seems to have come to a halt.<sup>51</sup> The last entry in this litigation is dated to Monday, 22 June, when Jöns confirmed the names of his procurators before the auditor.<sup>52</sup> Since there are no further entries concerning this case in the Rota *manualia*, the litigation probably ended here without a decision made by the auditor – which event was very common in the Middle Ages.<sup>53</sup>

And now remains only the question, why did the litigation stop at this point? The answer is quite easy. As earlier scholars already have pointed out, Gustav Trolle was elected archbishop of Uppsala in autumn 1514, and he received a papal confirmation to his appointment on 15 May 1515. It is stated in his letter of appointment that he can hold the provostship together with his archiepiscopal duties, but since the litigation was dismissed at the same time and since we know that he, Gustav, eventually resigned the position in favour of Jöns while he was in Rome, it is possible that the two men reached an agreement outside the Rota courtroom – which too was very common in the Middle Ages. At least according to the local hearsay, Jöns Månsson received the provostship in Linköping after having paid 100 florins to Gustav Trolle.<sup>54</sup>

#### FINALLY

This case study demonstrated that it is still possible to find new information about Swedish medieval history in cases that have been studied previously. The earlier scholars writing about the provision to the *praepositura* in Linköping may not have known about the existence of the Rota material, and the analysis of the Rota documentation brought new light to the litigation process about this position. The new documents confirm that Gustav Trolle and Jöns Månsson quarrelled about the important position for quite a long time. The Rota documentation also indicated that the case was never closed but that the Swedish litigants are likely to have settled their problem back home for the benefit of both sides: Jöns Månsson could remain in the disputed position and Gustav Trolle was promoted to the most important ecclesiastical position within the Swedish ecclesiastical province.

50 AAV, *S. R. Rota, Manualia Actorum* 88, fol. 413v.

51 AAV, *S. R. Rota, Manualia Actorum* 88, fols 415v, 418v.

52 AAV, *S. R. Rota, Manualia Actorum* 88, fol. 455r.

53 Salonen 2016a, pp. 155–168.

54 Westerlund & Setterdahl 1919, pp. 42–43, 173.

Another aim of this case study was to demonstrate how important it is to combine the local sources with the information in the Vatican documentation that is preserved in copies in the Swedish National Archives. As the case shows, the documents in the Vatican collections form a nice skeleton around which it is possible to construct the events of the case. The flesh around the bones, however, was collected from other sources kept in the local collections. The case study also proved that with the collection of the Vatican material in the Swedish National Archives, it is possible to study late medieval Swedish history with papal sources without a need to travel to Rome.

ANDREAS MEYER (†)

## *“Improbitas importuna petentium”*

### *The Annoying Dishonesty of Petitioners*

During the time when the Scandinavian church disengaged itself from the ecclesiastical province of Hamburg-Bremen by establishing the archdiocese of Lund around 1102/03, the marriage of priests had recently been prohibited in the Western world. Furthermore, the new regulations for episcopal elections, hard-won during the Investiture Controversy, as well as the right of patronage severely confined the laity's influence on the administration of ecclesiastical properties and office appointments. Simultaneously, ecclesiastical benefices emerged in the 12th century, thereby generating an asset disconnected from the residual church property that ensured the subsistence of the office-holding cleric. As celibacy successfully inhibited the entitlement to an inheritance of ecclesiastical benefices, which had to be redistributed in each generation – a huge task considering the very large number of churches that already existed in those times. On this account, there evolved in the 12th century an increasingly sophisticated system for the granting of ecclesiastical offices with a tendency to strongly standardize and centralize, thereby being in tune with the *Zeitgeist*.

