

Minor Papal Penitentiaries of Dacia, their Lives and Careers in Context (1263 – 1408)

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From 1263 – 1391, fifteen mendicants are mentioned as minor penitentiaries for the province *Dacia* in the Apostolic Penitentiary. Nine of them ended their careers as bishops in the Baltic and Scandinavia. The hypothesis in this article is that the Scandinavian papal penitentiaries were intermediates between a geographic periphery of Christendom and the papacy, and contributed to a further centralisation of the universal church. For this purpose it gives a comprehensive biography of the Scandinavian papal penitentiaries in context.

On 30 May 1351, the first attempt to centralise the Norwegian church through a papal provision to a bishopric occurred.¹ This introduced a period in Norwegian ecclesiastical history which the founder of the ‘Norwegian Historical School’, the historian Rudolf Keyser, as the first described as an overruling of the local church province by the kings of the late medieval unions. The bishop who received a diocese in this way, had a significant trait in common with four other bishops in the province, namely a career background in the Apostolic Penitentiary as *penitentiarius minor* for ‘*Dacia*’.² From this moment the kings cooperated with the popes who provided their loyal men to the Norwegian bishoprics. A definite change to the intermingling in the church’s internal affairs did not come before 1458, when King Christian I confirmed the concordat of Tunsberg from 1277.³ This confirmation left the Norwegian church in a freer position vis-à-vis the king than the Danish one, which after the reform councils followed the Concordat of Vienna.⁴

¹ A shorter version of this article is published in *International Encyclopaedia for the Middle Ages-Online. A Supplement to LexMA-Online*. Turnhout: Brepols Publishers, 2007, in Brepols Medieval Encyclopaedias <http://www.brepols.net/bme> (Eldbjørg Haug 2007c). Its results have been presented at the 26th Nordic History Congress, Reykjavík (Eldbjørg Haug 2007b). I thank Birgitta Fritz, an anonymous referee, and the editorial boards of IEMA and *Collegium Medievale* for comments to the draft of this article.

² DS 1829 - VI no. 5273; DN 1848 - VI no. 202.

³ Hamre 1946; Eldbjørg Haug 2003.

⁴ See Hamre 1955: 489-490; Eldbjørg Haug 1998: 114.

This study has two aims. The first is connected to the five bishops who as papal penitentiaries received a bishop see in the Norwegian church province. The study will give a comprehensive biography of them. But in establishing the state of the art, several questions have been stirred up: Since none of these bishops were Norwegians by birth, the first question is why they were provided to episcopal sees in the Nidaros province? Were they hunting for vacant prebends that happened to be bishoprics? And were their careers unique? These issues demand a broader scope than a study of five Norwegian bishops from the second half of the 14th century.⁵ The study will therefore take as its point of departure the first papal penitentiaries in the early 13th century and follow the Scandinavian ones in a diachronic perspective, while taking due account of the historical context in which they performed their enterprise. Based on existing studies and new interpretations of the evidence, the aim is to give a comprehensive presentation of the Scandinavian papal penitentiaries until the institute changed or vanished. The first object of this study is thus to give the biographies of the Scandinavian minor papal penitentiaries by taking all the evidence into consideration.

The other aim is to gain new knowledge about the dynamics between the popes and the papacy on the one hand, and the Scandinavian kingdoms on the other, by focusing on these 'small prophets' from the North. The hypothesis is that *the Scandinavian papal penitentiaries were intermediates between a geographic periphery of Christendom and the papacy, which was the focal point of European church politics in the 13th and 14th centuries, and contributed to a further centralisation of the universal church.*

Let us, however, start by exploring the existing research on the penitentiaries, its focus and results. The Apostolic Penitentiary in Rome was institutionalised during the 12th and 13th century. In recent years there has been a great interest for the institution, connected to a more liberal access to the penitentiary archives of the 15th and 16th centuries. The focus of this article is on the centuries before, when the evidence is sparser.

The office of a penitentiary is directly connected to the sacrament of confession. Although sacramental unity was focused on the bishop and preserved through his delegation of pastoral and sacramental celebration, the priests of the 28 *tituli* churches in Rome early took on a significant share in the sacramental functions of the bishop, the pope. Titular priests could absolve penitents, absolve them, and find them a suitable penitence by the time of Innocent I in 416. In this way there were pen-

⁵ For the provisions of these bishops see Eldbjørg Haug 2006: 85-89, 100-101, 103, 135-137, 187-188.

itentiaries in Rome before the more formal organisation in the Curia. As the papal monarchy developed, the papal penitentiary received special power of attorney connected to the papal centralisation of the system of penitence, the development of his rights to dispensations, and the pope's right to reserve cases. Towards the end of the Middle Ages, c. 30 felonies were such reserved cases, most of them having in common assaults on the church and its institutions.⁶ The Apostolic Penitentiary thus had an important role in the papal monarchy.

The *summus* or *maior* papal penitentiary was always a cardinal-priest or cardinal-bishop, often translated as 'grand penitentiary'. Towards the end of the 12th century the first of them is mentioned as 'the cardinal who then received confessions on behalf of the Pope' (*cardinalis qui confessiones pro papa tunc recipiebat*).

A corps of 'minor penitentiaries' (*penitentiarii minores*) appears in the Vatican sources during the papacy of Honorius III (1216 – 27) as the subordinates of the grand penitentiary.⁷ They were appointed directly by the pope as 'permanent chaplains and members of the pope's household' (*familiares*). They thus were in a direct relationship to the pope and held a rank in his retinue only second to the cardinals.⁸ In the sources they are mostly called *penitentiarii* or *penitentiarii papales*; the appellation 'minor' is seldom seen. The German historian Emil Göller suggests as a reason for their high rank that the popes to a great extent used them as nuncios. We should add that they were well equipped for both tasks, representing the only institutionalisation of a sacrament in the Curia. They enjoyed several privileges, which cannot be traced before the time of the Avignon papacy: the rights to choose a personal confessor, the use of a movable altar, and to distribute plenary indulgence when death threatened (*in articulo mortis*).

Former research

The Scandinavian papal penitentiaries on Norwegian episcopal-sees were seen by Keyser and his successors as an aspect of the decline of the medieval Norwegian kingdom. The last Scandinavian papal penitentiaries have gained more attention than their ten predecessors for this reason.⁹

⁶ Göller 1907: 129; Vincke 1938: 417-418; Gallén 1968; Ingesman 2001: 21-22.

⁷ Vincke 1938: 417; Majic 1955: 130.

⁸ Göller 1907: 130; Tamburini 1997: 452; Torstein Jørgensen and Saletnich 1999: 23, 24.

⁹ Keyser 1856-1858, vol. II: 387-389, 398-403, 431-432; Bang 1912: 273; Hamre 1946; Hamre 1955: 453 – 491; Kolsrud 1958 (†): 277 - 288; Wisløff 1966: 286; Hamre and Eldbjørg Haug (ed.) 2003 (†): 114; Eldbjørg Haug 2006: 84-89, 100-101, 103-104, 135-137, 187-188.

Keyser saw the hand of the Danish King Valdemar Atterdag (1340 – 1374) behind several Danish-born bishops on Norwegian episcopal sees of whom five were former papal penitentiaries. Their provisions were a way for Valdemar to gain influence in Norway. He also saw King Valdemar's daughter, the Norwegian and Swedish Queen Margaret (1353 – 1412), as instrumental in the promotions of bishops after 1370 to achieve a Danish supremacy in the union; the Danish-born Bishop of Bergen, Jakob Jenssen, is exemplary.¹⁰ The Danish professor in history and later Head of the Danish National Archives Kr. Erslev accepted Keyser's idea and pointed to the Danes who achieved bishoprics in the Norwegian church province during Queen Margaret's reign. His apt formulation that the queen treated the Norwegian province as a 'stepdaughter' has been echoed more than once.¹¹ Nevertheless, Erslev's judgment seems hasty when material from the Vatican Archives, only made public in 1881, is taken into consideration.¹² This material also allowed a reassessment of the significance of papal penitentiaries serving as Norwegian bishops.

Scandinavians had access to the Vatican evidences even earlier than 1881. The Swedish scholar C. F. Fredenheim succeeded during the papacy of Pius VI (1775 – 1799) to achieve copies of great historical value from the archives. The Norwegian historian P. A. Munch worked in the papal archives in the years 1858 – 61 and 1863, and obtained important copies. These documents were referred extensively in his history of the Norwegian people (*Det Norske Folks Historie*). They were published posthumously in volume VI and VII of *Diplomatarium Norvegicum*, in his edition of the records and diaries of the papal nuncios to Scandinavia, and some records concerning Sweden also in *Diplomatarium Suecanum*. Not all findings on Sweden have been published in the latter; the *Diplomatarium Suecanum* is a chronologically edited series whose first volume was published in 1829, some fifty years before the opening of the Vatican Archives, while the Norwegian diplomas are presented in chronological order within each volume.¹³ Although Munch's research was a part of the state-building process of the 19th century, he had a more neutral opinion of the bishops who had been papal penitentiaries than Keyser.

The Danish historian L. J. Moltesen was among the first Nordic scholars who had access to the released evidence in Rome. He presented his studies in his doctoral thesis on the relationship between the Avignon popes and Denmark (1896), which is

¹⁰ Keyser 1856-1858, vol. II: 392.

¹¹ Erslev 1882: 127, 340-341.

¹² Moltesen 1896; APD 1904-1943 I: 127.

¹³ Munch 1864; Fritz 1995; *Nationella kopia samling* in SRA. Sv. RA:s beståndsöversikt 1:1 (1996).

still a work of reference. His archival findings were published in the first volume of *Acta pontificum Danica*.

Göller's exhaustive monograph on the papal Penitentiary has been crucial to the understanding of the relatively sparse sources of relevance for the Nordic church provinces. He proved that the careers of the Scandinavian papal penitentiaries were not unique; most penitentiaries ended their careers as bishops in their homelands. The Norwegian historian Edvard Bull maintained that these bishops promoted their candidatures themselves, because they learnt of the vacancies as curial officials. Bull's view was followed by the professor in ecclesiastical history Oluf Kolsrud, who in his teaching placed them in a group of foreign bishops who owed their promotion to the papacy; their promotion was not an attempt by a monarch to control the church. Although neither Bull nor Kolsrud called them papal prebend-hunters, such a conclusion was close. In 1937, the Finnish historian Jarl Gallén O. P. gave an overview on the research of the Scandinavian penitentiaries at the Curia during the Middle Ages. He took advantage of the archival studies of the Swedish scholars L. M. Bååth and K. H. Karlsson, and until then unpublished sources in Swedish and Finnish archives. Gallén was a friar preacher, and his study was connected to his dissertation on the Order's Nordic province until the Great Schism. By contextualising his findings he threw new light over the Scandinavian papal penitentiaries during the Avignon era.¹⁴ Bååth's archival study on the papal Camera has been published as series I of *Acta Pontificum Svecica: Acta Cameralia* (1062 – 1492, 2 vols.) while some of Karlsson's work until c. 1375 have been published in *Diplomatarium Suecanum*.¹⁵

None of the above-mentioned monographs have transgressed the Late Medieval reform councils. The scholars had no access to the evidence in the Penitentiary archive itself. One wrongly assumed that the archive contained material that would break the secrecy of the confession, which is a matter between the penitent and the confessor. The more liberal access to the Penitentiary Archive towards the end of the 20th century has opened new perspectives. So far, Scandinavian research on the relationship to the Curia and the penitence system after 1450 has benefited from these archives.¹⁶ 'Sacco di Roma' in 1527 and Napoleon's transfer of the Vatican Archive in the beginning of the 19th century resulted in severely losses of papal archives. 4000 volumes have been estimated as lost altogether, but it is not possible

¹⁴ Gallén also benefitted from Vincke 1938; Majic 1955 in his last article on the subject (1967).

¹⁵ More in the index file at: <http://www.ra.se/ra/diplomat.html>.

