THE SUPPLICATIONS FROM THE PROVINCE OF UPPSALA MAIN TRENDS AND DEVELOPMENTS

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Even though the church province of Uppsala was one of the most remote provinces within the Catholic Church, Swedish Christians also had to respect the regulations of canon law and, in case of a lack of respect, had to turn to the papal curia or Apostolic Penitentiary for pardon.[1]

I have studied all the archive material of the Penitentiary from the beginning of the fifteenth century until the year 1539. The connections between Sweden and the papal curia were officially cut off already after the Diet of Västerås in 1527, which stipulated Reformation in Sweden. To study the registers of the Penitentiary until 1540, however, makes it possible to find out, whether the connections were really cut off at the time of the Reformation or whether they still continued.

Apart from the Penitentiary records kept in the Vatican Archives, I have also dealt with the local Swedish and Finnish source material in order to complete the possible lacuna in the entries of the Penitentiary records caused by missing volumes or imperfect registration. Using the local archives is important, as sometimes they have preserved documents that cannot be found among the Penitentiary records.

The records of the Penitentiary and the local archives contain information on 439 cases from the province of Uppsala that were handled in the Penitentiary. Analysing 439 documents among tens of thousands of petitions that were handled by the Penitentiary during the late Middle Ages[2] means that these cases are not representative for making any further conclusions about the whole material –

[1] Concerning the relations between the Penitentiary and the province of Uppsala, see also Kirsi Salonen, *The Penitentiary as a Well of Grace in the Late Middle Ages. The Example of the Province of Uppsala 1448–1527*, Suomalaisen Tiedeakatemian Toimituksia Suomalaisen – Annales Academiae Scientiarum Fennicae 313 (Saarijärvi: Academia Scientiarum Fennica, 2001) (hereafter Salonen, *The Penitentiary*). In this contribution, I have completed my earlier research with some new cases that I had not included in my thesis because of errors in registration that impeded recognising the cases as Swedish. Thus, this article is an up-dated version of my earlier studies.

[2] The Penitentiary handled almost 160,000 petitions during the pontificates of Calixtus III, Pius II, Paul II, Sixtus IV, Innocent VIII, and Alexander VI (1455–1503). I thank Ludwig Schmugge for letting me use this still unpublished information.

or even about the other Scandinavian evidence (Denmark, Iceland, and Norway). They just describe the situation in the province of Uppsala. Moreover, the numbers before 1448 are not valid for any quantitative analysis because of imperfect registration and the absence of volumes.[3]

Connections in the time-axis

Table 1 shows that there were some connections between the Swedish dioceses and the Penitentiary as early as the first half of the fifteenth century, beginning from the first volume of the registers with the year 1410.[4] It is not possible to draw any further conclusions from them, but one can clearly see that there are Swedish entries in almost all years from which records of the Penitentiary exist. This means, therefore, that there was already some kind of connection between Sweden and the Penitentiary at that time.

Table 1: The Swedish cases handled by the Penitentiary before 1448.

Year	Cases
1409	1
1410	2
1438	2
1439	4
1440	0
1441	1
Total	10

ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vol. 1, 2, 2bis.

In figure 1 the Swedish petitions to the Penitentiary are presented year by year, from 1448 to 1527. It shows that the number of cases handled yearly by the Penitentiary varied remarkably. As a general observation, it may be noticed that the Penitentiary dealt with fewer Swedish cases during the early and also the late years of the period in question, while the years between the 1460s and the 1490s formed a period of relatively intense connections.

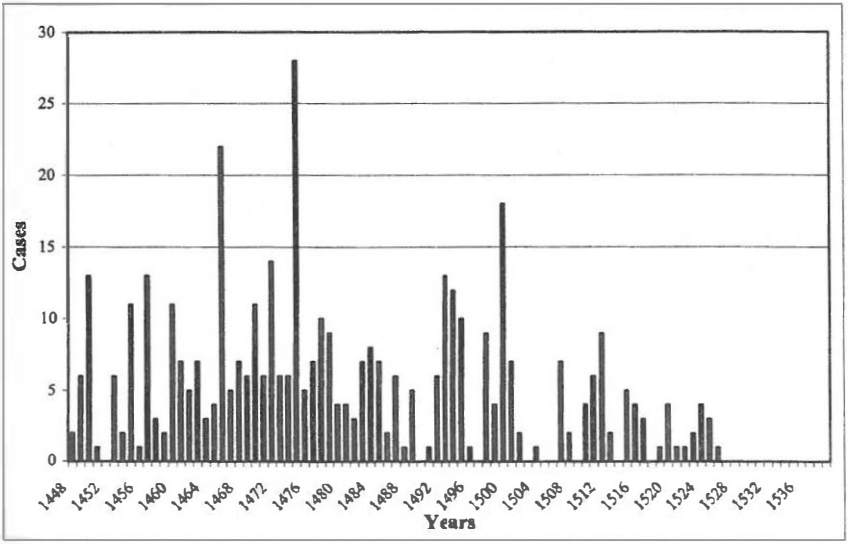
The scarcity of the cases before the mid-1450s could easily be explained by the incomplete registration, but, in my opinion, this is not the only explanation. We have to keep in mind that before the 1450s a strong counciliar tendency was common in the Swedish Church, because of which Swedes were not yet used to going to Rome to resolve their problems. Also, the political crisis within

[3] The first register (number 1) of the Penitentiary contains material from 1409–1411, while the next two volumes (2 and 2bis) jump to the years 1438–1442. The Penitentiary records begin to be more complete only from volume 3 onwards, that is, from the year 1448. Since then the series remain almost complete until the beginning of the pontificate of Julius II, in 1503. After 1503 the volumes again become less complete. Concerning the medieval volumes of the Penitentiary, see Salonen, *The Penitentiary*, 425.

[4] Presenting the cases before 1448 separately from the other cases is necessary, because the imperfect registration does not allow studying numbers quantitatively.

the Nordic Union after the death of King Erik of Pomerania in 1448, after which the Swedes and Danes fought for dominance within the union, surely drew the attention of the Swedes elsewhere than to Rome.

Figure 1. Swedish cases handled by the Penitentiary in time-axis



Source: *Penitenzieria Ap., Reg. Matrim. et Div.*, Vol. 3-75.