The earlier collections of Canon Law, which were formed during the Investiture Controversy, made up the fundament of the new Canon Law – such as the so-called *Collection in 74 Titles* or the compilations of Anselm of Lucca, Deusdedit, or Ivo of Chartres, most of them being based upon Pseudo-Isidore and thereby on a forgery of the 9th century. What made Pseudo-Isidore so attractive was the fact that he led the supporters of the church reform to believe in an early church that corresponded to their ideals. The aforementioned collections differ from the earlier ones as they frequently included regulations of contemporary popes, thus emphasizing the papacy's role in the development of law. These texts could be decisions of papal synods as well as decretals by individual popes concerning specific cases. It is remarkable that not only

orders or prohibitions were part of the second group, but also, first and foremost, dispensations. These are prescriptions that regulated whether and to what extent it was possible to deviate from the predetermined norm. In Ivo's compilations, for example, the number of dispensations exceeded that of normative texts. In his opinion, a dispensation was not a temporary emergency measure, but rather a practice-oriented mitigation of a norm that was apparently considered to be too strict. Henceforth, the papal legislation and practice concerning dispensation constituted an essential aspect of the church leadership as it not only involved clerics, but also laymen. Therefore, the pope was not only the supreme legislator of the church, but also the one to decide on possible deviations from the law. Around the middle of the 12th century, much material from Ivo's collections was integrated into the *Decretum Gratiani*, which became the most important corpus of earlier Canon Law in the following years.

A cleric could only be ordained if he had a title (Lat. *titulus*), that is, private wealth or a church office (Lat. *prebenda*) that would ensure his maintenance. After the upheavals of the Investiture Controversy, authorities no longer paid due attention to this rule. More and more clerics were ordained without a title or with an insufficient one. Presumably, this phenomenon is also related to the fact that at the same time, the schools for higher education emancipated themselves from their responsible institutions, the cathedrals, and transformed into universities. The popes began to take care of the problem of the clerical proletariat early on, because divine service had to be funded in an appropriate way. That is why in 1137, Innocent II interceded, for the first time, on a cleric's behalf in order to supply him with a lesser benefice. It would surely be worthwhile to re-examine the early days of papal influence on the conferment of lesser benefices, because the project on papal charters of the Pius-Stiftung has gathered much new source material since Hermann Baier's seminal book was published more than a hundred years ago. But I am content to remark that in 1265, in his constitution *Licet ecclesiarum*, Clement IV decreed that the pope is not only entitled to the granting of all ecclesiastical benefices, but that he is also allowed to confer expectancies – in modern terms, options – on non-vacant offices. He also reserved to himself the granting of those benefices whose holders had died at the Curia. The legal view that the presence in *Romana Curia* constituted a special papal jurisdiction over any person had, in the meantime, promoted the idea that the granting of benefices of a person who died at the Curia was down to the pope. But the popes were also allowed to intervene in the conferment of ecclesiastical prebends when the election body partly abdicated its right to vote, because of postulation, appeal, or cases of coadjutors, or had lost this right completely thanks to a violation of established regulations (devolution).

Clement IV retained this long-time curial practice in his constitution *Licet ecclesiarum* by reserving the granting of potentially vacant prebends (*ecclesias, dignitates,*

*personatus et alia beneficia*) for himself. As the new norms emerging in the 13th century became generally accepted and, in the eyes of the people, (nearly) immutable laws, the influence of the papacy on the granting of benefices increased immeasurably. Students and masters were the first to profit from this fact, but members of the Curia soon followed, because the more people who approached the Papal Curia with their requests, the more staff was required there. In the following centuries, the vague terms *vacans* and *apud sedem apostolicam* that had been used in *Licet ecclesiarum* were defined more and more precisely in numerous constitutions and chancery rules.