¹⁶ Ingesman 1997; Ingesman 2001; Salonen 2001; Ingesman 2003; Salonen 2003; Salonen and Krötzel 2003; Torstein Jørgensen and Saletnich 2004, to cite a few.

to say exactly what was lost and when. What is known for sure is that archives of relevance to this study were among the losses.¹⁷

The Duties and Rights of the Minor Papal Penitentiaries

Pope Innocent IV (1243 – 1254) is known for having organised the departments of the Curia, and during his papacy also the Apostolic Penitentiary achieved a more systematic organisation.¹⁸

The diffusion of canon law and its local transformation during the 12th and 13th centuries meant a greater integration into Christianity for the Nordic churches, and also the need of more extensive contact with the Curia. Important matters that had to be solved at the Apostolic See were exceptions from the prohibition of marriage between too close relatives and to exempt clerics for irregularity, in particular so-called defects of birth caused by being born out of wedlock. The Pope delegated authority to the penitentiaries to solve these cases.

From their inception, the mendicant orders played a decisive role as the first specialists in Christian spiritual guidance. The Dominicans were also zealous in their preaching against the Cathars; as papal inquisitors they were instrumental in subduing this heresy north of the Alps. The friars were independent of the local bishops; they were international rather than parochial, and became effective participants in European diplomacy. The first papal penitentiaries were outstanding men like the great canonists St. Raymond of Penaforte and John the Teuton (1241-1252). Raymond wrote the foundational text for the study of moral theology, *Summa de casibus penitentiae* (c. 1225), which supposedly was crucial to the papal penitentiaries. Pope Gregory IX commissioned him to order the whole body of decretals, which is known as the *Corpus Iuris* (1234); with it the body of canon law had almost received the form in which it was to exist until 1917.¹⁹ John the Teuton was a decretalist and is responsible for the ‘ordinary’ gloss.²⁰ Both of them became masters general of the Order of the Preachers. The well-known legate to the Baltic and Scandinavia from 1226 to 1248, William of Modena, Cardinal-Bishop of Sabina, was also mentioned as a papal penitentiary (16 January 1236).

During the Avignon papacy the *penitentiarii minores* were instituted definitely. In 1308 their numbers were raised to 14 and later hovered between 12 and 19. Pope

¹⁷ Göller 1907 vol. I,1: 13.

¹⁸ Göller 1907: 82-84; Herde 1967: 1-52.

¹⁹ Morris 1989: 491, 576.

²⁰ Morris 1989: 576.

Urban V (1362 – 1370) set their number to 12: *pro Francia, Anglia, Occitania, Flandria, Britannia, Alamannia, Boemia, Polonia, Dacia, Hungaria, Hispania – Catalonia – Aragonia – Portugalia – Navarra et Italia*.²¹

Pope Benedict XII (1334 – 42) decided that the penitentiaries should sit in the church from prime to terse (6 – 9 a.m.) on certain days of penitence. They were neither allowed to accept gifts nor assign a money payment as penance. At times when the pilgrims were numerous they should confess them even on Sundays or holy days. Penitentiaries were to be appointed after a thorough scrutiny of their lives, morals and learning. Following a theological exam in the *disputatio* format, they could be approved and make their vows.

The papal penitentiaries were paid by the Curia and not allowed to receive money for their services. Every summer and autumn they received 8 florins to cover their expenses for clothes. The apostolic camerarius also covered expenses of grain, vine, and firewood. Around the middle of the 14th century, inflation destabilized this system, as did the poverty of the Curia during the Great Schism. While the cameral sources on these expenses are not complete, they are the best we have in tracing some of the Scandinavian penitentiaries while they stayed in the Curia.²²

The Province Dacia

In Scandinavia the Friars Preachers played an important role as minor penitentiaries. The Order of Preachers was confirmed in 1216; shortly thereafter the first Scandinavian friars were accepted as members of the order.²³ They formed a province of their own called *Dacia*. *Dacia* was originally a Roman province in Transylvania in present-day Romania established by Emperor Trajan, but it had come to mean Denmark by the Middle Ages. The reason why the common Latin name of Denmark was used for the Scandinavian province was probably that Denmark was the superpower of the region in the 13th century. The mendicant orders first settled in Denmark and were always more numerous here than elsewhere in Scandinavia. A parallel is the province Anglia which also comprised Scotland and Ireland.²⁴

²¹ Brilioth 1915: 113; Gallén 1937: 65-66.

²² The most important evidence is the *Introitus* and *Exodus* in the Vatican Archives. The series are accountant books of the income and the expenses of the Curia and runs from 1291 to the Reformation. APD vol. I: III f.

²³ *Historia ordinis prædicatorum in Dania*, published and translated to Norwegian by Halvorsen 2002: 218-221.

²⁴ Karlsson 1901: 5 (Conuentus fratrum / sororum Ordinis predicatorum. In prouincia Dacie); Gallén 1946; Halvorsen 2002: 224 - 227.

Another reason was that all Scandinavians were considered to speak the Danish tongue. And in connection with the issue of Scandinavian papal penitentiaries we meet evidence that is unique in complaining about problems with understanding the languages. Around 1320, the Archbishop of Uppsala described the languages of the three kingdoms Denmark, Sweden and Norway as highly strange and different from all other tongues. 'Even the Germans do not understand them. The pilgrims who go to the papal Curia from these countries are not able to confess their sins without interpreters. Moreover, the interpreters are almost impossible to find, and seldom adequately skilled. The result is that many have to confess only partly, or have to leave the well of grace and go back home in despair, not having been able to confess.'²⁵

One can of course wonder how many pilgrims actually went to Avignon if they had no business with the papacy. On one hand, the graves of the martyrs and the saints were in Rome. The language problems were greater when the popes resided in Avignon than they used to be in Rome; there were presumably better opportunities to find skilled and trustworthy translators in the larger city. On the other hand, although the institutions of the papal monarchy were well established, in theory the popes in the latter part of the thirteenth century seldom resided in Rome due to the internal political turmoil of the city. The residence for the better part of a century in Avignon represented an opportunity to realise the papal monarchy in practice. But in 1425, when the popes once more sat in Rome, King Erik the Pomeranian complained anew of not finding a penitentiary for the Scandinavian kingdoms at the Curia, and that their languages differed from all others.²⁶

Below is a comprehensive presentation of the fifteen Scandinavian minor papal penitentiaries that are known to us during two centuries, and as far as possible the context under which they worked. The penitentiaries who obtained an episcopal see in one of the Scandinavian church provinces, as the peak of their career are particularly interesting.

Herman of Visby and the First Church Strife in Denmark

The first known Scandinavian penitentiary at the Curia was the Friar Preacher Herman of Visby. He was mentioned for the first time 15 March 1263 and died before 1272. The Swedish scholar Henrik Schück identified him with Hermann of Minden who was the prior of the Friars Preachers' German province 1286 – 1290.²⁷ This

²⁵ DS III no. 2223.

²⁶ DN XVII no. 437.

²⁷ Gallén 1937: 67.

identification is doubtful; another Scandinavian penitentiary was appointed in 1272, probably after the death of his predecessor. On 12 March 1274 Bishop Jens of Børglum called the penitentiary Herman of Brunshorn from which may be deduced an affiliation to the region around Braunschorn.²⁸ Herman is a German name, and he was probably German by birth.

Friar Herman became a papal penitentiary, it is unknown when, but he may have been appointed by Pope Urban IV who was elected 22 August 1261. He had been a papal legate to Silesia, Prussia and Poland before becoming patriarch of Jerusalem. The papacy's dependence on the emperor was history during his short pontificate, and a closer relation with France offered itself as a possibility. This policy was followed by the next pope, Clement IV (1265 – 1268), after which followed the conclave in Viterbo, the longest in history. Herman of Visby must have experienced some of these events.

It is pertinent to say something about the town Visby from which Friar Herman had his name. The town is situated on the Swedish island Gotland. During the High Middle Ages Russian, Danish and particularly German merchants settled there. Gotland was dominated by Denmark, but did not become Danish until 1361. Before that it was connected to the Swedish king to whom taxes were paid. Visby controlled the important trade route that ran from Lübeck in the west, via the Baltic and the river system of Estonia and Wirland, to Novgorod in the east.²⁹ A convent for the Friars Preachers in Visby is mentioned in the sources for the first time in 1230.³⁰ It is reasonable that Friar Herman belonged to this convent before he became prior of the German province of the Friars Preachers and then a papal penitentiary. He must have known Danish.

The first mention of Herman of Visby showed him in Denmark, issuing a letter of protection for Agnes, a daughter of the late Danish king Erik Plovpenning. At the age of fifteen she had taken the habit as a sister of the Preachers' Order in St. Agnete's convent in Roskilde and left all her possessions to the Dominicans' church in the city.³¹ This included the inheritance from her father's patrimony, and the actual document is in fact the letter of foundation of the well-known convent which in this way was given papal protection. The Order of the Dominican Sisters was at the same time introduced in Scandinavia. The provincial prior Aage (*Acho*) was present at the event, the royalist Bishop Thyge (*Thycho*) of Århus presided over it, while the ordinary Bishop of Roskilde had fled the land.

²⁸ Henrik Schück 1916: 160; DD = 1938 - 2000 2: II no. 174.

²⁹ HR I, nos. 64-69, cf. nos. 70-72; Hørby 1979: 225.

³⁰ Gallén 1946: 20.

³¹ DD 2: I no. 367, cf. 268.

Friar Herman's mission to Denmark 1263 – 1264 took place while her church underwent the worst crisis before the Reformation. Herman was not the first papal nuncio to Denmark in this connection; Pope Alexander IV had authorized Magister Gerhard as his nuncio to Denmark. But before he could leave Rome the pope died (25 May 1261). Gerhard thus had to wait for an authorization from a new pope before he could leave. So far it has not been possible to identify Gerhard further among the Pope's officials of the same name, but it has been presumed that he was from the lower echelon in the bureaucracy. One should also take into consideration that he may have been authorised as a minor penitentiary since he was succeeded by Friar Herman as the papal nuncio to Denmark in 1263.

To understand the modest evidence of Friar Herman's assignment, it is necessary to look into issues connected to the church strife. The crisis echoes the struggle between the papacy and Emperor Frederic II. The Scandinavian princes were used as parties by the pope as well as the emperor in the first part of the 13th century. The relationship to the Apostolic See became an important element in the international policy of the Scandinavian kingdoms. With a weakened emperor the clashes had many faces. A conflict *regnum – sacerdotium* is too simple in this context; there were at least four groups who interacted in cooperation or conflict: the pope, the local church, the kingdom, and the magnates. The antagonism in Denmark was enhanced by conflicting interests over inheritance, royal matrimonial policy, and succession to the crown.³²

The election of bishops was a subject of hot disputes. The bishops had the power to save the believers from eternal damnation, but also played a crucial role in society. They belonged to the aristocracy of which the Hvide-family in particular was close to the kings, and for generations recruited archbishops to Lund. The bishops possessed generally rich bishoprics, but the king considered them as fiefs.³³ The bishops took an active part in the politics of the realm in the *danehof*, i.e. the medieval national assembly, and were often seen in the king's retinue. For political reasons it was important for the king to control the bishops' successions. But had the king any right at all to be asked, in reality to consent to a candidate who was canonically elected by a chapter? Most bishops denied this, with Archbishop Jakob Erlandsen leading the way.³⁴

The growth of canon law was another source of conflict. On one hand the archbishop wanted to modernize the concordat from the time of Archbishop Eskil c.

³² Skyum-Nielsen 1963: 14; Hørby 1977: 11.

³³ Poul Johs. Jørgensen 1940: 402.

³⁴ Skyum-Nielsen 1981: 113.