The period from the 1460s until the end of the 1480s was the period of the most frequent connections. Afterwards, the cases became less numerous, but the connections were not cut off, as in the 1490s the Penitentiary still handled several Swedish cases. Until the first years of the sixteenth century petitions from the province of Uppsala were still brought to the Penitentiary every year. What happened then is more difficult to decide, because the records of the Penitentiary are no longer well-preserved. However, for those years from which the Penitentiary records are complete, such as between 1520 and 1524, one can see that the Penitentiary did not handle as many Swedish cases as earlier. Consequently, the number of cases declined towards the end of the Middle Ages.

This decline of the connections during the first quarter of the sixteenth century probably depended (at least in part) on the unstable political situation in Scandinavia. The Swedes and Danes were fighting once again for political dominance within the Nordic Union; because of the more or less constant state of war, travelling was not secure and people had other things on their minds than

dispensations and absolutions. According to Ludwig Schmugge, this was a common tendency in all territories.[5]

Figure 1 also shows that, according to the records of the Penitentiary, the connections between the papal curia and the Swedish Church were cut off after the Reformation took place in the Swedish Church in 1527; the last Swedish case handled in the Penitentiary dates from 1526. This result may seem obvious, but one has to remember that, for example, monasteries still functioned until the mid-sixteenth century,[6] and there are also testimonies that persons from other reformed territories still turned to the Penitentiary after the Reformation. In the State Archives of Hamburg, for instance, an original letter of the Penitentiary is on file in which a priest from the diocese of Bremen got a dispensation from illegitimacy; this letter dates from the year 1537.[7]

Another interesting phenomenon, when speaking of the context of cases and time, is the effect of the Holy Years. Figure 1 shows that the Penitentiary handled more Swedish cases during the Holy Years than during the years around them. This phenomenon is typical not only for the Swedish material, but for the Penitentiary records in general. Concerning illegitimacy, Schmugge noticed that the number of cases handled in the Penitentiary during the Holy Years was always greater than during normal years.[8] This is, of course, understandable because more people came to Rome for the Jubilee than in other periods.

Schmugge also noticed in connection with his illegitimacy study (this result can be generalised for the whole Penitentiary material) that the Holy Years were not equally busy. He pointed out that the number of illegitimacy cases during the Holy Year 1450 (2100 cases) was higher than during the other Holy Years. In the years 1475 and 1500 the Penitentiary handled over 1000 illegitimacy cases, whereas during normal years there were only some 400-600 supplications. The volume of illegitimacy petitions is missing from the Jubilee of 1525.[9]

If one compares the Swedish pattern with the figures presented by Schmugge, one notes some differences. From the Holy Year 1450, there are 13 Swedish cases, from 1475 more than twice as many, that is, 28. From the Jubilee of 1500, there are 19 entries, while from the Holy Year 1525 there are only two recorded cases because of a missing volume from that year. These numbers also confirm my earlier hypothesis that in 1450 the Swedes had probably not yet dis-

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[5] Ludwig Schmugge, *Kirche, Kinder, Karrieren. Päpstliche Dispense von der unehelichen Geburt im Spätmittelalter* (Zurich: Artemis & Winkler, 1995), 173-176 (hereafter Schmugge, *Kirche, Kinder, Karrieren*).

[6] About the dissolution of the Swedish monasteries, see Martin Berntson, *Klostren och reformationen. Upplösningen av kloster och konvent i Sverige 1523–1596* [Monasteries and Reformation. The dissolution of monasteries and convents in Sweden 1523–1596] (Malmö: Prinfo, 2003).

[7] Staatsarchiv, Hamburg, 710-1[1], Threse I, R 71. See also ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vol. 94, fol. 601r-v (supplication).

[8] Schmugge, *Kirche, Kinder, Karrieren*, 176-180.

[9] Schmugge, *Kirche, Kinder, Karrieren*, 179.

covered Rome and the Holy Year, and, therefore, the number of cases was relatively small. The next Holy Year, instead, was well publicised in Scandinavia, and a greater number of people left for Rome. 1500, and especially 1525, were, on the other hand, turbulent periods which may have prevented Christians from leaving for Rome.

Provenance of the Swedish petitions

As such, the numbers of supplications tell only how many cases came from each diocese, but when these numbers are compared with the population density and richness of the dioceses, it is possible to find out whether one diocese had proportionally more connections to the Penitentiary than others.

The province of Uppsala consisted of seven dioceses: the archdiocese of Uppsala, and the dioceses of Linköping, Skara, Strängnäs, Turku, Västerås and Växjö. The archdiocese of Uppsala and the diocese of Turku were territorially the biggest, but most of the areas were uninhabited. The diocese of Växjö was territorially very small, while the dioceses of Linköping, Strängnäs, Skara and Västerås were of medium size.

Table 2: The wealth and the number of inhabitants of the Swedish dioceses.

Diocese	Tax 15th c.	Order	Tax 16th c.	Order	Inhabitants	Order
Linköping	660	2	2500	3	200 000 – 250 000	2
Skara	470	3	2000	4	150 000	4
Strängnäs	266 2/3	4	2000	4	75 000	5
Turku	200	6	3000	2	250 000 – 300 000	1
Uppsala	1000	1	4000	1	150 000 – 180 000	3
Västerås	250	5	1000	6	50 000 – 60 000	6
Växjö	50	7	500	7	25 000 – 30 000	7

In table 2, the dioceses are compared on two different bases: economically and in population. In the first column are the taxes in florins that the newly elected bishops of the dioceses had to pay to the Holy See.[10] These numbers reveal the idea which the Holy See had about the wealth of each diocese. The archbishop of Uppsala had to pay the largest tax, 1000 florins, and followed by the bishops of Linköping, Skara, Strängnäs, Västerås, Turku, and Växjö. In order to give an idea of how big these numbers actually were when compared to the taxes paid to the Holy See in general one may consider that 12,000 florins was the biggest tax that the bishops of Rouen in France and Winchester in England had to pay, while the smallest, and quite common, tax was 33 1/3 florins.