Thousands of clerics came to the Curia in Rome or Avignon to improve their position in the competition for prebends or to receive absolutions and dispensations, because they had transgressed ecclesiastical rules or suffered from defects that were disadvantageous for their clerical career. In fact, in the 13th century, more and more laypersons frequented the Papal Curia, as is documented by the countless late medieval petitions for marriage dispensations because of too-close kinship or for free choice of their confessor. The requirement of an annual confession that had been established in 1215 during the Fourth Lateran Council had led to a discrimination against persons who travelled a lot for business reasons and stayed far from home for prolonged periods, such as sovereigns, merchants, or clerics in training. The reason was that the confessor who was legally responsible, that is to say the priest of their home parish, was not accessible. In those cases, a personal confessor who could participate in one's journeys or administer the chapel of a distant merchant settlement in one's own language was very appealing. After all, who wants to confess in a foreign language while lying on their deathbed, mortally ill? But the nature of this papal grace changed decisively at the beginning of the 14th century, when the confessors who were chosen according to a *littera confessionalis* also, by default, obtained the right to grant their penitent complete indulgence in case of death. Beforehand, such indulgence could only be obtained by participation in a crusade or on the occasion of the jubilee in the year 1300. Therefore, these confession letters are counted among those papal graces that were most eagerly requested. This boom had already led to a production of several thousand *litterae confessionales* per pontificate in the second half of the 14th century. It increased many times over after the Pisan reformatory pope Alexander V had also delegated the right to grant confession letters to legates and nuntii in 1410, and in particular after Johannes Gutenberg had printed in 1454 and 1455 in Mainz huge quantities of confession letters on behalf of Paulinus Chappe, indulgence commissioner for the king of Cyprus. These letters, which are called "letters of indulgence", were counted among the publications with the highest circulation, until Martin Luther spoiled the business of personalized complete indulgences with his indulgence theses in 1517.



How did the papal leadership of the church work in the late Middle Ages? Papal jurisdiction and administration – or in words more contemporary to that time: *iustitia* and *gratia* – were carried out to a large extent by way of *litterae apostolicae*, strictly formalized charters. As a consequence of the Investiture Controversy, the universal papal jurisdiction gained acceptance in a church that had developed strictly hierarchical structures. From all parts of the world, questions concerning law or cult were presented to the Papal Curia in an unrelenting flow. Alexander III, for example, had to decide whether Duke Canute Lavard, who had been murdered in 1131, should be considered a saint. The Roman pontiffs were asked for legal advice and decisions on a daily basis, which is why already in the 12th century the number of submitted cases exceeded by far the capacity of the Papal Curia. Furthermore, the essential information for the decision of a case was rarely available, and considering the means of communication in those times, it would have been nigh-on impossible to gather them. That is why the popes reserved for themselves only the most important and fundamental decisions. In all the remaining cases, they appointed judges by way of the Roman legal institution of delegation or *commissio*, the judicial commission. Those judges operated locally, and investigated and decided the cases on the pope's behalf and in his name. In this way, in the 12th century almost every prelate in the entire church was able to become a papal judge delegate. In short, no place in the whole Christian West lay outside the reach of papal jurisdiction. The knowledge of new decrees made by the head of the church spread very quickly through the same channels. This informal, but very close-knit, network of papal judges delegate that constantly reorganized itself remained even when the bishops' ordinary courts had developed in most dioceses in the 13th century.

The legal procedure that had to be executed in the trial before the judge delegate or, in later times, before the episcopal judge was defined by the canonical *ordo iudicarius* in the 12th century. It was therefore standardized, recorded in written form and predictable for the parties involved. In order to ensure that the judges delegate would decide equal things equally, all over the world, scholars and lawyers increasingly started to collect papal decrees. By this means, five collections of papal decretals were produced between 1190 and 1226, but they became obsolete when Pope Gregory IX initiated the compilation of the *Liber Extra* in 1234. It is unsurprising that the regulations concerning the judges and the laws of procedure predominate. Two additional papal law books were published in 1298 and 1316. Thus, the popes had become very efficient legislators in the time since the Investiture Controversy. In addition, the universities, the judges delegate, and the bishops' courts were institutions that contributed to the

rapid distribution of law books and the knowledge of the new laws. The benefits of papal jurisdiction were evident, and a journey to the “centre of Europe”, in the words of Werner Maleczek, was appealing to many.

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The late medieval papal Chancery produced those documents that were essential to keep the whole system running: it was the kernel of the papal leadership of the church, if you allow me to use this analogue from the world of computers. As early as the end of the 12th century, the outward appearance of the papal *litterae* was consolidated to such an extent that the addressees were able to identify genuine papal letters as easily as we identify banknotes nowadays. The *litterae de iustitia* and *litterae de gratia* were the visible expression of the curial “corporate identity”. The oldest records that explain the outer and inner characteristics of papal charters date from the 12th and early 13th centuries. In the 14th century, the *Liber Cancellariae apostolicae* contained a lot of material that was fundamental for the organization of the chancery and its activities. Thereafter in the late 15th century, printed lists of the taxes to be paid for the *litterae apostolicae* containing 780 items spread a concrete knowledge about the papal treasury of merits, its constituting elements, and the expenses one had to expect to incur.