1171. In his capacity as archbishop, Jakob Erlandsen invested the Pope with powers to amend secular law in Denmark on homicide and mutilations provided that a provincial synod found such amendments necessary. This standpoint was a challenge to the king's jurisdiction and placed the archbishop in the pope's vanguard. King Christopher I (born 1219, king 1252 – 1259) on the other hand wanted to restrict the church's traditional rights: immunity of taxation and exemption from public tasks, internal jurisdiction and election to ecclesiastical offices. The answer came from the provincial synod which on 6 March 1256 issued a statute. 'The 'Vejle Constitution' starts with a fanfare *Cum ecclesia Daciana* and continues like a belligerent tuba',³⁵ it threatened to issue an interdict all over Denmark if the king or a lay aristocrat broke the canonical privilege of any cleric, a felony which in itself was cause for a ban *ipso facto*.³⁶ This was a most radical position when compared with contemporary canon law. The king had tried to hinder the synod in Vejle by summoning the *danehof* to Nyborg on the same day. But Archbishop Jakob and his followers had been subject to violent threats from the king. He and his suffragans faced a dilemma by being obliged to attend the *danehof*. This was probably solved by the bishops who were more loyal to the king by demanding that the Vejle Constitution was ratified by the pope. Pope Alexander IV did so in 1257, but in 1261 the ratification was withdrawn. On this occasion the summoning of the *danehof* vs. the synod was one of the issues.³⁷

An underlying cause for the Danish church strife was the succession to the crown. When Valdemar the Victorious died in 1241 he left three sons who all became kings of Denmark: Erik Plovpenning (1241-1250), Abel (1250-1252), and the already mentioned Christopher (1252-1259). King Erik left only four daughters while Abel had male children who received Sønderjylland (Southern Jutland) as a duchy. Denmark was an election monarchy with no fixed law of succession, and King Christopher for this reason wanted to designate his oldest son Erik by making the archbishop crown him. But Jakob Erlandsen had another candidate as the king's successor and refused. As a result he was imprisoned. An armed conflict erupted, the notified interdict was implemented in Lund and Roskilde, and a delegation from the chapter in Lund went to alarm the pope, only to end in a dungeon, as they were caught by the king's archers on the way to Rome. A new delegation from Roskilde did, however, reach the ear of Pope Alexander IV.

³⁵ Skyum-Nielsen 1963: 93.

³⁶ DD 2: I no. 176.

³⁷ Skyum-Nielsen 1963: 89-102. The archbishop's mother belonged to the Hvide-family.

During this the king suddenly died (1259). When Pope Alexander IV finally intervened to support Jakob Erlandsen. King Christopher's widow, Margaret Sambiria, had released the archbishop from his prison, perhaps to save the soul of her late husband. But Archbishop Jakob would still not support her son Erik as the successor to the throne. By enfeoffing her enemy and nephew Erik Abelsen with Sønderjylland, and with the help of the loyal bishops from Jutland, Erik Glipping was crowned on Christmas Day 1259, at the age of 11.

Queen Margaret now turned against the Duke of Sønderjylland. But in the summer 1261 she suffered a humiliating defeat in the battle of Lohede. The dowager queen, the young king, and the Bishop of Slesvig were captured by the duke's men. The queen succeeded, however, in achieving support from the young and ambitious Duke Albrecht of Brunswick whom she appointed as Seneschal of Denmark from her prison. Brunswick went against Holstein, and they entered into a settlement in 1262. Together with the German seneschal, Margaret Sambiria went back to Denmark.³⁸

This formed the background for the dowager queen seeking support for her minor son's case at the Curia. The death of Pope Alexander IV and the vacant Apostolic See meant a delay, but in 1262 Magister Gerhard went to Denmark with instructions which were favourable to the dowager queen and the minor king. He summoned the three seditious bishops of Odense, Roskilde, and the archbishop himself before the Curia, but only the Odense bishop went – and was immediately absolved. Archbishop Jakob Erlandsen was banned by papal authority and on 4 April 1264 dismissed by Pope Urban IV. The reasons adduced were his crimes, all of which were enumerated in the bull according to the accusations of his adversaries.³⁹

The establishment of St. Agnete's monastery in Roskilde and the venturing of the royal virgins into the convent have both been considered by the dowager queen and Duke Albrecht of Braunschweig to prevent a free disposition of the estates which King Erik Plovpenning's daughters had inherited.⁴⁰ Their oldest sister Sophie was married to the Swedish king, while the younger Ingeborg was married in 1261 to the heir to the throne of Norway, King Magnus IV *Lagabøter*, 'the Lawmender' (1263-1280). They were definitely inheritors of Erik Plovpenning as well as their younger sisters. There is evidence that the kings controlled some of their wives' possessions as early as in the 1260s. A further alienation of the patrimony could not be

³⁸ Andersen 1962: 52.

³⁹ DD 2: I no. 422. Skyum-Nielsen 1963: 83-132, 165-168, 274-275, 283; Skyum-Nielsen 1994 (†): 51-54.

⁴⁰ On patrimony see Poul Johs. Jørgensen 1940: 264-266; Hørby 1977: 26.

prevented when Agnes and Jutta in 1270 left the habit and the convent and took possession of their property as if it never had been given to the church. The estates were after their deaths subsequently seized by different parties and became the object of legal disputes between the crown, St. Agnete's convent, and the heirs of Agnes and Jutta, i.e. their sisters.⁴¹ The inheritance from Erik Plovpenning was an unsettled issue between the Scandinavian monarchs up to the Peace at Hindsgavl 1295.⁴²

The papal penitentiary and nuncio Herman of Visby played a rather anonymous, but still significant role in the events. He is mentioned once more in the evidence from the church strife, a papal letter from 1 July 1264, issued three months after the firing of Jakob Erlandsen. Friar Herman recommended the subdeacon Peter of Lund to a canonship with a prebend.⁴³ This seemingly insignificant act was during the ongoing church-strife one of the building-blocks in the case against Jakob Erlandsen. But on 2 October 1264 Pope Urban IV died and once more the papal balance tipped in favour of Archbishop Jakob for a while.

Herman of Visby died in 1271/1272. The saga of the Icelandic Bishop Arne tells us that Arne's friend, the Nidaros canon Sigvat Lande Vigfusson 'stayed at the Curia and according to the wish of Bishop Arne achieved the privilege from the actual Pope Gregory to absolve from thirty offences as stated in the letter, an authority which he had not had before,. The privilege was sealed by Herman who was the pope's penitentiary at that time.'⁴⁴ Bishop Arne of Skálholt was in this way given a relatively extended privilege to absolve in cases which were reserved for the pope. His saga gives the last report on the first Scandinavian papal penitentiary.

Nicholas of Dacia

Herman of Visby died on duty at the Curia and in 1272 the Dominicans' provincial prior of *Dacia*, Nicholas, followed him as papal penitentiary. He was provided by Pope Gregory X (1271 – 1276) who had become pope after the longest *sedis vacance* of the Apostolic See in history.

Our sources on Nicholas of Dacia are extremely poor. Gallén has pointed to a possible identification with a friar of the same name who was lecturer in the Friars Preachers' convent in Lund.⁴⁵ Bearing in mind that the papal penitentiaries were outstanding men when they achieved their high office in the Curia, another possible

⁴¹ Hørby 1977: 71-73.

⁴² DD 2: IV no. 184. Hørby 1977: 88-90; Jexlev 2001: 20-23.

⁴³ DD 2: I no. 433.

⁴⁴ *Biskop Arnes saga* 2007 cap. 21: 37.

⁴⁵ Gallén 1946: 59.

identification is the Friar Preacher Nicholas, who is mentioned 1260-1261 as King Håkon Håkonsson's nuncio to Duke Albrecht of Sachsen-Lauenburg, and later to Denmark in connection with Magnus the Lawmender's proposal to Ingeborg.⁴⁶ An objection could be that there is no evidence of the nuncio being a friar preacher. The order was, however, well established in Norway in the 1260s, while the Franciscans arrived somewhat later.⁴⁷ Friar Nicholas stayed in Denmark after the mission was completed as a representative of Norway, and was present in Lund on 15 November 1263 when the inheritance of King Erik Plovpenning should be divided between his four daughters.⁴⁸ He may be identical with the lecturer in Lund. On the other hand 'Nicholas' (*Niels, Nils, Nikolas*) seems to be one of the most popular Christian names of the 13th century judging from the indices in the source editions.

The future penitentiary Nicholas succeeded the abovementioned Aage as provincial prior of the Friars Preachers of *Dacia* in 1266. Friar Aage had interfered in the conflict between the king and the archbishop in Denmark on the royalist side, and it was probably for this reason that he had to leave office.⁴⁹ We do not know anything about the opinion of Friar Nicholas concerning the struggle between the king and Jakob Erlandsen, but he was not re-elected as a provincial prior at the order's general chapter 1272 when he was promoted to the office as papal penitentiary minor; the office as minor penitentiary was seldom combined with other offices.⁵⁰ Aage was once more given the office as provincial prior in which he stayed until his death in 1285.

Friar Nicholas died at the Curia while in service as well; we do not know when. He may have been witness to the Council of Lyon 1274, the most famous of Pope Gregory X's deeds. The six years' tithe for a crusade represented the beginning of the papal taxation of the local churches and has often been seen as the most significant result of the Council.⁵¹ King Valdemar of Sweden went to the pope 1274 - 1275 because rebels had flocked around his brother Magnus, given the duke a share in the rule or perhaps overthrown the king. He may have met the Scandinavian penitentiary.

⁴⁶ Munch 1852-1859 vol. 4: I: 202, 204, 480-481. In the saga the nuncio is called 'friar', which is also used by the Franciscans. King Håkon Håkonsson established the convent of the greyfriars in Tønsberg, the Order is established in Norway in 1257, but there is no evidence of franciscans being mentioned as nuncios before the next king, Magnus the Lawmender, sends the friars Sigurd and Mauritius to Scotland in 1264 to negotiate with the king.; *Håkonar saga Hákonarsonar etter Sth. 8 fol., AM 325,4o og AM 304,4o* 1977 cap. 304, 305

⁴⁷ Rasmussen 2002: 86-89.

⁴⁸ DD 2: I no. 401, 2: III no. 96

⁴⁹ *Monumenta ordinis fratrum Praedicatorum historica* 1896: 135, 165, tom. III; Gallén 1937: 67; Gallén 1946: 59.

⁵⁰ Majic 1955: 133-134.

⁵¹ Gallén 1946: 69-71; Hørby 1977: 33-41.

Friar Nicholas may have had a part in the letter which the pope 9 January 1275 sent from Lyon, complying with the demands of the Swedish king. Valdemar had held out prospects to the pope of a Swedish crusade to the East, thus fulfilling the Council's most important task. Sweden paid the Peter's Pence, and Valdemar considered himself to be the pope's vassal because of this. He therefore asked for the pope's support against the disturbing elements that had created a rex *Suecie de facto*. Pope Gregory authorised the archbishop and the Bishop of Linköping to attack them and placed the church firmly in Valdemar's camp.⁵²

Bishop Henrik of Reval and the Second Church Strife in Denmark

Nicholas was followed as the papal penitentiary for *Dacia* by a Franciscan friar named Henrik. He was a lone swallow amidst all the Friars Preachers who became Scandinavian papal penitentiaries.⁵³ The minor friars had established their province Dacia towards the end of the 1230s and were warmly supported by the Kings Valdemar the Victorious, Erik Plovpenning, Abel, and also the latter's Queen Mechtild. Archbishop Jakob Erlandsen was another friend of the order, a friendship which resulted in the grey friars' break with the king. During the reign of King Erik Glipping the two were reconciled, and towards the turn of the century the expansion of the Order of the Minor Friars showed signs of a revival movement. It is significant that the Dowager Queen Agnes had a Franciscan as her confessor.⁵⁴

In Norway the Minor Friars had a mentor in the pious King Magnus IV. He granted 700 mark silver to rebuild their church in Bergen when it was damaged by fire, and was buried there.

This benevolent atmosphere forms the background to the only minor friar from Scandinavia who became a papal penitentiary. No evidence of his daily work in the Apostolic Penitentiary has been transferred. It may be significant that Pope Nicholas IV (1288 – 1292) had been a Franciscan friar before his election. He was the first minor friar who reached the position of supreme pontiff and may have provided Friar Henrik with his office. Nicholas IV is known for giving the papal minor penitentiaries more extensive authorities to relieve the heavy workload on the grand penitentiary.⁵⁵

On 20 April 1298, Pope Boniface VIII (1294-1303) provided Friar Henrik to the diocese of Reval (Tallinn) in Estonia which belonged to the Lund church. The papal

⁵² Herman Schück 1982-1984/2005: 24 f.

⁵³ Gallén 1946: 140.

⁵⁴ DD 2: IV no. 263. Lindbæk 1914: 35-36, 144-145; Gallén 1993: 34-40; Rasmussen 2002: 42-86.

⁵⁵ Majic 1955: 130.

provision had its background in the foundation of the Reval church. The Danish king simply used to nominate a candidate as bishop to this diocese. The precedence originated from King Valdemar II. Before the Reval church was founded, he had appointed a priest from Jutland and presented him to the archbishop in Lund. The metropolitan acknowledged the appointment and presentation, confirmed both, and consecrated the priest as bishop. The king then founded the bishopric by granting the new bishop 120 ploughlands.⁵⁶ But a condition was also issued for the endowment: should the Reval church get a chapter or convent, the king nevertheless reserved the election as well as the presentation for himself. And should the bishop or church on account of the chapter or convent oppose these rights, the land should revert directly to the king or his successors.⁵⁷ In this way the king maintained the patron rights of the older system of the *Eigenkirchen*.