[10] About taxes see Konrad Eubel, ed., *Hierarchia Catholica Medii Aevi sive Summorum Pontificum S.R.E. Cardinalium, Ecclesiarum Antistitum Series ab anno 1198 usque ad annum 1431 perducta e documentis tabularii praesertim vaticani*, vol. 2 (Münster: Regensberg, 1901), 77 (Turku), 95 (Västerås), 178 (Linköping), 232 (Skara), 242 (Strängnäs), 260 (Uppsala), 266 (Växjö) (hereafter Eubel, *Hierarchia*).

Hence, the Swedish bishops did not have to pay large amounts of money to the Holy See, but were seen as rather poor representatives within Christendom.[11]

Because these taxes are probably from a period too early for the years concerned here,[12] I have also used another tax list from the sixteenth century for comparison, namely, what the dioceses had to pay to the Swedish Crown during the reign of King Gustav Vasa in the 1530s. If one compares these two lists, one notes that in both of them the dioceses appear in more or less the same order. Consequently, the situation had probably not changed very much in the course of the fifteenth century. Only the diocese of Turku seems to have been a bit richer according to the sixteenth-century taxes than according to the papal tax lists. I assume that the economic situation that emerges from the Swedish taxation documents corresponds better with the actual situation than the earlier numbers of the remote papal curia.

Another important factor affecting the number of supplications is the number of inhabitants in each diocese – the more inhabitants the bigger should be the need for absolutions and dispensations. Trying to estimate the number of inhabitants in the Swedish dioceses is not easy, for no census is known from medieval Sweden. Concerning the dioceses, it is possible to estimate the number of inhabitants using the sums of Peter's pence paid to the Holy See, for each Swedish Christian had to pay one *penning* – or half a *penning*, depending on the diocese in question. Even though these numbers are from the early period of the 1350s, they are considered valid for the late medieval period because of the effect of the Great Pestilence that raged in Scandinavia in the first half of the 1350s. Scholars have estimated that the population only grew back to the level before the Great Pestilence as late as the fifteenth century.[13] Thus, these mid-fourteenth-century numbers should correspond to the situation in late fifteenth-century Sweden. Fortunately, there is also another possibility for estimating the number of inhabitants; the number of Swedish households was calculated for taxation purposes in 1560.[14] Since the later numbers more or less confirm the numbers deduced from the mid-fourteenth-century Peter's pence, one may get some idea of the population in each Swedish diocese during the late Middle Ages. The only problem is to estimate the number of inhabitants in the diocese of Turku, for the Finns did not have to pay the Peter's pence. The average esti-

[11] Eubel, *Hierarchia*, vol. 2, 225 (Rouen), 269 (Winchester).

[12] It is not known exactly when the Holy See established these taxes. It may be assumed that they were already in use at the beginning of the fifteenth century and, thus, they represent the situation of an earlier time period. However, since these taxes are the only information available and one knows that they were still in use until the Reformation, I consider using them here as legitimate.

[13] Hans Hildebrand, *Sveriges medeltid*, I. *Kulturhistorisk skildring* (Sweden's Middle Ages, I. Cultural historical description) (Stockholm: Norstedt & söner, 1884), 58-60 (hereafter Hildebrand, *Sveriges medeltid*); Yngve Brilioth, Den påfliga beskattningen af Sverige intill den stora schismen. (The papal taxation of Sweden until the Great Schism) (Uppsala: Appelbergs boktryckeri, 1915], 337-341.

[14] Hildebrand, *Sveriges medeltid*, I, 60-61.

mations of the medieval Finnish population vary a great deal, from 150,000 to 300,000. Since the taxation documentation from 1560 gives an average of 330,000,[15] one may assume approximately 300,000 inhabitants in Finland during the second half of the fifteenth century. Thus, as can be seen from table 3, the wealthiest and most populated dioceses were Uppsala, Turku, and Linköping, followed by Skara, Strängnäs, Västerås, and Växjö.

Table 3: The number and percentage of supplications from each diocese.

Diocese	Cases	%
Linköping	70	16 %
Skara	44.5	10 %
Strängnäs	41.5	9 %
Turku	128	29 %
Uppsala	116.5	27 %
Västerås	29	7 %
Växjö	7.5	2 %
Other	2	0 %
Total	439	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

Table 3 shows that the number of supplications corresponds to the size, wealth and the population of each diocese, that is, to the order of the Uppsala dioceses in terms of wealth as it appears in the taxation documents, and also to the number of inhabitants. Only from the most densely populated Swedish diocese of Linköping are there fewer supplications that one might expect when, for instance, comparing it to the dioceses of Uppsala and Turku.

Most Swedish petitions came from the archdiocese of Uppsala, which was the richest and biggest. The diocese of Linköping had slightly fewer contacts with the Penitentiary; it was, however, ahead of the dioceses of Skara, Strängnäs, and Västerås, which were less wealthy and not as densely populated. From the smallest diocese, Växjö, there are only very few petitions in the Penitentiary records, as one might also assume from the small size and population of the diocese.

It is, however, peculiar that the Finnish diocese of Turku is somewhat over-represented in the number of supplications. There are even more petitions from Turku than from the archdiocese of Uppsala and twice as many as from the most densely populated Swedish diocese of Linköping.

One may speculate concerning this 'extraordinary Finnish activity' towards the Penitentiary, in comparison to the other, Swedish, dioceses; I have found that in certain cases the Finnish bishops themselves were very active in taking cases to the Penitentiary. For example, a marriage supplication, handled by the Penitentiary in July 1460, was brought to the Penitentiary because of the

[15] Ibidem.

activity of the newly elected Finnish bishop Konrad Bitz, who visited the papal curia at that time for his consecration. It can be demonstrated that Bishop Konrad was behind this supplication, and the reason for his personal activity may be explained by the fact that the female supplicant was the daughter of his cousin.[16]

In conclusion, the number of petitions from the province of Uppsala corresponded well with the size, wealth and population of each diocese. Ludwig Schmugge has discovered a similar with regard to the German Penitentiary cases.[17]

Reasons for turning to the Penitentiary

Table 4 shows that all the different supplication categories of the Penitentiary are present for the Swedish dioceses. The two most important reasons for turning to the Penitentiary were different kinds of violations against canon law rules (*de diversis formis* and *de declaratoriis*) and matters related to illegitimacy (*de defectu natalium* and *de uberiori*). The supplications concerning marital matters (*de matrimonialibus*) and the petitions for confession letters (*de confessionalibus*) are also relatively numerous. Only the petitions in the *de promotis et promovendis* category were few. Comparing the Swedish distribution to that of the complete material, one notes that such a distribution was quite common in the Penitentiary registers as a whole.[18] Thus, it corresponds relatively well to the general trend.