In the early 13th century, the chancery was headed by the vice-, who was initially recruited from among the seven papal notaries and, since Boniface VIII, often awarded with the cardinalate. As the number of papal *litterae* increased, the papal notaries (later called prothonotaries) started to delegate the engrossment of the letters to the scribes and the preparation of the drafts to the abbreviators. Those were, at first, recruited by the notaries, later by the vice-chancellor from among the skilled scribes. Like public notaries, the *scriptores litterarum apostolicarum* worked on their own account and hence organized themselves in a council early on in order to distribute work and income equitably. But in contrast to the public notaries in the regions of written law, the scribes were clerics and so were subordinated to ecclesiastical jurisdiction. Oaths for many curial offices, the earliest of which have existed from the 13th century, not only resulted in an invariably high quality of the papal letters, but also prevented the engrossment of unauthorized ones.

In the mid-13th century, the number of scribes is assumed to have amounted to 100. In any case, several reforms of the 14th and 15th century aimed at this. A public notary in the 13th century who made a living from his job in an Italian commune recorded between 400 and 800 entries in his notarial registers each year, out of which he executed not more than 10–20%, that is, about 100, as parchment charters. Considering this fact, it is reasonable to estimate the annual output of the papal Chancery

with its 100 *scriptores litterarum apostolicarum* at about 50,000 charters. This result would also match well with those more than 29,000 charters that might have left the chancery each year under Gregory IX and Innocent IV. It would also accord with the annual consumption of lead, which can be determined on the basis of the papal account books.

But the outsourcing of the charter production did not solve all the problems that arose at the Curia as a result of the huge business volume. Far fewer than 50,000 charters a year were enough for the pope to lose track of all the issues that were decided in his name and sent to all parts of the world, including Scandinavia. In order to avoid that the rights of third parties might be affected by this approach, special institutions, the *Audientia publica* and the *Audientia litterarum contradictarum*, had been created in the Chancery early on. There, letters that had not yet been sealed and that might interfere with third parties were read out aloud, so that the opposing party, if present, was able to raise factual objections against the letters in advance and take further precautions to prevent the impairment of the rights of third parties.

Most of the *litterae* are the result of petitions or rescripts, but as the pope did not want to be exploited by any party, the validity of his letters was confined to certain conditions. By way of the Roman legal clause *si ita est* (if so is), for example, he retained the trueness of the facts the beneficiary had purported. There were also notwithstanding (Lat. *non obstantibus*) clauses relating to facts, rules, or rights that contradict a particular petition. Up to the pontificate of Clement VI, the clause *si pro alio non scripsimus* (if we have not written to any other) limited the number of papal graces for prebends *in forma communi* (in the common form) that had to be satisfied to one per collation and thereby secured the rights of those authorities which traditionally granted the lesser prebends. Even though the abolition of this limitation was highly praised by the contemporaries, the negative consequences of Clement's grace turned up soon after.

Papal legislation by no means stopped with the *Liber Sextus* and the *Clementinae*, but with the pontificate of John XXII, the promulgation of the new law in the form of a mandatory collection ended. Nevertheless, the codification of the new law did not cease, as the *Regulae Cancellariae apostolicae* that emerged under Boniface VIII and which survive in their entirety from the time of John XXII onwards, are a partial codification of late medieval Canon Law. Chancery rules, in the broadest sense, defined the procedure by which the Papal Curia responded to the demand for ecclesiastical privileges, benefices, indults, and dispensations, a demand which had been constantly increasing since the 13th century. They interpreted not only the signatures of approval on the petitions, but also coined the so-called curial style (Lat. *stilus curiae*) relating to the inner arrangement of the *litterae*. Furthermore, chancery rules were a kind of

office regulation for the Chancery, because they included the competences of the vice-chancellor and regulated the course of business for the papal letters, the so-called *expeditio*. Lastly, chancery rules construed the papal power of disposal over the church, especially concerning reserved papal rights and the prerogatives of certain groups of petitioners. Regarding the reserved rights of the papacy, chancery rules defined the regulations of written law and the fundamental Extravagantes, *Execrabilis* (1317) and *Ad regimen* (1335), and they also updated them when faced with the continuous differentiation of functions at the Curia.