The kings continued to appoint bishops to the Reval see throughout the 13th century, even though a chapter had been founded. Bishop Jens of Reval is not mentioned as among the living in sources after April 1287 and presumably died sometime thereafter. His last task concerned the king's rights to gathering from Vironia, a case which pended for some years. The *sedis vacance* in Reval lasted until 25 June 1294, when Bishop Jens of Roskilde testified that authorised canons from the Reval chapter had confirmed the king's right to present a candidate to the episcopal see.⁵⁸ The king consequently appointed the Friar Preacher Knud who was a lecturer in the Århus convent as Reval's new bishop. It seems that the friar received the consecration by a Danish bishop and took possession of the church.

The royal appointment of Friar Knud as bishop should be seen in light of the strife which arose between Archbishop Jens Grand (1290 - 1303) and King Erik VI Menved (born 1274, king 1286 – 1319).⁵⁹ On 9 April 1294, two and a half months before the royal provision to Reval, the archbishop had been imprisoned by the king. More than a month later (23 August 1295) Pope Boniface sent his chaplain Isarn de Fontiano, archpriest of Carcassonne, as his nuncio to Denmark in order to have Jens Grand released and the conflict solved.⁶⁰ When Isarn arrived in Denmark, the archbishop had been released after 20 months in prison. The nuncio did not, however, succeed in reconciling the parties. Instead the king demanded the case to be brought before the papal

⁵⁶ I.e. so-called unci, an economic unit with the sowing seed of eight barrels of grain.

⁵⁷ *Diplomatarium Arna-Magnæanum* 1786: p. 131-132; Ganzer 1968: 256-257; Skyum-Nielsen 1981: 113.

⁵⁸ DD 2: IV no. 131.

⁵⁹ Andersen 1943: 67-69, 71, 147; Andersen 1962: 70-96; Hørby 1977: 93-106.

⁶⁰ DD 2: IV nos. 175 – 179; Arild Huitfeldt's chronicle on Jens Grand's imprisonment is available in Fønnesbech-Wulff, et al. 1999: 39-58.

court. The nuncio returned to Rome in the company of Jens Grand, and the process started in the autumn 1396. Two reasons were mentioned in the acts of the lawsuit: firstly the fear of the descendants of Christopher I to lose their realm after the murder of King Erik Glipping in the village Finderup 1286. The presumed perpetrators were relatives of the archbishop, and the king was sure that Jens Grand belonged to their faction. Secondly the king, or more correct his guardians, had faced a vast foreign attack by the king and duke of Norway; the outlaws had found a refuge at the Norwegian grandsons of King Erik Plovpenning, King Eirik Magnusson and Duke Håkon who later became king. Archbishop Jens was thus accused of treason.⁶¹ Equally important was probably that the king wanted more of the economic resources from the church, as the outcome of the first church strife had benefited the kingdom also in this respect.

Pope Boniface VIII passed sentence on 23 December 1297 entirely in favour of Archbishop Jens and the church. He renewed the Constitution of Vejle with the effect that Denmark was under interdict.⁶² Nevertheless the pope opened a possibility of coming to terms with the king through negotiations.

Pope Boniface VIII had also ruled on the same occasion that King Erik Menved's provision of a bishop to Reval was invalid. He had therefore provided his penitentiary, the Franciscan friar Henrik, to the diocese. At the same time the pope encouraged the king to restore the crown lands which he had withdrawn from the Reval church while she was vacant.⁶³

The new bishop of Reval received the consecration as bishop in Rome on the same day as the new bishops of Børglum and Viborg. Cardinal-Bishop Gerhard of Sabina performed the holy act.⁶⁴ The Bishop of Børglum had formerly been a canon in Lund and was probably in the vanguard of Archbishop Jens Grand. Bishop Peder of Viborg was a follower of the king, while Friar Henrik was a blank page. The Danish historian Niels Skyum-Nielsen emphasises that 'there never was an Estonian bishop like Henrik, so deeply involved in the affairs of the Danish king.'⁶⁵ Gallén has pointed to the Franciscan expansion in the Baltic towards the end of the 13th century and the royal interest in the minor friars. A new assessment of the manuscript to the cadastre of King Valdemar with the list from Estland indicates that it was produced around 1300.⁶⁶ There is also a possibility that Bishop Knud of Reval was dead when the provisions took place. Bishop Peder of Viborg was elected by the chapter,

⁶¹ *Acta processus litium inter regem Danorum et archiepiscopum Lundensem: Novam editionem curaverunt* 1932: 167-169.

⁶² DD 2: IV no. 278, V no. 159. Skyum-Nielsen 1994 (†): 155 - 159.

⁶³ DD 2: IV nos. 299 – 303. Skyum-Nielsen 1981: 113-116.

⁶⁴ DD 2: IV nos. 293 – 298.

⁶⁵ Skyum-Nielsen 1981: 115

⁶⁶ Gallén 1993: 81-83; Lind 2006: 61-79; Nyberg 2006: 107-122.

but resigned his office for the pope to receive it as a papal provision. Had Bishop Knud been alive, he could have done the same. There is thus a possibility that the king knew Friar Henrik and welcomed him as a bishop whom he could use in his Baltic expansion policy. It was also necessary to restore the Reval church in its former estates. Around 1300 Bishop Henrik and the Reval chapter copied several letters of donations from the king to the monks in Dünamünde. In the years to come he issued attested copies of several older title letters to ecclesiastical institutions in Estonia.⁶⁷ These acts could be seen in the context of a restoration.

Erik Menved immediately used Bishop Henrik as a mediator with Archbishop Jens Grand. From 19 January 1299 the bishop negotiated by royal authorisation to arrange a meeting with the archbishop.⁶⁸ The meeting took place in Copenhagen the same summer, but ended without a solution. Jens Grand's position concerned the jurisdiction of the church, the right to export the papal incomes without the king's consent, and compensation for damages.⁶⁹ The archbishop's position fits in with Pope Boniface in his conflict with King Philip IV of France. But Jens Grand was also annoyed with the papal nuncio Isarn being the king's yes-man. He appears somewhat scheming, occupied in feathering his own nest. Jens Grand appealed to the Pope once more, recalling the interdict which the Constitution of Vejle prescribed, and withdrew to his castle Hammershus.

Bishop Henrik was well aware of the interdict over Denmark caused by the pope's confirmation of the Vejle Constitution. It had, however, not been followed by the Reval church. Henrik obtained permission by Pope Boniface to absolve his dean, the chapter and the other clerics in the diocese for this.⁷⁰

Bishop Henrik was very active in the Baltic policies of King Erik Menved. In 1300, he went to Rome following the papal nuncio Isarn in his attempt to settle the conflict between Riga and the Teutonic Order on collation rights, jurisdiction, and also properties. Isarn emphasised in his verdict that the land belonged to the Pope, but was given the Order on condition that they engaged in missionary work. Among the witnesses we find King Erik's procurator. Canon Esgér Juul from Ribe; in 1310 the same man became archbishop of Lund.⁷¹ But before that, towards the end of 1300, the nuncio himself became archbishop of Riga.⁷² Bishop Henrik's role in the provision is unclear; probably he supported Isarn. Moreover, as a bishop who had been consecrated by the pope or on his authorisation he was obliged to visit *ad limina* every third year.

⁶⁷ DD 2: V no. 107, VI no. 203, VII no. 126, 148.

⁶⁸ DD 2: V no. 5, cf. 6, 7, 11, 28, 39.

⁶⁹ Andersen 1962: 86-88.

⁷⁰ DD 2: V no. 159.

⁷¹ DN 2: V no. 114.

⁷² DN 2: V no. 131.

The conflict between Riga and the Teutonic Order should be seen in the light of the alliance which Riga had with the pagan Lithuanians. In 1309, Bishop Henrik, his colleague in Tartu bishop Engelbert, and the vassals of Estonia confirmed that Riga had decided to continue this alliance as long as the Teutonic Order held the fortress Dünamünde;⁷³ control with the river systems leading to Novgorod was important. Once more, in 1313, Bishop Henrik, his colleague the Bishop of Ösel, the captain in Reval, and the Danish king's vassals and burghers of Reval encouraged the Teutonic Order of Livonia to make peace with Riga and vice versa. This time they succeeded, and on 15 June 1314 King Erik Menved confirmed the treaty of 7 June 1238 which King Valdemar II had entered into with the military Order by a vidimus of the Archbishop of Riga, Bishop Henrik of Reval and others.⁷⁴

The second church strife came to an end with a compromise. The Pope transferred Archbishop Jens to the province Riga, while Archbishop Isarn became the head of the Danish church. Nothing is heard of the Bishop of Reval in this period, but, on 21 March 1304, he was present in Rome when the verdict of Archbishop Isarn of Lund concerning the conflict between Riga and the Teutonic Order was renewed.⁷⁵

In the following years, Bishop Henrik is behind the scenes in the king's Baltic politics.⁷⁶ He received the royal fortresses and forts in Estonia,⁷⁷ we do not know when, but he attended the court in Skelskør 9 May 1305 which may have been a suitable event.⁷⁸ After that he is seen on several occasions when the Estonian vassals acted on their own without the captain being present, but probably at the bishop's initiative.⁷⁹

Bishop Henrik of Reval is mentioned for the last time 15 June 1314 when King Erik Menved confirmed his predecessors' letters to the Teutonic Order.⁸⁰ He had passed away in 1318.

⁷³ DD 2: VI no. 210.

⁷⁴ In 1238 Denmark recovered northern Estonia from the Teutonic Order and should rule it for the next hundred years. The territories consisted of the coastal landscapes Harria and Vi-ronia, in between was the inland landscape of Gervia. In temporal respects northern Estonia was given to the Teutonic Order by King Valdemar. But ecclesiastically it belonged to the Danish Reval church, present-day Tallinn. DD 2: VII nos. 39, 40, 49, 162. *Annales Ryenses (Ryd-årbogen)* 1241, Hørby 1979: 207-210; *Danmarks middelalderlige annaler* 1980: 172.

⁷⁵ DD 2: V no. 317.

⁷⁶ DD 2: V no. 338, cf. no. 325.

⁷⁷ DD 2: VI no. 25.

⁷⁸ DD 2: V no. 363.

⁷⁹ DD 2: VI no. 6.

⁸⁰ DD 2: VII no. 162, viz. DD 2:I: nos. 41, 45.

Bishop Nicolaus Ripensis of Tartu and the third Church Strife in Denmark

After Friar Henrik became Bishop of Reval in 1298 we have no knowledge of any Scandinavian penitentiaries for the rest of the reign of Pope Boniface VIII. Lack of sources should not, however, lead us to believe that he had no immediate successor; we seldom see penitentiaries at work in the Curia in the sources from this period.⁸¹

The first known Scandinavian penitentiary in Avignon was Nicholas of Ribe whom Pope Clement V (1305 – 1314) on 15 January 1313 provided to the diocese of Tartu (Dorpat) in Estonia. The reason for our knowledge of him is a notice by Bernard Gui in which he writes: ‘Friar Nicholas of Ribe in the kingdom of Denmark became Bishop of Tartu by the lord Pope Clement V AD 1313. He was then a penitentiary in the Roman Curia.’⁸² This papal penitentiary is probably identical with the Friar Niels who on 22 August 1309 was mentioned as prior in Ribe. He presumably became papal penitentiary some time after this date. Pope Clement V settled in Avignon in 1309. He and the other seven popes that followed him all had the intention to return to Rome, but their temporary arrangement in the calm, small town in Southern France should last for the next 59 years. On the other hand, the popes before them had seldom dwelled in Rome for a long period, and the papacy now realised the ideas behind the papal monarchy in an advanced organisation.

A leaf from the copybook or formulary of Archbishop Eilif Arnason of Nidaros (1310/1311 – 1332) contains a letter from the archbishop to the papal penitentiary in order to absolve two laymen from their serious sins. Gallén has suggested that Nicholas of Ribe was the actual penitentiary. Nothing more than this letter is left from the copybook. It has no date, but the addressee is abbreviated with an ‘N’ for Nicholas.⁸³

After the provision to Tartu, Bishop Nicholas still remained in Avignon when on 1 March 1313 he borrowed 1599 florins for the necessities of his diocese.⁸⁴ The bish-

⁸¹ Majic 1955: 136.