Table 4: Distribution of the cases into different categories.

Case type	Number of cases	%
Matrimony	67	15 %
Diversis formis	120	27 %
Declaratory	65	15 %
Promotions	10	2 %
Defectus natalium	115	26 %
Uberiori	4	1 %
Confessions	57	13 %
Procurator	1	0 %
Total	439	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

[16] See Salonen, *The Penitentiary*, 258.

[17] See the number of supplications from the German dioceses in Ludwig Schmugge, Patrick Hersperger and Béatrice Wiggenhauser, *Die Supplikenregister der päpstlichen Pönitentiarie aus der Zeit Pius' II. (1458–1464)*, Bibliothek des Deutschen Historischen Instituts in Rom 84 (Tübingen: Max Niemeyer Verlag, 1996), 220-221 (hereafter Schmugge, Hersperger and Wiggenhauser, *Supplikenregister*).

[18] I thank Ludwig Schmugge for letting me use his still unpublished results from the period from the pontificate of Calixtus III until the pontificate of Alexander VI, i.e. from the years 1455–1503.

Which kinds of cases did Swedish supplicants take to the Penitentiary? One of the early supplications, from the year 1409, is a petition by a priest from the diocese of Linköping for a job as a proctor in the Penitentiary. All the other Swedish petitions are regular supplications for a dispensation or an absolution.

Matrimony

The Penitentiary material from the province of Uppsala contains 67 marriage supplications.[19] The first petition for a marriage dispensation or/and absolution is from July 1438 and the last one is from 1513. Concerning the provenance of the petitions (table 5), it is surprising that half of the cases came from the diocese of Turku. The diocese of Uppsala is also quite well represented, with one third of the petitions, while from the other Swedish dioceses there are only a few cases.

Table 5: The number and percentage of marriage supplications from each diocese.

Diocese	Cases	%
Linköping	4	6 %
Skara	3,5	5 %
Strängnäs	1,5	2 %
Turku	35	52 %
Uppsala	19,5	29 %
Västerås	1	1 %
Växjö	1.5	2 %
Crown	1	1 %
Total	67	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

When studying the Swedish marriage petitions more closely, a common feature can be found: They were quite often taken to the Penitentiary together with other similar supplications. These jointly made petitions also often came from the same or neighbouring dioceses – never Finnish and Swedish petitions together. It was also noted that the jointly presented supplications often originated from the members of the same family, from siblings or from cousins. For example, once the Penitentiary handled together the petitions of four sisters from the archdiocese of Uppsala.[20] These jointly made marriage petitions are quite understandable, as the petitions for receiving a dispensation (and an absolution) from a marital impediment were matters of no hurry. Quite often, the couples who turned to the Holy See to remedy an impediment were already

[19] About the Swedish marriage cases in the Penitentiary, see also Salonen, *The Penitentiary*, 2001, 251-278 and concerning the ecclesiastical marriage legislation, see Schmugge, Hersperger and Wiggenhauser, *Supplikenregister*, 68-72 and Salonen, *The Penitentiary*, 103-119.

[20] ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vol. 43, fol. 3v-4r.

married. But just as often one finds couples who were still engaged and wanted to be legally married.[21]

Among the marriage supplications one also finds another interesting phenomenon: the renewing of one's supplication. The regulations of canon law stipulated that a papal letter of grace was valid only if all the details mentioned in the letter were correct.[22] For this reason, some couples had to renew their supplications. These renewals were particularly common among the marriage supplications, for the petitioners normally were not personally in the curia while their supplication was handled, and sometimes it happened that the proctor who took care of their case made errors in the details. Quite often these were errors in the impediment (fourth degree instead of third, or consanguinity instead of affinity) or in other conditions of the marriage.[23]

The legal procedure in the marriage cases – as well as in the other cases – was that once the couple had received the letter of grace, they had to present this letter to the local bishop (or some other prelate) who, after having examined the correctness of the details mentioned in it, gave them the permit to get married. If the examiner noticed some error he could not let the couple get married and they had to procure a new letter of dispensation. For instance, a Finnish couple, Sten Henriksson of the Renhuvud family and Anna Jakobsdotter of the Kurki family, appears three times in the Penitentiary records. In the first entry, it is said that they were already married, that they were related to each other by the double fourth degree of consanguinity, and that they had consummated their marriage in ignorance of the impediment. In the second version, the impediment of consanguinity was corrected to affinity; the final version stated that they had gotten married and consummated the marriage even though they were aware of their relationship to each other by the double fourth degree of affinity. As they were already married, they do not seem to have been in a hurry to renew their supplication, for the first entry dates from September 1470, the second from December 1471, and the last and correct one from August 1477.[24]

The reason why the marriage supplications had to be renewed depended not only on the fact that the couple wanted a legal ecclesiastical marriage, but also – and more probably – on the fact that it legalised the position of their children. The legal position was especially important for men who wanted to strive for an ecclesiastical career, as the church did not allow illegitimate children to become priests without a dispensation. Another important reason for legalising the children was economic. For instance, in some societies, children born from an illegal relationship had no right to inherit from their parents. There are sev-

[21] See also Salonen, *The Penitentiary*, 267.

[22] X 4.14.6: *Non valet dispensatio, obtenta a Papa super matrimonio inter consanguineos contracto, si ibi causa falsa sit expressa, nisi postea eam Papa confirmaret. H.d. secundum verum et communem intellectum.*

[23] See also Salonen, *The Penitentiary*, 261-264.