The fact that the chancery rules must be considered a partial codification of late medieval Canon Law also accounts for their broad manuscript tradition. I have knowledge of c. 180 manuscript witnesses that contain the chancery rules from John XXII to Sixtus IV or parts thereof – two of them in Uppsala and one in Copenhagen. In addition, there are more than 100 incunabula with the rules of Paul II, Sixtus IV, Innocent VIII, and Alexander VI.

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Like any other premodern state, the Papal Curia was neither able nor willing “to ensure a thorough and complete control of its own administration and its consequences”, as Othmar Hageneder put it. Subreption of legal titles *veritate tacita* could not even be prevented by registering outgoing curial documents (*litterae de curia*) as well as common letters (*litterae communes*) that had been requested, a practice the Curia started at the end of the 11th century. As the registration of the letters was very expensive, the papal registers were never in the least complete and therefore of no use as an administrative device to control the output of the Chancery. Instead, the Curia counteracted the *improbis importuna petentium*, the annoying dishonesty of the petitioners, by trying to eliminate the subreption of legal titles with terms like *mentio specialis* or formulas like *ex certa scientia*. Thus, a rescript that had already been issued could only be overridden if it was mentioned in the new letter or even inserted verbatim. But the specific mention of the previous letter could also be superseded by the will of the pope. A letter that was issued by the pope on the same matter *ex certa scientia* repealed contradictory letters without this formula. But the clause *ex certa scientia* was ambiguous from the beginning as it did not set limits to the power of the papacy. Nothing should be able to counteract a papal declaration of intent that was issued explicitly *ex certa scientia*. Or to speak with Bernardus de Botone in the *Glossa ordinaria* for the *Liber extra*: “a papal mandate issued *ex certa scientia* would have to be obeyed even if it contradicted the law, although that might be hard.”

In this context, another aspect must be taken into consideration. The power and

reputation of a pope grew in conjunction with the number of petitioners who visited his Curia and applied for his letters of grace. Surely, there was nothing worse than a pope without petitioners – a sorrowful experience, which Urban VI and Benedict XIII had to suffer during the Great Western Schism. But the impertinence of the petitioners also inevitably caused the papal offer of grace – comparable to our modern welfare state – to gradually expand its limits. For it is part of the essence of grace, especially when it occurs wrapped in the cloak of law, that what is granted to one person can hardly be denied to another. The above-mentioned *litterae confessionales* perfectly mirror this constant expansion of the scope of papal grace. So, at the Curia, the extraordinary became standard in no time. Not least, this is demonstrated by the fact that the supplication registers, which have survived from the time of the pontificate of Clement VI onwards, contain millions of *gratiae speciales*, but no *gratiae communes*.

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This brings me to my last point. Although the papal registers of the 12th century were already lost by the 13th century, and although they never ever included all of the outgoing papal letters, all that which survives from the time of Innocent III to the end of the Middle Ages is still a huge treasure, and is still far from being completely revealed. Five series of registers, that partly correlate and partly complement each other, comprise several thousands of large-scale volumes filled with people's desires for papal support and grace until the end of the Middle Ages. The so-called *Registra Vaticana*, written on parchment until the end of the 14th century, start with Innocent III and do not end until the 15th century. From the time of Clement V, the *litterae apostolicae* were, at first, recorded in paper registers in order to be copied into codices of parchment afterwards. Under Innocent VI this elaborate procedure was discontinued and from then on, only the more important letters were copied into the parchment registers.

The first series of paper registers, the *Registra Avenionensia*, commences with John XXII and ends with Benedict XIII (1394–1417/22). The volumes are arranged by years of pontificate, and additionally, from the 14th year of John XXII, each volume shows a topical order, such as, for example, *De litteris dominorum cardinalium*, *De vacantibus*, *De vacaturis*, *De confessionalibus*, *De officio tabellionatus*, or *De diversis formis*. In this way, a more systematic search within these volumes became possible.