⁸² *Fr. Nicolaus Ripensis de regno Dacie fuit factus episcopus Tharbatensis per dominum Clementem papam V anno domini MCCCXIII. Erat autem tum penitentiarius in curia Romana.* Eubel, et al. 1898: 497; Gallén 1946: 78 and note 27, see also note 22; Vernet 1977-1999: cols 1976-1978.

⁸³ The letter has been dated 1313-1332 in DN XVIII no. 9, which is contrary to the identification by Gallén 1946: 140, (see also note 29). Archbishop Eilif was confirmed by Pope Clement IX 4 December 1310 and consecrated in Avignon not so long after the confirmation, with 26 February 1311 as *t.a.q.* He may have taken the letter with him when he went to fetch his pallium. A more correct date is c. 1310-1313.

⁸⁴ *Regestum Clementis Pape V editum cura et studio monachorum Ordinis S. Benedicti* 1885 a. 8 ep. 77 (8063).

ops of Tartu had acquired temporal powers over territory and jurisdiction as well as the spiritual one at a time when the temporal aspirations of the church were at their height. In the 1220s the bishops of Tartu were accepted as princes of the German empire, in contrast to the bishops in Scandinavia.⁸⁵ The sovereign followed a feudal pattern similar to all Estonia by enfeoffing land to vassals in return for military obligations to protect the territory.

These were the years of the third church conflict in Denmark, this time between the king and the abovementioned Esger Juul who had succeeded Isarn as Archbishop of Lund in 1310. The former loyalist to the king turned out to be unwavering concerning the rights of his church. At the Council of Vienne 1311 he obtained a bull which told the king to restore the Lund church in its former possessions.

Nicholas of Tartu had no high profile in this conflict. The first evidence of an involvement was that he guaranteed the settlement of 19 April 1314 between Archbishop Esger and King Erik.⁸⁶ On 10 August 1315 the Tartu-bishop was given a safe-conduct by the king to be able to present his case for him at Michaelmas which in Scandinavia was always celebrated on 29 September. Nothing more is known about the case, but it may be related to King Erik Menved's Baltic policy.

When on 25 January 1320 King Christopher II offered his electoral pledge to the Assembly of Jutland in Viborg, Bishop Nicholas of Tartu was present and one of the men who sealed the document.⁸⁷ On 31 July the same year, King Christopher from Vordingborg issued a letter of protection for the above-mentioned Roskilde St. Agnete convent for Dominican sisters which was also sealed by Bishop Nicholas and the seneschal.⁸⁸ The convent had experienced many alienations of its property after the princesses Agnes and Jutta left it. To understand why Bishop Nicholas sealed the king's letter of protection one should bear in mind that the new king had been the steward of Estonia and presumably had close contact with the Danish bishops there.

Bishop Nicholas of Tartu passed away in 1321.⁸⁹

Peter of Dacia

Peter of *Dacia* and John Vielli became papal penitentiaries 'after the pope was created'. The pope in question was John XXII who was elected on 7 August 1316 (-

⁸⁵ Skyum-Nielsen 1981: 117; Raun 1991: 18.

⁸⁶ DD 2: VII nos. 145, 146.

⁸⁷ DD 2: VIII no. 176.

⁸⁸ DD 2: VIII no. 240.

⁸⁹ Gallén 1946: 251.

1334). The provision of the new penitentiaries must thus have taken place on the same date.⁹⁰ Friar Peter should not be confused with the 'first Swedish author' who called himself *Petrus Gothensis* and died in 1289.⁹¹ But in the early 14th century, one of the Preacher Order's provincial priors of *Dacia* was also called Peter of Dacia, and a guess was that the penitentiary was identical with him.⁹² This view was abandoned when Bernard Gui's records, referred to above, became known. The reason is that the provincial prior is not mentioned in any sources after he resigned his office for the provincial chapter of Padua in 1308.⁹³ So far we are unable to identify this minor papal penitentiary further.

Peter was a papal penitentiary for Dacia for at least three years, until 1319. During the papacy of John XXII the Apostolic Penitentiary reached its peak of development. But Friar Peter died before 1321/1322 when the Archbishop of Uppsala sent a supplication to the pope to ask for the provision of a new Scandinavian minor penitentiary.⁹⁴

Bishop Jens Nyborg of Roskilde and the Kingless Period of Denmark

On 3 March 1324 Friar John of *Dacia* was mentioned for the first time among the 11 papal penitentiaries in Avignon who received money for their daily wear; the friar was newly appointed and got a sum for 17 days.⁹⁵ He must have been identical with the Friar Preacher Jens Nyborg, obviously from Nyborg on the island Funen in Denmark.⁹⁶ The new papal penitentiary was a professor of the Friars Preachers.⁹⁷

⁹⁰ ... *post creationem domini pape fuerunt factum penitentiarii Johannes Vielli et frater Petrus de Datie* ... APS I: 1 no. 140; DD 2: VII no. 384. John Vielli O.M. was the penitentiary of King Philip of France and became a papal penitentiary on his request. He received the same extended authorities as the other papal minor penitentiaries, but continued to reside at the French court along with other *penitentiarii extra curiam* (Majic 1955: 139).

⁹¹ Henrik Schück 1916.

⁹² DN VII no. 33.

⁹³ Gallén 1946: 65; Gui 1949.

⁹⁴ DS III no. 2223.

⁹⁵ *Acta cameralia* 1936 I: 1 no. 199.

⁹⁶ Gallén 1946: 141, 177.

⁹⁷ DD 2: X no. 212. Moltesen 1896: 98-100; Gallén 1937: 69

A letter from Friar Jens to the Bishop of Ribe gives a glimpse of his daily duties: the priest Hennekin Hinceri had received absolution for his great misdemeanours where impropriety had been revealed. The penitentiary had now absolved him.⁹⁸

On 15 October 1329 Jens Nyborg was authorised as a papal nuncio and collector of the arrears of the Vienne-tithe, the Peter's Pence, and the contribution to the Holy Land. The same authorities were given to Archbishop Karl of Lund and Magister Petrus Gervasius or Pierre Gervais, a French canon from Saint-Vozy-du-Puy and later Viviers. The papal nuncios should investigate the offices that were open for papal provisions according to the bull *Execrabilis* from 1317, and, more important, absolve Count Gerhard of Holstein from the ban which he had fallen into when he harmed the church of Slesvig, provided that he gave back money and properties which he had bereaved the church.⁹⁹ But Bishop Jens Hind of Roskilde passed away and as the pope had reserved the diocese for his provision, Friar Jens Nyborg did not leave the Curia before he was provided with the see on 15 June 1330 and gave his obligation of *servitium commune*.¹⁰⁰ The nuncios now received new authorities and instructions concerning the collection, and Pierre Gervais was authorised to fulfil the assignments in case Archbishop Karl and Bishop Jens were unable to take part in it.¹⁰¹ Bishop Jens Nyborg resigned his office as papal collector in 1332. Pierre Gervais continued the collection in Sweden and Norway on his own.¹⁰²

Bishop Jens Nyborg served the Roskilde church during the 'kingless' period in Denmark. These were difficult years of lawlessness and lack of central authority. The Count of Holstein ruled all over the Danish islands. In 1332 the landscape Scania where the Archbishop of Lund had his see was handed over to the young Norwegian and Swedish King Magnus Eriksson (1319 – 1374) as a pawn and remained so until in 1351 the new Danish King Valdemar Atterdag started the process of restoring this land. Magnus called himself King of Scania, the first and only time that the region has been called a kingdom.¹⁰³ Bishop Jens Nyborg's diocese Roskilde comprised Copenhagen which the bishop had more or less controlled since the days when Jakob Erlandsen served as bishop there.¹⁰⁴ Copenhagen fortress was a strongpoint strategically situated at Øresund, and now the Holstein count used the castle as his

⁹⁸ APD I no. 189.

⁹⁹ DD 2: X no. 160-164, 173.

¹⁰⁰ DD 2: X nos. 212, 217.

¹⁰¹ DD 2: X nos. 225-233.

¹⁰² Moltesen 1896: 166-175; Brilioth 1915: 163-179.

¹⁰³ I will not exclude that Scania was a kingdom in prehistoric time. DD 2: X no. 396. Skyum-Nielsen 1994 (†): 252-254.

¹⁰⁴ Skyum-Nielsen 1994 (†): 162.

base for capturing ships. The feudalisation went far; the count took possession of the parish of Our Lady in Roskilde and mortgaged it to his son-in-law!¹⁰⁵

In 1340 King Valdemar Atterdag came to power and immediately started to cooperate with Bishop Jens Nyborg of Roskilde. At the turn of the year the king assured the support of the Roskilde clerics in the negotiations with Sweden at Helsingborg. On 6 January 1341 he admitted a general amnesty and confirmed old privileges. This letter has been seen as a substitute for the king's pledge upon his election. Jens Nyborg was one of the two bishops who sealed this important document.¹⁰⁶ In the middle of January several important transactions between the king and the Roskilde church were settled. King Valdemar confirmed all her former privileges and also offered new ones.¹⁰⁷ The clerics were allowed to keep the taxes which the peasants used to pay through the landowners.¹⁰⁸ In return, the bishop now transferred Copenhagen fortress and town to the king.¹⁰⁹ Skyum-Nielsen pointed out that King Valdemar used Roskilde as his residence.¹¹⁰ A better description is that he and later Queen Margaret (1376-1412), used the chapter of the cathedral as their chancery.¹¹¹ It is not certain that Jens Nyborg experienced this development. He died in 1344.

John of Abo

In the Apostolic Penitentiary Bishop Jens Nyborg was followed by two Swedes, John of Abo and Petrus of Abo; Abo is the same city as Turku in present-day Finland; medieval Finland was a part of Sweden, the so-called *Österland* ('the Eastern Land', *partes orientales*). Exactly when John of Abo took office is not clear, but probably this happened soon after his predecessor became bishop.

The recruitment of a friar from Abo to the Curia is significant. In 1326 the Swedish government of the minor King Magnus Eriksson and Prince Jurij of Novgorod had entered into an eternal peace in Nöteborg. Novgorod surrendered the southern part of Original Finland according to the treaty. When King Magnus came of age, he deliberately placed all the administration of Österland in the hands of the captain at Abo castle. The Swedish drive to the east had started in the 12th century. Three crusades to Österland established Latin Christianity in most of the land. There

¹⁰⁵ DD 2: XI no. 46.

¹⁰⁶ DD 3: I no. 132.

¹⁰⁷ DD 3: I no. 138.

¹⁰⁸ DD 3: I no. 140.

¹⁰⁹ DD 3: I no. 137. Munch 1862-1863 vol. I: 266-267.

¹¹⁰ Skyum-Nielsen 1997 (†): 22.

¹¹¹ Eldbjørg Haug 2006: 46-47.

were some Christian communities among the people of south-west Original Finland by about 1200. In 1209, Pope Innocent III had sanctioned the creation of a bishopric whose see became fixed at Abo.¹¹² Friar John of Abo may be considered as a representative of the eastern Baltic and the Christian mission there.

John is mentioned for the first time in the cameral sources as a penitentiary 9 June 1333 when he was interpreter for a man named Jacobus Lok from Viborg diocese in present-day Russia, a dispatch carrier to the nuncio Pierre Gervais.¹¹³ Pierre Gervais mentions the same man in his account book as the servant of Friar John of Abo.¹¹⁴ As late as 12 February 1334 King Magnus' confessor 'Friar Jehan' is mentioned in a safe-conduct from Count Louis of Flanders while on his way to the king of France. John of Abo is probably identical with the friar of the same name who was King Magnus Eriksson's confessor;¹¹⁵ no Scandinavian kings were on better terms with the Friars Preachers than Magnus Eriksson.¹¹⁶

Friar John seems to have died while in service, probably during the winter 1337 – 1338.