[24] ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vol. 18, fol. 46v (September 13, 1470); vol. 20, fol. 24v (December 13, 1471); vol. 25, fol. 63v (August 6, 1477).

eral medieval cases where the relatives tried to deprive someone the right to inherit by claiming that they were illegitimate.[25]

The third particularity in the Swedish marriage petitions is the social status of the petitioners. When I tried to identify the Swedish supplicants,[26] I found that most of the Swedish petitioners were of the upper class. Several noble families could be identified, like Tott, Sture, and Bielke. When comparing the large proportion of the upper class supplicants in the Swedish material to the results of other studies of supplicants asking for marriage dispensations, one can note that such a remarkable proportion of upper class or noble persons is not a normal situation in the Penitentiary records. For example, Paolo Ostinelli has found that most petitioners from the diocese of Como in northern Italy were common people.[27]

There are several explanations for the over-representation of the members of the Swedish upper class as petitioners. One of them is the scarcity of upper class and noble persons in Sweden, and especially in Finland, meaning that, in practice, they had to marry a relative if they wanted to marry someone of their own rank, and in this case they needed a dispensation. Another possible explanation is that an ecclesiastical wedding was not considered that important in Scandinavia, where, according to customary law, marriage was considered an economic transaction between two families.[28] Thus, it might be claimed that the Swedes, at least those who did not have so much property that they had to be worried about their children's legal position before the ecclesiastical and secular authorities, did not consider the ecclesiastical wedding and dispensation so important that they would have bothered turning to the papal curia. The third possible explanation for the rare presence of common people in the Penitentiary re-

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[25] Medieval Swedish law was very tolerant in this case. It also granted illegitimate children the right to inherit from their parents – but only if they had recognised the children as theirs (Magnus Erikssons landslag, Giftermålsbalken, vol. 2 § 5: *Avlar en man barn i lönskaläge, och tager han sedan den kvinnan till laggift hustru, då tager det barnet arv liksom laggift hustrus barn. Ty då han bättrade kvinnan, då bättrade han ock barnet;* Upplandslagen, Ärvdabalken 18. ... *Avlas barn av fästehjon, sådant barn skall taga arv och orv. Tvistas därom och säger någon, att honicke varit lagligen fäst, då skall hon styrka det med åtta fastar* ...

[26] Identifying the supplicants is not easy and in many cases also not possible. The scribes of the Penitentiary often latinised the local names (Fisher becomes Pescator, for example), and this practice often makes the persons unidentifiable. Also the numerous mistakes in the spelling of difficult German or Scandinavian names, not to mention those from Ireland or Scotland, make the entries not understandable.

[27] Paolo Ostinelli, *Penitenzieria Apostolica. Le suppliche alla Sacra Penitenzieria Apostolica provenienti dalla diocesi di Como (1438–1484),* Materiali di storia ecclesiastica lombarda (secoli XIV–XVI), 5 (Milan: Ed.Unicopli, 2003).

[28] The Catholic Church established its authority in marriage matters in Sweden very late. The provincial laws from the thirteenth century describe marriage only as a secular matter, while the medieval Swedish Landlaw (Magnus Erikssons Landslag from the 1350s) recognised the role of the church in marriages, but did not force the Swedes to enter into an ecclesiastical marriage contract.

cords is that poor people might have received their dispensations locally, through the papal legates, for example, who had the right to grant a certain number of such dispensations. Furthermore, it is also possible that the Swedish bishops had some special privilege for granting marriage dispensations for poor people – even though the sources do not mention it. However, this was the case in Denmark, where Per Ingesman found that at least one Danish bishop (and thus probably also the others) had a special privilege to grant dispensations.[29]

Challenging canon law

The Penitentiary records offer information about 185 cases in which the Swedes had broken or wanted to act against canon law.[30] 65 of the Swedish petitions were registered as declaratory cases; in almost all of them the supplicant claimed innocence concerning someone's death and asked for a declaration. 120 supplications are registered in the *de diversis formis* category, the supplicant asking for absolution with regard to breaking canon law or for dispensation because of such an intention.

Table 6: The number and percentage of the *de diversis formis* and *de declaratoriis* supplications from the Swedish dioceses.

Diocese	Cases	%
Linköping	39	21 %
Skara	23	12 %
Strängnäs	27	15 %
Turku	48	26 %
Uppsala	33	18 %
Västerås	11	6 %
Växjö	3	2 %
Crown	1	1 %
Total	185	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

Most of the petitions came from the most populated dioceses, that is, Turku, Linköping, and Uppsala, while there were fewer from Skara, Strängnäs, Västerås, and Växjö. The first of these Swedish petitions dates from 1439, and the last one was approved in 1526.

[29] Per Ingesman, "Danish Marriage Dispensations: Evidence of an Increasing Lay Use of Papal Letters in the Late Middle Ages", in: Kirsi Salonen and Christian Krötzl, ed., *The Roman Curia, the Apostolic Penitentiary and the Partes in the Later Middle Ages*, Acta Instituti Romani Finlandiae 28 (Rome: Institutum Romanum Finlandiae, 2003), 129-157, esp. 146-147.

[30] About the Swedish cases in the *de diversis formis* and *de declaratoriis* groups, see also Salonen, *The Penitentiary*, 278-339; concerning the ecclesiastical legislation in these cases, see Schmugge, Hersperger and Wiggenhauser, *Supplikenregister*, 96-162, and Salonen, *The Penitentiary*, 119-175.

What kinds of cases were handled in the Penitentiary? Table 7 presents the different *de diversis formis* and *de declaratoriis* cases according to the content of the supplication. Approximately two out of three cases concerned violence or someone's death, quite severe crimes against canon law. Other Swedish cases were about monastic matters such as apostasy or transfer from one monastery or order to another, priests celebrating mass for excommunicated people or others being sentenced as excommunicated, sacrilege, dispensation (or *commutatio*) from a religious vow, corporal defect, sexual misconduct, marriage, fasting, wrong ordination, priests' participation in war, arresting a priest, overstepping one's priestly authorities, etc.

Table 7: Different kind of cases in *de diversis formis* and *de declaratoriis* categories.