Under John XXII in 1316, the so-called curial or secret registers are established. They are also written on parchment and contain *litterae de curia*, although not those engrossed by scribes, but those written by the so-called secretaries in the papal *camera secreta*. These volumes were initially structured in two columns and nowadays constitute a part of the series of Vatican Registers.

After the outbreak of the Schism, Urban VI had to re-establish the papal Chancery, because the generally French staff of the Chancery that had come to Rome with Gregory XI in 1376 returned to Avignon with Clement VII in 1379. Only a small part of the registers of Urban VI have survived. Under his successor Boniface IX, there commences a new series of paper registers which comprises 2,467 volumes altogether and continues until the year 1892. As these volumes were stored at San Giovanni in Laterano, they are called *Registra Lateranensia*. They are also arranged by years of pontificate and by topic. Furthermore, they show a number of notes in the margin, such as the name of the responsible abbreviator and secretary at the head of each document, or the name of the *magister registri* in combination with the tax note at the end. This is often followed by the date of the letter's engrossment, the so-called date of expedition, which tells us when the letter had actually been engrossed.

The so-called chamber registers of the Roman obedience and the subsequent period can be differentiated on the basis of their scribes, as some volumes were filled by the chamber notaries, others by the secretaries. Therefore, they contain either letters *de curia* or letters that were drawn up *per cameram*, and they are also part of the series of Vatican Registers.

In the 14th century, *litterae in communi forma pauperum* for petitioners who were not graduated were recorded in special fascicles, of which only two have come down to us.

Under John XXII, the prothonotaries started to register approved petitions for so-called *gratiae speciales*. The series of supplication registers (*Registra Supplicationum*) on paper begins in 1342 with Clement VI and ends in 1899 with Leo XIII. They exclusively comprise petitions for *gratiae speciales*. The registration of these petitions made it possible to document their exact wording as well as the papal signature of approval (*signatura*), and later the signature of the vice-chancellor or the referendaries. Evidence for registers that include so-called briefs (*brevia*) commence under Martin V. As a separate series, the registers for papal briefs exist from 1470 onwards.

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Let me sum up. By the turn of the 12th century, the Roman pontiff and his court represented the centre of a network, which constantly reorganized itself and thereby enclosed the Christian West ever tighter. Whoever felt affected in their rights or wanted to profit from the papal treasury of merits could approach the pope with their request or petition – usually, from the 13th century onwards, strictly formalized and in written form. If the submitted legal issue could not be solved at the Curia, judges delegate were appointed in the immediate vicinity of the location of the case. When the pope

(or later, his authorized representative) thought the petition to be permissible, it was approved as a whole or at least partially. At the same time, the limits of what was considered unreasonable at the Curia gradually shifted, increasingly in favour of the petitioners. Nevertheless, what the petitioners told in their supplications in order to confirm the plausibility of their requests was integrated in the *narratio* of the *litterae*, and it is always of great interest to the historian as it offers unexpected insights into the fears and hopes of the people in those times.

The communication between centre and periphery was carried out to a large extent by *litterae apostolicae*, which had already taken their final and definite shape and outer appearance by the end of the 12th century. Although only a minor part of the issued letters was registered – later, the percentage of registered letters was considerably higher – and most of the papal charters are lost, all of what is extant in the Vatican Archives is a welcome source of additional information for every country. And this even holds true if you are not concerned with the relationship between Curia and the *partes* specifically, because the papal charters found in the local archives are very often among those that were not registered.

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## Kungl. Vitterhets Historie och Antikvitets Akademiens serie *Konferenser*

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- 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 25<sup>th</sup> 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
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- tur Geschichte und Altertumsforschung über das Julita-Symposium 1986. Ed. Björn Ambrosiani. 1989
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  - 36 Words. Proceedings of an International Symposium, Lund, 25–26 August 1995. Ed. Jan Svartvik. 1996
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  - 38 Kultursamanhengar i Midt-Norden. Tverrfagleg symposium for doktorgradsstudentar og forskarar. Førelasingar 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
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