Petrus of Abo

Petrus of Abo is mentioned in the curial sources from 1338, when he on 23 June as a papal penitentiary paid the *servitium commune* on behalf of Bishop Gunnar of Skara in Sweden.¹¹⁷ On 17 March 1343, he received 50 florins to repair his house¹¹⁸ and on 11 August 1344 he performed the visit *ad limina* on behalf of Archbishop Pál of Nidaros.¹¹⁹

The Swedish historian and later archbishop Yngve Brilioth emphasised in his dissertation on the papal taxation of Sweden that Petrus acted as the procurator of these two bishops.¹²⁰ By this he meant that Friar Petrus and his Scandinavian colleagues acted as communicators between the Curia on the one hand, and as bishops, clerics and also princes on the other. This should not be confused with the proctors

¹¹² Törnblom 1992: 282-304; Fletcher 1998: 500, 520.

¹¹³ APS I: 1 no. 300.

¹¹⁴ APS I: 1 no. 339.

¹¹⁵ *Sverges traktater med främmande magter jemte andra dithörande handlinger* 1877 - 1895, vol I no. 221; Gallén 1946: 156; Fritz 1973: 113-110.

¹¹⁶ Gallén 1946: 156.

¹¹⁷ APS I: 1 no. 323.

¹¹⁸ APS I no. 332.

¹¹⁹ DN XVII no. 60.

¹²⁰ Brilioth 1915: 300; Gallén 1968: col 175-177.

at the Curia who drafted petitions.¹²¹ Friar Petrus should thus rather be compared with a modern ambassador who helps delegates and delegations from the homeland in getting in touch with the right people. And sometimes, of course, he acted as the Scandinavian bishops' representative at the Curia, fulfilling the archbishops' duty of visits *ad limina* every third year and transferring the papal taxes.¹²²

The sources on this penitentiary give a glimpse of an interesting network. Bishop Håkon Erlingsson of Bergen (1332 – 1342) and Bishop John Halldorsson of Skálholt in Iceland (1322 – 1339) were close friends. Both had studied abroad. Icelandic sources tell that some of Bishop John's fellow students became cardinals. John seems to have joined the Preachers' convent in Bergen and is mentioned during the years 1310 – 1320 in several sources as a canon in the Bergen chapter. Also Håkon Erlingsson was a canon before he became bishop. John Halldorsson had intimate connections to the Preachers' Order, was sometimes called friar after he became bishop, and was buried in the order's convent in Bergen. Both he and Bishop Håkon corresponded with each other and with Friar Peter of Abo. In one of his letters to John Halldorsson Bishop Håkon sends greetings from Friar Peter, who had told of the excommunication of the Bolognese: it was performed in public consistory because they had driven away the papal legate, torn down the cathedral and a fortress which the Pope had erected recently, and plundered both buildings.¹²³ In another letter to the papal penitentiary Håkon recommended two French merchants who should leave Bergen for the Curia in 1338 and perform several of his errands there. The bishop sent gifts to Friar Peter in this connection of which 10 florins and a long-hundred (i.e. 120) stockfish is mentioned. In return the penitentiary granted permission for confessions and indulgences.¹²⁴ Gallén concludes that the three had become friends while they were students in Paris or Bologna.¹²⁵

The last mention of Friar Peter of Abo is a notice from the Camera 8 September 1346. It concerns the covering of his expenses with 10 pack-loads of grain, 50 pack-loads of vine and 3 quintals (a public measure) of firewood. On 20 August 1347 Peter had passed away and the Camerarius handed Cardinal Adermani 60 florins from the estate of the deceased.¹²⁶

¹²¹ See Herde 1967: 125-133.

¹²² Gallén 1937: 74-75.

¹²³ DN VII no. 155.

¹²⁴ Munch 1862-1863 vol. I: 331; Plöger 2005: 83-90.

¹²⁵ Gallén 1937: 70-72; Gallén 1946: 169-170.

¹²⁶ APS I: 1 nos. 354, 355.

Petrus had a *socius* in Avignon in a Friar Preacher named Magnus who may be identical with the later Bishop Magnus Slangestorp of Hamar.¹²⁷

Another aspect of the two penitentiaries from Abo in Finland is that both of them presumably understood Finnish. This was for obvious reasons useful for the Scandinavian penitentiaries when – or if – they received pilgrims which had Finnish as their mother tongue. The Apostolic Penitentiary emphasized and appreciated knowledge of different languages.¹²⁸

Bishop Sigfrid Hennikesson of Stavanger and Oslo and the Introduction of Papal Provisions in Norway

As of 5 September 1347 the minor penitentiary for *Dacia* was the Friar Preacher Sigfrid Hennikesson from Linköping in Sweden.¹²⁹ Some members of his family are known from the will of his father Hennekin Konradsson, who remembered his brother, the priest Herman Konradsson, with 10 mark silver, while his sons, Sigfrid and his brother Nils, both born out of wedlock, each received 20 mark in coins. Hennekin Konradsson also donated 44.5 mark silver and several fields to found a prebend for his nephew Johannes Hermanni, the son of his sister and her husband, the burgher Herman Östare of Skänninge.¹³⁰ Hennekin Konradsson himself was a rich burgher of Linköping, and the family was probably immigrants from northern Germany.¹³¹

Being born out of wedlock Friar Sigfrid must have obtained an exemption from the pope to be consecrated as priest. The particulars of the case are unfortunately not known, but he is mentioned as a friar preacher on 23 May 1334 and had received the consecration before this date.

In 1351, immediately after the Black Death, Sigfrid was the first papal penitentiary whom the pope provided to a Norwegian bishopric, Stavanger. He thus introduced the institute of papal provisions to Norwegian episcopal sees.¹³²

¹²⁷ DS IV no. 3532. Gallén 1937: 72; Gallén 1946: 171; Eldbjørg Haug 2006a: 96.

¹²⁸ Majic 1955: 149.

¹²⁹ DN XVII no. 69. In the sources called Siglichinus or Sigfridus Hennechini.

¹³⁰ SRA. Skand. Expeditioner. Vat. Arch. *Intr. et. Exit.* 269-270, 177 (182), 182 (187v). DS IV no. 3065. Gallén 1937: 73. The will is issued 23 May 1334.

¹³¹ Gallén 1946: 163.

¹³² Munch 1862-1863 Unionsperioden vol. I: 511, 674; Eldbjørg Haug 2006a: 77-89.

Friar Sigfrid was proposed as the new Bishop to Stavanger by King Magnus Eriksson. But Sigfrid was not King Magnus' first choice. On 7 January 1350 Bishop Guttorm Pálsson of Stavanger had died in the Black Death.¹³³ The chapter obviously had problems in electing a new bishop, but eventually they came up with a postulation of the royal chancellor, Arne Aslaksson. King Magnus is seen behind the scenes, being in the proximity of Stavanger at the time when the postulation took place. It should be observed that many bishops of Stavanger are strikingly close to the kings throughout the Middle Ages. Guttorm Pálsson had been the Master of the Royal Chapel Clergy (*magister capellarum regis*), i.e. the leader of the royal bureaucracy before he obtained the episcopal see. The chancellor Arne Aslaksson also belonged to the Royal Chapel Clergy, but ranked second to the Master of the Chapels. Thus also the new elect of Stavanger had a career background in royal service.

But the bishop elect was born out-of-wedlock and could not receive the consecration as bishop without a papal dispensation. Arne Aslaksson had to go to Avignon to present his case. We can be sure that he met Friar Sigfrid; the penitentiary of *Dacia* handled these dispensations in the Penitentiary Office. But before his case was settled Arne Aslaksson died. Now the pope claimed that the provision was a reserved case as the elect died while he visited the Curia. On 30 May 1351 Pope Clement VI provided his penitentiary for *Dacia*, Sigfrid Hennikesson, to bishop of Stavanger.¹³⁴

One year earlier, on 14 June 1350, Sigfrid had applied for and was granted a papal dispensation of his birth defect in order to receive the consecration as bishop.¹³⁵ It is doubtful to deduce that the dispensation was a result of the vacant see in Stavanger which at the actual date hardly was known in the Curia. But the Black Death left many dioceses as 'helpless widows.' Sigfrid had the qualities of a future bishop and may have been exempted to fill an appropriate empty diocese in the Nordic churches.

On 13 June 1351 Friar Sigfrid obliged himself as elect to pay *commune servitium* of 250 florins and five *servitia consueta*; 27 cardinals were in consistory.¹³⁶ On 27 June 1351 he was sent home after having received the consecration as bishop by the Cardinal-Bishop of Palestrina, Pierre Desprès.¹³⁷ Ten days later all the necessary title letters were ready. Munch proposed that he then went to Stavanger, but this is doubtful.

¹³³ 7 *Idus Jan.* In *Monumenta Historica Norvegiæ: Latinske kildeskrifter til Norges historie i middelalderen* 1880: 197 (Kalendarium fra et oplandsk Lovhaandskr. fra 14. Aarhs 1ste Halvdel); *Isl. ann.* (Storm 1888): 276, 354, 404.

¹³⁴ DN VI no. 202.

¹³⁵ SRA. Skandinaviska expeditioner. Reg. Aven. 250-251, 346v – 347r ep. LVII; Reg. Vatic. 203-204, 25 r ep. LVII.

¹³⁶ DN XVII no. 89.

¹³⁷ DN VI no. 202.

It rather seems that he was still occupied in the Curia; two Swedish clerics on 15 October received papal provisions with canonries in Linköping and Lund and the new Bishop of Stavanger was among the executors. Moreover, Gallén has shown that Sigfrid's brother Nicholas Hennikesson took over the Stavanger diocese on his behalf. On 31 October the same year he and another Friar Preacher, Johannes Philippi, sent the papal Four Years' Tithe from Stavanger to the collectors.¹³⁸ There was no convent of the Dominican Order in Stavanger, so there is a possibility that the two friars had a task in bringing the house for regular Augustinian Canons at Utstein back on its feet after the Black Death.¹³⁹ But Friar Nicholas left Stavanger when his brother later became bishop of Oslo. In the source which mentions him for the last time among the living (24 July 1358), he belonged to the Friars Preachers' convent in Oslo.¹⁴⁰

The papal provision of Friar Sigfrid to Stavanger was the first time the Pope used the right to reserve a Norwegian episcopal see for future papal provision. The most important aspect of this, at least for the time being, was that the Stavanger diocese came under papal taxation with 250 florins.¹⁴¹ No bishopric was taxed lower at this time, but the fee was still rather heavy in comparison with the other dioceses in the Norwegian province. When the dioceses of Bergen and Hamar came under papal taxations, the taxes were far lower.

But when old Bishop Salomon Thoraldason of Oslo died (first time mentioned 1299 – dead 1351/1352), the new Bishop of Stavanger did not rest for long in his new dignity. Salomon was the only Norwegian bishop who survived the Black Death. He consecrated three new bishops during or immediately after the plague.¹⁴²

King Magnus' Swedish chancellor Nils Markusson was at this time in Avignon. Archbishop Hemming of Uppsala had died in the spring 1351, and the chapter had elected their dean Sigfrid who was an experienced curialist as his successor. King Magnus however, wanted his former chancellor, Bishop Peter Thyrgilsson of Linköping on the Swedish archsee.¹⁴³ Nils Markusson's tasks in Avignon were to arrange the translation of Bishop Peter as well as his own provision as Peter's successor to the Linköping-see. When King Magnus learnt about the death of Bishop Salomon, the chancellor got an additional task: The king sent a supplication through

¹³⁸ DN VII no. 237, I no 328. Munch 1862-1863 vol. I: 543-545.

¹³⁹ Eldbjørg Haug 2005: 190-191.

¹⁴⁰ DN VIII no. 173. Gallén 1937: 74.

¹⁴¹ DN VI no. 202; Afgifter 1897: 30, 102-103. Brilioth 1915: 68; Eldbjørg Haug 2006a: 86.

¹⁴² DN IX no. 150, IV no. 354.

¹⁴³ Brilioth 1925: 43-44; Brilioth 1941: 108; Herman Schück 1959: 75; Herman Schück 1963: 173-175).

him that he wanted Bishop Sigfrid of Stavanger translated to the larger and more prosperous Oslo-see.¹⁴⁴

On 9 July 1352, Nils Markusson obtained Linköping and one month later (13 August 1352) Bishop Sigfrid of Stavanger had been translated to Oslo. He obliged himself to pay *commune servitium* with 500 florins and five *servitia consueta*; 27 cardinals had been in the consistory.¹⁴⁵ He had, however, applied for a moratorium of his debts, which was granted on the same day.¹⁴⁶ On 24 October he furthermore received the income of the Stavanger church for the fifteen months he had been her shepherd.¹⁴⁷ Rather than seeing this as a rip off of his successor's income from the Stavanger-see, the pope actually renounced his ordinary claim for annates.