Type of case	*div. f.*	%	*decl.*	%	Total	%
Murder	41	34 %	50	77 %	91	49 %
Violence	25	21 %	1	2 %	26	14 %
Monastery	17	14 %	5	8 %	22	12 %
Exc./Interd.	5	4 %	0	0 %	5	3 %
Sacrilege	2	2 %	0	0 %	2	1 %
Vow	3	3 %	0	0 %	3	2 %
Def.corp	1	1 %	0	0 %	1	1 %
Sexual crime	4	3 %	0	0 %	4	2 %
Marriage	1	1 %	0	0 %	1	1 %
Fasting	2	2 %	0	0 %	2	1 %
Ordination	2	2 %	0	0 %	2	1 %
War	2	2 %	6	9 %	8	4 %
Judging	5	4 %	2	3 %	7	4 %
Def.nat.	0	0 %	1	2 %	1	1 %
Arrest	1	1 %	0	0 %	1	1 %
Authority	2	2 %	0	0 %	2	1 %
Spec.exc.	1	1 %	0	0 %	1	1 %
Other	6	5 %	0	0 %	6	3 %
Total	120	100 %	65	100 %	185	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

These numbers show that the Swedes did not leave for the papal curia because of small matters, but the supplications concerned quite severe situations such as violence or even murder or manslaughter. Many murder cases are registered as declaratory supplications. The petitioners, who were often priests, had normally – because of a violent act followed by a quarrel – caused the death of another person and wanted a declaration that they were not judged guilty of murder but of an involuntary manslaughter that, according to canon law, was not a crime because of having been caused involuntarily. In these cases, the question of self-defence that had lead to the death of the aggressor often occurred. Knowing that a priest who was guilty of a murder was not suitable for altar

service, being declared guilty of murder would have meant the end of an ecclesiastical career for many clerics. Instead, if they could procure a letter of declaration that assured that they were not guilty of murder they could keep their benefices. This also explains why so many priests asked for a declaration, while laymen just admitted that they had killed someone and asked for absolution.[31]

The supplicants whose petitions were registered as the *de diversis formis* and *de declaratoriis* petitions were more often personally present in Rome than the supplicants whose petitions were of some other type. For a person (often a priest) who was accused of a murder and wanted to cleanse his conscience, it was probably, better to act as quickly as possible. Thus, some supplicants left for Rome to handle their case there personally. The Penitentiary records testify to the presence of the supplicants in 45 cases, meaning that approximately every fourth person came to the curia personally. Sometimes, their presence is explicitly mentioned in the supplication (*in curia romana presens*, or *ad curiam romanam venit*), sometimes it emerges from the taxation mark (*gratis pro presente paupere*) or from the fact that the case was committed to a person in the curia, like the minor penitentiaries in St. Peter's, for further examination.[32]

Promotions

Only ten Swedish cases fall into the *de promotis et promovendis* category. The first three cases originated from the year 1439 and the last two from quite late years, 1522 and 1524. In between there are three cases from the 1460s and two from the 1470s. All dioceses from the province of Uppsala are represented in these ten cases: from Skara there are three petitions, from Linköping and Turku two and from the other dioceses one case each.

One finds supplications for the dispensation from a bodily defect or from a promotion regulation of canon law (*extra tempora* or for being promoted by someone else than the local bishop). Five of the Swedish petitions concern the defect of age. The supplicants did not ask for a dispensation in advance; they had already been promoted illegally and wanted to be absolved and dispensed to make their promotions and positions valid. Three cases concern bodily defect: two the deformity of a thumb and one insufficient sight in the left eye. Two petitioners just wanted to be promoted without referring to any defect or special need.[33]

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[31] See also Salonen, *The Penitentiary*, 73-77.

[32] See, more precisely, *ibidem*, 282-285.

[33] About the Swedish promotion cases in the Penitentiary, see also ibidem, 339-344; about the ecclesiastical legislation concerning the ecclesial promotions Schmugge, Hersperger and Wiggenhauser, *Supplikenregister*, 196-198, and Salonen, *The Penitentiary*, 178-192.

Illegitimacy

The Swedes turned to the Penitentiary with 119 illegitimacy petitions, of which four were *de uberiori* supplications (3%); all others concerned simple *de defectu natalium* dispensations.[34] According to the studies of Schmugge, such a proportion of these two categories is typical for the whole Penitentiary material.[35] Furthermore, in Scandinavia there were few possibilities for such pluralism as was commonly known in the papal curia, and, therefore, it is normal that the proportion of the *de uberiori* cases is relatively small.

The Swedish illegitimacy petitions vary in the period from 1410 until 1516. There is a diminishing tendency in the number of supplications when coming closer to the Reformation. This certainly depends partly on the fact that the Penitentiary records from the later period have not survived entirely, but, as Schmugge has noted similar tendencies in the whole material, this is probably not just a coincidence. It could be possible – even though not yet verified by local sources – that during the last years before the Reformation there were more channels for getting this type of dispensation locally, just as with the marriage supplications.

Table 8 presents the number of illegitimacy petitions from the Swedish dioceses. It shows that every third illegitimacy petition came from the archdiocese of Uppsala, every fifth from Turku, and so on – more or less according to the general trend in the material from the whole province.

Table 8: The number and percentage of illegitimacy supplications from each diocese.

Diocese	Cases	%
Linköping	19	16 %
Skara	12	10 %
Strängnäs	7	6 %
Turku	22	18 %
Uppsala	42	35 %
Västerås	14	12 %
Växjö	3	3 %
Total	119	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

Like the marriage supplications, the illegitimacy petitions were also quite often brought to the curia together with other similar supplications from the same or neighbouring dioceses. Also in the illegitimacy cases, the presence of the petitioners in the curia was extremely rare. The accumulation of petitions is quite understandable, for dispensations from illegitimacy were matters that did

[34] About the Swedish illegitimacy cases in the Penitentiary, see also Salonen, *The Penitentiary*, 344-358.

[35] About the ecclesiastical legislation concerning the illegitimacy and the illegitimacy cases handled by the Penitentiary during 1448–1533, see Schmugge, *Kirche, Kinder, Karrieren.*

not require urgent intervention. Illegitimacy was also not a sudden surprise for the supplicants, and when a young man decided to strive for an ecclesiastical career he had plenty of time to procure dispensations before he reached the age when he could be promoted to the priesthood. In fact, two supplicants out of three declared themselves to be schoolboys or students (*scolares*), meaning that they asked for dispensation in good time. Only four Swedish petitioners had been illegally promoted to priesthood despite their illegitimacy.

Comparing the information about the social background of the parents of the illegal supplicants to the general trend discovered by Schmugge, it can be noted that in the Swedish evidence the proportion of priest fathers is slightly higher than in the whole material (70% against 60%). This higher percentage may be seen as a sign of some kind of continuity so that priests' sons often followed their fathers' footsteps. One could also speculate about the low morals of the Swedish priests, but I do not see this as an explanation for this phenomenon.

Confession

There are, in total, 55 Swedish petitions for confession letters, plus one supplication for a licence to carry a portable altar and another for receiving a *de sententiis generalibus* licence.[36] Table 9 shows the provenance of the Swedish confession petitions, which came from all dioceses. The proportional division of the cases does not, however, correspond to the size of the dioceses or to the number of inhabitants. A bit more than one third of the supplications came from the archdiocese of Uppsala, and another ample third from the diocese of Turku. There were only few petitions from the other Swedish dioceses.

Table 9: The number and percentage of confession supplications from each diocese.

Diocese	Cases	%
Linköping	5	9 %
Skara	2	4 %
Strängnäs	5	9 %
Turku	21	37 %
Uppsala	21	37 %
Västerås	2	4 %
Växjö	0	0 %
Crown	1	2 %
Total	57	100 %

Source: ASV, *Penitenzieria Ap., Reg. Matrim. et Div.*, vols. 1-73.

[36] About the Swedish confession petitions in the Penitentiary, see also Salonen, *The Penitentiary*, 358-369; about the ecclesiastical legislation concerning the letters of confession, see Schmugge, Hersperger and Wiggenhauser, *Supplikenregister*, 207-208, 210, and Salonen, *The Penitentiary*, 203-210.

Compared to the Swedes, the Finns were thus especially active in asking for confession letters. One reason for this is the possibility of having similar letters from other authorities. I have observed that the presence of indulgence sellers can be seen directly in the number of supplications, for there are no petitions from those periods when indulgence-sellers were active in Sweden. As Finland was situated far from Sweden, the indulgence sellers seldom ended up in Finland, and the Finns had to turn to the Penitentiary for receiving them.[37]

The petitions for confession letters are limited between the years 1438 and 1500. It is quite interesting that after 1500 there are no more such supplications. In my opinion, this results mainly from two facts. Firstly, the confession letters were not really necessary, and, because of the turbulent political situation in Scandinavia, the Swedes probably had other interests than thinking of sending such petitions to Rome. Furthermore, one also had other possibilities for procuring similar kinds of graces: the indulgence sellers who were actively travelling all over Christendom.

Sometimes several petitions for having a confession letter were carried together to the Penitentiary. This happened, however, quite rarely, and, in these cases, the petitions were always from one and the same diocese. The confession letter supplications sent jointly occur sometimes in connection with the Holy Years, when groups of pilgrims came together to Rome and presented their petitions together.

Conclusion

Compared to the complete material, the number of 439 Swedish cases in this period is very small. But if one considers it against the Scandinavian source material that has been preserved from the same period, one deals with an important addition to our knowledge about the Swedish Middle Ages.

All the Swedish cases are of quite an ordinary type, as a small number of petitions means that the variety in their contents remains smaller. The Swedes seemed to turn to the Penitentiary in similar matters as all other Christians, but there are also some 'national' tendencies to be traced. The most striking of these differences in the content of the petitions can be seen in the *de diversis formis* and the *de declaratoriis* entries; the Swedish corpus contains proportionally many more severe cases than one finds when studying all the entries. This means that the Swedes did not turn to the Penitentiary for small matters, but, mainly, only when they really had to do so, for example, after having murdered or mutilated someone. This tendency probably depended on the long distance between Sweden and the papal curia. Swedes did not want to leave for the long and expensive journey to Rome for minor issues.

Another reason for going to Rome with a petition was the high social rank of a person. The nobility had more need (and the money) to turn to the Holy

[37] See Salonen, *The Penitentiary*, 364-367.

See; they wanted to make sure that their marriages were legal in order to be sure that their offspring were legitimate. On the other hand, getting absolved from an excommunication was more important for priests, who could not exercise their priestly functions before they were absolved. The higher the priestly rank of the supplicant, the more important the supplication became.

Concerning the distribution of the cases on the time-axis it can be stated that the relatively late relations between Sweden and the Roman Church, as well as the politically turbulent times in Scandinavia, may be seen as a reason for the small number of petitions in the earlier part of the treated period. Similarly, the number of petitions tended to diminish close to the Reformation, which also probably depended on the difficult political situation in Scandinavia.

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MEDIUM AEVUM QUOTIDIANUM

SONDERBAND XIV

Gedruckt mit Unterstützung der Kulturabteilung
des Amtes der Niederösterreichischen Landesregierung

niederösterreich kultur

CEU MEDIEVALIA 8

The Long Arm of Papal Authority

Late Medieval Christian Peripheries and Their Communication with the Holy See

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Gerhard Jaritz, Torstein Jørgensen, Kirsi Salonen

Bergen · Budapest · Krems

2004

Copy Editor: Judith Rasson

Cover Illustration: Pope Pius II, Hartmann Schedel, World Chronicle (Nuremberg, 1493), fol. 250

Joint Publication by:

Centre for Medieval Studies (CMS)
University of Bergen, P.O.Box 7800, N-5020 Bergen, Norway
Telephone: (+47-55) 58 80 85, Fax: (+47-55) 58 80 90
E-mail: post@cms.uib.no, Website: http://www.uib.no/cms/
ISBN 82-997026-0-7

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ISSN 1587-6470 CEU MEDIEVALIA

CEU PRESS

Central European University Press
An imprint of the Central European University Share Company
Nádor u. 11, H-1051 Budapest, Hungary
Telephone: (+36-1)327-3138, 327-3000, Fax: (+36-1)327-3183
E-mail: ceupress@ceu.hu, Website: http://www.ceupress.com
and
400 West 59th Street, New York NY 10019, USA
Telephone: (+1-212)547-6932, Fax: (+1-212) 548-4607
E-mail:mgreenwald@sorosny.org
ISBN 9-63 86569 5 6
Library of Congress Cataloging-in-Publication Data:
A CIP catalog record for this book is available upon request.