There was but one problem in Bishop Sigfrid's translation to Oslo. Pope Clement VI's reservation of all dioceses for papal provision had not been proclaimed in the Norwegian church. The Oslo chapter thus performed a normal canonical election. There is a possibility that the Oslo diocese had been waiting for the chancellor Arne Aslaksson as their new bishop. His postulation to the Stavanger-see may have happened while considering that the Oslo-see had to become vacant in the not too-distant future. But Arne Aslaksson was dead, and the chapter's unanimous choice of a new bishop fell on Canon Gyrd Asleson.¹⁴⁸ He accepted the election and went to Nidaros where Archbishop Olav consecrated him.

The sources give no direct information on why King Magnus applied for the transfer of Bishop Sigfrid before getting in contact with the chapter of Oslo. King Magnus had in his heyday pursued an active diplomacy in Avignon to control the Swedish church, and may have wished to repeat the success in Norway. His relation to the Curia was also important in other respects. While occupied with waging war in Livonia in 1351, the king had authorised his Queen Blanche to enter into a treaty with the papal nuncio and collector Johannes Guilaberti. The king wanted to borrow the means from the papal tithe that had been collected in his two kingdoms, Norway and Sweden, to finance his ongoing crusade. He succeeded in obtaining the money.¹⁴⁹ In this way the collections went straight into the king's coffers.¹⁵⁰ What the king could not foresee was that the decline in the royal revenues after the Black Death

¹⁴⁴ DN VI no. 211.

¹⁴⁵ DN XVII no. 97, VI no. 211. Herman Schück 1959: 71-75.

¹⁴⁶ DN XVII no. 98.

¹⁴⁷ DN VI no. 213.

¹⁴⁸ Eldbjørg Haug 2007a.

¹⁴⁹ APS I: 1 no. 400; DN VIII no. 157. ST III no. 303 a, b.

¹⁵⁰ DN I no. 329. Eldbjørg Haug 2006: 86-97.

should be permanent; subsequently King Magnus had great problems in paying back the loan from the papal title. It is significant that Johannes Guilaberti on 18 January 1353 received Pope Innocent VI's provision to the office of provost in Uppsala, and that Bishop Sigfrid was one of the three executioners.¹⁵¹ Such a provision did not occur without the consent of the king.

King Magnus may have misunderstood the situation in the Oslo chapter after the Black Death, bearing in mind that both the chapter in Nidaros as well as the one in Stavanger had lost too many of their canons. His single-mindedness should probably also be seen as an example of bad communication between the king and the Norwegian church. But it caused reactions that were reflected three quarters of a century later when an Icelandic annalist confused the event with the translation of Bishop Jakob Knudsen from Bergen to Oslo and criticised what had happened.¹⁵² Also Archbishop Olav of Nidaros was badly informed about the state of the Stavanger-see. On 1 June 1352 he urged Bishop Sigfrid to attend the provincial council in Bergen which was summoned to the forthcoming 16 August. The archbishop performed his regular visit of the vast Nidaros diocese, and his missive was sent from Kabelvåg in Lofoten to Bishop Sigfrid of Stavanger or 'the one who replaced him'.¹⁵³ This proves that the archbishop was aware of the new Stavanger-bishop not having sung his first mass.

The Norwegian church was not better informed by the king when the prelates gathered for the provincial council in Bergen in 1352. On 21 August Archbishop Olav sent a letter to Bishop Sigfrid or his proxy, the clerics, and the people in the Stavanger diocese, informing them that he was leaving Bergen in a fortnight (1 September 1352) to visit the Stavanger church.

But Bishop Sigfrid was still a papal penitentiary and remained in Avignon.¹⁵⁴ On 24 October 1352, Pope Clement VI approved his application that six clerics in his daily retinue should enjoy the incomes from their benefices without having to reside in their offices. The bishops of Carpentras, Linköping, and Västerås got the mandate to overlook the fulfilment. The grant indicates that Sigfrid intended to go to Oslo.¹⁵⁵

As late as 23 February 1353, before Bishop Sigfrid left Avignon, he obtained a new moratorium on his debts to the Curia.¹⁵⁶ He must have left for Norway shortly

¹⁵¹ DN VI no. 215.

¹⁵² Hamre 1974: 167-178; Eldbjørg Haug 2006a: 34.

¹⁵³ DN IV no. 357.

¹⁵⁴ DN VI no. 215.

¹⁵⁵ DN VI no. 214.

¹⁵⁶ DN XVII no. 104.

thereafter; the journey normally lasted around 10 weeks and on 6 May 1353 he was present at the Norwegian castle Bahus as Bishop of Oslo .

On this occasion King Magnus with the agreement of the Council of the Realm exchanged the mourning gift of Queen Blanche with lands which were closer to her Swedish possessions.¹⁵⁷

On 2 August 1354, Bishop Sigfrid was present once more at Bahus, this time to witness that King Magnus and Archbishop Olav performed an exchange of real property. The convent Kastle for regular Augustinian canons was situated in Konghelle, not far from Bahus, and belonged to the Oslo diocese. But the Archbishop of Nidaros held the jurisdiction of Kastle because it had been founded by Archbishop Eystein Erlendsson in the 12th century. After the Black Death the archbishop had great practical problems in providing it with qualified leaders, and had given the king the authority of supervision and leadership. In return, the king handed some of his crown lands in Nidaros diocese over to the archbishop and promised to keep two canons in Kastle with the necessary means for daily prayers and masses.¹⁵⁸ This was an alienation of a monastery, and the Pope did not allow it. The reason may be the king's debt to the Pope.

Meanwhile, on 12 August 1353, Pope Innocent VI appointed him, Bishop Magnus of Västerås, and Bishop Nils Markusson of Linköping as papal judges, and instructed them to go to Riga to receive the town and its fortresses from the Teutonic Order on behalf of the pope. According to the treaty, which was obtained in 1230, the Archbishop of Riga should hold the fief on behalf of the pope. If the Teutonic Order fell back on this, both parties should be summoned for the Curia.¹⁵⁹

Two indulgence letters have survived from Bishop Sigfrid's pastoral functions. The first was issued to Hovin church in Spydeberg, the second to Nannestad church in Romerike.¹⁶⁰ Sigfrid also started a re-evaluation of the Oslo diocese's lands and properties after the catastrophe of the Black Death. His register from Eidsberg is cited by Bishop Øystein Aslaksson (1387 – 1407) in his 'Red book', which is a cadastre for all non-exempt property in the Oslo bishopric.¹⁶¹

Bishop Sigfrid Hennikesson of Oslo was mentioned in our sources for the last time as among the living on 24 July 1358.¹⁶² On 23 October 1359 Pope Innocent VI

¹⁵⁷ DN II no. 319.

¹⁵⁸ DN II no. 326, cf. RN VI no. 291. Vigerust 1991: 22-23, 131.

¹⁵⁹ DN VII no. 247.

¹⁶⁰ DN XI no. 43, XXII no. 85.

¹⁶¹ EJ: 148, 163, see also DN II no. 335; Anne-Marit Hamre 1991; Emanuelsson 2005.

¹⁶² DN VIII no. 173.

provided his successor to the Oslo-see; Sigfrid probably died at the beginning of the same year.

Nicholas Asmundsson

On 1 September 1352, the Friar Preacher Nicholas Asmundsson followed Sigfrid Hennikesson as Scandinavian papal penitentiary.¹⁶³ Although the notice says that he was of the Swedish Preachers' Order Gallén has assumed from his patronymic that he originated from Norway.¹⁶⁴ Taking into consideration the Order's international character, this is a reasonable conjecture. There are grounds to believe that Sigfrid knew the new penitentiary; he had been translated from Stavanger to Oslo a fortnight before and still remained in Avignon when Friar Nicholas took office. Also King Magnus Eriksson probably approved the choice.

We can follow Friar Nicholas at service in the Curia, where every six months, summer and winter, he received 8 florins for clothes along with the other papal penitentiaries whose number varied between 15 and 18.¹⁶⁵ The last notice is from 29 December 1360.¹⁶⁶ He thus probably died in the winter or spring of 1361.

On 21 March the newly consecrated Bishop Botolf Åsbjarnarson of Stavanger obtained a papal dispensation to consecrate five men born out of wedlock as priests due to the lack of priests after the Black Death and a new pandemic that had hit his diocese.¹⁶⁷ To exempt clerics from birth out-of-wedlock was, as we have previously seen, a reserved case for the pope which had been delegated to the Papal Penitentiary. It is reason to believe that Friar Nicholas handled this case.

When Camerarius Archbishop Stephan of Toulouse issued the receipt for Bishop Sigfrid of Stavanger having paid his *servitium commune*, and thus released him of the ban into which he had fallen for being late with the payment, the archbishop also tells that the payment was given through the penitentiary Nicholas and Canon John Audunsson.¹⁶⁸ Friar Nicholas also paid the same on behalf of Bishop Nils Markusson of Linköping,¹⁶⁹ Bishop Nils of Skara,¹⁷⁰ and Bishop Tyrgillus of Strängnäs.¹⁷¹

¹⁶³ APS I: 2 no. 448.

¹⁶⁴ Gallén, 1937: 74.

¹⁶⁵ APS I: 2 nos. 454, 478, 483, 532, 548, 552, 558, 608, 760.

¹⁶⁶ APS I: 2 no. 615.

¹⁶⁷ DN VI no. 234.

¹⁶⁸ DN VI no. 221. Munch 1862-1863 vol. I: 546.

¹⁶⁹ APS I: 2 no. 475 (15 February 1354). Munch 1862-1863 vol. 1: 546; Moltesen 1896: 148; Brilioth 1915: 298.

¹⁷⁰ APS I: 2 no. 557 (16 December 1357). Brilioth 1915: 302.

¹⁷¹ APS I: 2 no. 573 (31 August 1358). Brilioth 1915: 304.

Nicholas performed his predecessor Bishop Sigfrid of Oslo's triennial visit *ad limina*.¹⁷² He did the same for Bishop Magnus of Västerås¹⁷³ and Bishop Tyrgillus of Strängnäs.¹⁷⁴ There is some evidence from the camerarial sources on other papal penitentiaries that performed the same tasks as Friar Nicholas on behalf of bishops in their province. The more complete evidence from his period as Scandinavian papal penitentiary may be interpreted as a recording of usual assignments for a Nordic curialist.

Friar Nicholas was a papal penitentiary during the years when King Magnus Eriksson had a problem in paying back his loan from the papal tithe. In 1356, the Bishop and Dean of Lübeck and the Bremen canon Henrik Biscop, who also came from Lübeck, were given the task to execute the verdict of the papal general auditor. Their commission coincides with the rebellion of Erik Magnusson against his father, and indicates that hostile forces to the king were active in Avignon during the autumn and winter 1355 - 1356.¹⁷⁵ It is impossible to say if Friar Nicholas Asmundsson was involved in this. The result of Henrik Biscop's mission was that King Magnus was excommunicated 1358.

Bishop Gotskalk Falkdal of Linköping and the Overthrow of the Folkunga Dynasty in Sweden

The next Scandinavian papal penitentiary was the Friar Preacher Gotskalk Falkdal who in Avignon on 31 December 1362 for the first time received 8 florins from the papal Camerarius for winter clothes.¹⁷⁶

Gustaf Lindberg suggested that Gotskalk Falkdal was identical with Friar Gotskalk who was lector in the Dominican convent and papal sub-collector in the Abo diocese during the years 1326 – 1329. Gallén followed the view which implicates that Gotskalk Falkdal was born around 1305, and had reached a relatively high age when he was assassinated in 1374.¹⁷⁷

Gotskalk Falkdal lived for a long time in a Friars Preachers' convent in Stockholm and called himself a Swede. But Gallén pointed to his weapon of two crossing

¹⁷² DN XVII no. 108.

¹⁷³ APS I: 2 nos. 534, 535 (26 July 1356).

¹⁷⁴ APS I: 2 nos. 591.

¹⁷⁵ Brilioth 1915: 251-263

¹⁷⁶ APS I: 2 no. 637. For the same purpose see op. cit. nos. 645, 668.