Medium Aevum Quotidianum
Gesellschaft zur Erforschung der materiellen Kultur des Mittelalters
Körnermarkt 13, A-3500 Krems an der Donau, Austria
Telephone: (+43-2732) 847 93-20, Fax: (+43-2732) 847 93-1
E-mail: imareal@oeaw.ac.at , Website: http://www.imareal.oeaw.ac.at/maq/
ISBN 3-90 1094 17 2

Printed in Hungary by Printself (Budapest).

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ABBREVIATIONS RELATED TO THE COLLECTIONS OF THE VATICAN SECRET ARCHIVES

ASV = Archivio Segreto Vaticano

Arm. = Armadio

Congr. Vescovi e Regolari, Visita Ap. = Congregazione dei Vescovi e Regolari, Visita Apostolica

Instr. Misc. = Instrumenta Miscellanea

Penitenzieria Ap., Reg. Matrim. et Div. = Penitenzieria Apostolica, Registra Matrimonialium et Diversorum

Reg. Vat. = Registra Vaticana

Reg. Lat. = Registra Lateranensia

Reg. Suppl. = Registra Supplicationum

Reg. Aven. = Registra Avenionensia

RPG = Repertorium Poenitentiariae Germanicum

PREFACE

The present publication contains selected papers from two international conferences: the first was held at the Centre for Medieval Studies, University of Bergen (Norway), in October, 2003[1] and the second at the Department of Medieval Studies, Central European University, Budapest (Hungary), in January, 2004.[2] The purpose of these meetings was to gather researchers interested in the history and significance of the papal curia and, in particular, the Apostolic Penitentiary, in the later Middle Ages. The main emphasis was placed on a comparative approach and on the role of peripheral areas of Western Christendom in their communication with the Holy See.

There are various kinds of centre-and-periphery hierarchies.[3] There are geographic, social, economic, and cultural peripheries and centres. "The general textbooks ... address materials from the geographical and social peripheries of privileged cultures only as adjuncts to their central narrative. ... The history of Scandinavia and Eastern Europe become excursus to a central narrative."[4]

However, concerning the communication of the Holy See with various areas of Christendom in the Middle Ages, the impact of 'peripheries' has attracted a new interest in recent years. Since the opening of the archives of the Apostolic Penitentiary to researchers in 1983 relatively few scholars have exploited the sources, but recently their number has increased. Most of them have studied the supplications to the Penitentiary of petitioners from their own home countries and edited material on a national basis. The German Historical Institute, under the leadership of Ludwig Schmugge, has already published several volumes of entries concerning German-speaking territories. Also, the Norwegian and Icelandic material has recently been released by Torstein Jørgensen and Gastone Saletnich. Similar enterprises are in process in several other countries: Poland, Denmark, Sweden and Finland, England and Wales. The examination of territo-

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[1] "*The Late Middle Ages and the Penitentiary Texts: Centre and Periphery in Europe in the Pre-Reformation Era.*"

[2] "Ad Confines. *The Papal Curia and the Eastern and Northern Peripheries of Christendom in the Later Middle Ages(14th – 15th c.).*"

[3] For this and the following, see Teofilo F. Ruiz, "Center and Periphery in the Teaching of Medieval History," in *Medieval Cultures in Contact*, ed. Richard F. Gyug (New York: Fordham University Press, 2003), 252.

[4] Ibidem, 248.

ries on the geographic peripheries in their relation to Rome has been a main focus in these studies.

The archival material of the Penitentiary and the communication of the papal curia with the various regions of late medieval Europe should, however, not be studied only on national levels. There is an increasing need for such studies to be supplemented by comparative searches for differences and analogies in how Christians from different corners of Europe used the papal offices and were treated by them. It is well known that even though the regulations of canon law were in theory the same for everyone, regional differences in interpreting and applying them emerged in the Late Middle Ages. The need to turn to the papal authority in matters of canon law varied depending on the role of local bishops and the presence or absence of papal legates or collectors, who often had the power to deal with similar matters *in partibus*. Also, people in the central territories of Christendom had different opportunities for turning to the papal curia with their requests than those living on the peripheries of the Christian world.

Questions like these played the central role in the discussions of the two conferences noted above. In this book we will render an overview of the present status of this new field of research. As an introduction, Piroska Nagy deals with the question of how to apply centre-periphery models to a comparative analysis of the sources. Kirsi Salonen uses the Penitentiary registers from the period of Pope Pius II to analyse the supplications, their provenance, and the role of peripheries.

Two peripheral parts of late medieval Europe and their significance concerning the communication with the Holy See represent the main part of the publication: Northern Europe and East Central Europe. Comparative analyses of Scandinavian and Scottish source material from the Penitentiary Registers are made by Torstein Jørgensen, Kirsi Salonen, and Irene Furneaux. The studies on East Central Europe are introduced by an inquiry concerning the general importance of the area for the papal curia (Jadranka Neralić), and an overview of the communication of the Holy See with Albania (Etleva Lala). Piroska Nagy and Kirsi Salonen offer a quantitative analysis of East Central Europe and the Penitentiary (1458–1484), followed by contributions on individual territories, such as the Czech lands (Lucie Doležalová) and Dalmatia (Ana Marinković). The contribution by Gastone Saletnich and Wolfgang Müller indicates that in any studies of the role of peripheries one must not neglect the more central areas. Blanca Szeghyová and Ludwig Schmugge show that local archives and their contents are an indispensable additional source for comparative analyses.

Many friends and colleagues have helped in preparing this book for print. We are pleased to thank the personnel of the Penitenzieria Apostolica, especially Padre Ubaldo Todeschini, for reading the manuscript and suggesting useful corrections. We are also much obliged to the skilled staff of the *Sala di Studio* in the Vatican Archives, who patiently brought us volume after volume of the reg-

isters and helped with other problems. Judith Rasson from Central European University deserves our gratitude for copyediting our text.

Finally, we wish to thank the academic institutions which in a more direct way have promoted this project: the Centre for Medieval Studies at the University of Bergen, the Department of Medieval Studies at the Central European University in Budapest, the Institut für Realienkunde of the Austrian Academy of Sciences and the Academy of Finland, and the Department of History at the University of Tampere.

Bergen, Budapest, and Tampere, November 2004

Gerhard Jaritz, Torstein Jørgensen, Kirsi Salonen