¹⁷⁷ «Il remit directement le montant des collectes à la curie d'Avignon, le 20 janvier 1329. C'était la dîme pour un an: la collecte des cinq autres années ayant été dérobée par les Russes lors de la prise d'Abo en 1318.» APS I: 1 nos 243, 244. Lindberg 1923: 380; Gallén 1946: 142-144.

eagle-feet which was also carried by the Danish family Mule of Falkendal.¹⁷⁸ In the 14th century this family of Slavic origin lived in Roskilde. Claus Gynzelinsson died in 1335, leaving a considerable fortune of scattered estates to his widow, son, and son-in-law. His brother Gyncekin was the master of St. Knud's guild in the town, in 1329 mentioned as the bailiff of the Bishop of Roskilde and then again in 1335 (when Jens Nyborg had become bishop) at the manor Falkendal in Sømme from which this branch of the Mules has its name. The Danish historian Erik Ulsig placed the Mules of Falkendal in the echelon of the upcoming lower nobility.¹⁷⁹ Gyncekin was probably Gotskalk Falkdal's father.¹⁸⁰ Worth noting is also that a Ribe-burgher by the name Gotskalk Mule is mentioned in a diploma from 1335¹⁸¹ and may have been a relative.

Gotskalk Falkdal is mentioned as King Magnus Eriksson's confessor. The circumstance of this royal task was probably the set back which the king experienced from 1355 and onwards with the uprising of his elder son Erik. He wanted to become king like his younger brother Håkon, King of Norway, and have a part of the realm. Most of the Swedish circle who had guaranteed for the king's papal tithe-loan in 1351 closed ranks around his son. Erik also sought a mate in Duke Albrecht of Mecklenburg who was married to his paternal aunt Eufemia. One would think that Magnus Eriksson had obtained a loyalist in the Linköping bishop when his former chancellor Nils Markusson was provided to the see. That was not so; the bishop turned against his king. One of the reasons that the lesser nobility of Eastern Götaland and Småland rallied round Erik Magnusson was probably the signal effect of Bishop Nils' support. In 1357 Erik Magnusson obtained the eastern part of Sweden from his father. In 1358 King Magnus was banned by the Pope for not paying his debt. This has been suggested as the reason for the stay of Friar Gotskalk at the king's court; Magnus was in demand of a priest with special authorities to absolve him in spite of the ban.¹⁸²

Gotskalk Falkdal in this way gained the king's friendship. In 1362 King Magnus applied to the pope to dismiss Bishop Nils Markusson of Linköping. The effort was in vain; the pope would not dismiss the bishop unless a case according to canon law was raised against him with a procedure for the Rota. But King Magnus obtained that Friar Gotskalk became a papal penitentiary. The pope also agreed in the king's pe-

¹⁷⁸ DD 3: VIII no. 506.

¹⁷⁹ DD 2: X nos. 100, 101, 2; XI nos. 211, 234, 235, 2; XII no. 19; *Danmarks Adels Aarbog* 1904. Gallén 1937: 75; Ulsig 1968: 98, 406.

¹⁸⁰ Gallén 1946: 180.

¹⁸¹ DD 2: XI no. 210.

¹⁸² Brilioth 1915: 251 – 265; Gallén 1946: 158; Sjöstedt 1954: 211-212; Liedgren 1956: 189; Herman Schück 1959: 78-82.

tition to get rid of the papal nuncio and collector Henrik Biscop from Lübeck who had served as a papal collector in Sweden since 1358, but intrigued against King Magnus. When Guido de Cruce had received the assignment, Pope Urban V encouraged his penitentiary Gotskalk Falkdal to recommend the nuncio to the kings of Denmark, Sweden, and Norway because 'he is said to have their confidence', and to help Guido in his assignment.¹⁸³ From later evidence we learn that Friar Gotskalk had special authorities from King Håkon, perhaps also from King Magnus.¹⁸⁴

King Erik died in 1359, but the tension between King Magnus and the aristocracy in Sweden continued. Bishop Nicholas left his bishopric Linköping to go to Gotland, and from there to Mecklenburg to take part in a plot against the king. The Swedish magnates then called in Albrecht III of Mecklenburg to be their king; he was the son of Duke Albrecht II of Mecklenburg and Lady Eufemia. In November 1363 Albrecht III landed in Sweden, and succeeded in conquering her eastern and best part. The Bishop of Linköping was in Albrecht's entourage.

When King Valdemar Atterdag in 1363 – 1364 went on his long European travel, he also went to the papal court in Avignon. In due time he had sent a request through Friar Gotskalk and Nicholas Jakobsen, provost of Lund for a safe-conduct to visit the pope,¹⁸⁵ and had on 25 February 1364 a meeting with Pope Urban V. In spite of his alliance with Norway and Sweden through the marriage between his youngest daughter Margaret and King Håkon Magnusson of Norway and Sweden, King Valdemar's position in the Baltic was vulnerable. In Avignon he therefore applied for the authority of the church against his enemies in northern Germany. The pope gave three bishops the authority to use the censures of the church against them; among the enemies was also Bishop Nils Markusson of Linköping. And one of the bishops who in this way was authorised is particularly interesting, namely the papal penitentiary for Scandinavia, Gotskalk Falkdal. King Valdemar had renewed King Magnus' supplication over the Linköping diocese, and now Pope Urban V agreed. On 6 March 1364 he provided Gotskalk Falkdal to Linköping by transferring Nils Markusson to Knin in Croatia.¹⁸⁶ On 16 March Gotskalk as consecrated bishop obliged himself to pay the *commune servitium* with 660 florins.¹⁸⁷

¹⁸³ DN VI no. 260; APS I: 2 nos. 654, 657; DS VIII no. 6856, 6866; DD 3: VI no. 379, 386. Munch 1862-1863: vol. I: 742, 772, 834-835, 843, vol. II: 57; Moltesen 1896: 148; Brilioth 1915: 266-267, 298-299; Engström 1935: 17-29.

¹⁸⁴ DN VI no. 279.

¹⁸⁵ APD I no. 572; DS VIII no. 6907; DD 3: VI no. 414.

¹⁸⁶ APD I no. 583; DS VIII no. 6946, 1949; see also DD 3: VII no. 25, 28. Reinhardt 1880: 346; Moltesen 1896: 44; Gallén 1946: 148; Herman Schück 1959: 382; Andersen 1962: 149-152; Tägil 1962: 261 – 272; Eldbjørg Haug 2006: 45.

¹⁸⁷ APS I: 2 no. 670; DS VIII no. 6966.

Why the Pope gave in to Valdemar Atterdag, but not to Magnus Eriksson has given cause to discussion. There has been a tendency to consider this a result of King Valdemar's successful diplomacy in Avignon. A better explanation is that the provision came as a result of King Valdemar's taking the cross; a late source tells that he promised to go on a crusade.¹⁸⁸ Bearing in mind that the evidence from the Rota from this period is lost, one should not exclude that Magnus Eriksson actually brought up the case against Nils Markusson for the papal court.¹⁸⁹

But the provision to Linköping came too late. King Albrecht's regime in Sweden included most of the diocese and ruled out any possibility of getting rid of Bishop Nicholas. Gotskalk Falkdal was not completely excluded from his church, as Öland and Finnveden belonged to Magnus' part of the realm.¹⁹⁰ Mostly, the new bishop accompanied King Magnus in his chase for taking back the kingdom of Sweden. In 1365, Gotskalk resided in Denmark and northern Germany as the representative of King Magnus and his son King Håkon.¹⁹¹ King Magnus was, however, taken into captivity by King Albrecht at the battle of Gata, and was not released before 1370 for a large ransom.

Forty-three of King Valdemar's enemies in northern Germany and the Baltic area, most of them from the Hanseatic League, had formed the Confederation of Cologne. The German Hanse had established a 'Kontor' in Bergen around 1360 with import of grain and salt and export of stockfish as their staple commodity. The German merchants were, however, not satisfied with the trade privileges that the Norwegian king was willing to offer, and King Valdemar's only ally against the Confederation was his son-in-law King Håkon VI of Norway and Sweden. King Magnus was still the prisoner of King Albrecht, and Valdemar himself went abroad in 1368 in an effort to attack his enemies from the rear. A war broke out in 1369, and King Håkon had to enter a separate peace with the Confederation on 5 September.¹⁹² On 30 November 1369 Denmark and the Confederation entered into a preliminary peace treaty. The Peace of Stralsund which had exactly the same wordings was finalised 21 May 1370.¹⁹³ The final conditions for the peace between King Håkon and the Confederation should be negotiated at the castle Bahu on the upcoming St. John the Baptist's day. The King met with several of his Norwegian and Swedish coun-

¹⁸⁸ Moltesen 1896: 44, 187; Tägil 1962: 269-272, note 95.

¹⁸⁹ Ingesman 2003: 40.

¹⁹⁰ Brilioth 1925: 67-68

¹⁹¹ DD 3: VII no. 260, 287, 329. Gallén 1946: 148.

¹⁹² DN VIII no. 188.

¹⁹³ DD 3: VIII no. 372, 449. Bøgh 2003: 29.

cillors, one of them being Bishop Gotskalk of Linköping. Recalling that he controlled the Öland-part of the Linköping church, he was counted among those of the king's men who had lost property there when the Hanse-towns occupied the island. As the king's representative he had also discussed the negotiations on the *Hansetag* 25 May the same year. He probably played an important part in the negotiations.¹⁹⁴

In January 1374, Gotskalk Falkdal finally obtained the whole diocese of Linköping. Approximately ten years after his provision King Albrecht's father, the Duke of Mecklenburg offered him the diocese and promised that his son would expel the bishop who was residing then, i.e. Nils Markusson.¹⁹⁵ According to his obituary, Bishop Nils had to flee and ended his days in Norway, protected by King Håkon.

Bishop Gotskalk Falkdal had served three kings as diplomatic envoy: Magnus Eriksson, Håkon VI, and Valdemar Atterdag. At the time of the duke's offer of Linköping, he mediated between King Håkon and King Albrecht. The change of loyalty by the two bishops of Linköping has puzzled scholars. Herman Schück suggests in his doctoral thesis that the cause may be found in church policy, but does not elaborate further on this.

Bishop Gotskalk ended his days shortly after this fulfilment of his career. Less than a month after he had taken possession of his church and presumably was on his first visit to Småland, he was killed by the young Matts Gustavsson (Sparre) in an accidental struggle with some Swedish aristocrats, the circumstances being rather obscure.¹⁹⁶

Bishop Benedict Ringsted of Bergen

On 14 March 1364 the Friar Preacher Benedict from Ringsted in Denmark was accepted as papal penitentiary for the 'kingdom of Denmark', probably a mistake for the province *Dacia*.¹⁹⁷ As usual there is not much to report on his work in the Apostolic Penitentiary. But he can be followed in the cameral registers as every half a year he signed for 8 florins for winter or summer clothes. It is also worth mentioning that on 13 October 1365 he performed the visit *ad limina* for Bishop Nicholas of Skara. The sources on him as penitentiary last no longer than to 23 June 1366, but

¹⁹⁴ DN XIX no. 583; NGL 2: I no. 347 Tillæg (excerpts from Hanserecesse II no. 4); DS IX no. 8148, X no. 8928.

¹⁹⁵ DN VII 287.

¹⁹⁶ Brilioth 1925: 149; Liedgren 1956; Herman Schück 1959: 81 - 85, note 78.

¹⁹⁷ APS I: 2 no. 669, DD 3: VII no. 57. Gallén 1937: 77; Gallén 1946: 142.

there is reason to believe that he continued with this assignment until he became Bishop of Bergen.¹⁹⁸

A clue to Friar Benedict's background is a notice from 1357 in a book which tells us that Friar Gotskalk Falkdal from the kingdom of Sweden in the province of *Dacia* gave Benedict Ringsted a volume of philosophical works. The two friars were probably at the Dominican convent in Stockholm at the same time.¹⁹⁹

On 30 April 1367 Pope Urban V left Avignon for Italy. He did not stay for a long time in Rome and eventually had to turn back in spite of all the misfortunes which both Pierre d' Aragon and Birgitta of Sweden meant to foresee.²⁰⁰ But on 14 January 1370 while Urban V still was in Rome, he provided his Scandinavian penitentiary to the Bishop of Bergen.²⁰¹ Friar Benedict received the privilege of celebrating mass at dawn.²⁰² He was the first to become a bishop in Bergen by papal provision, but was excused for paying *commune servitium* because his church had not been assessed yet.²⁰³

Friar Benedict was also the first Dane to achieve a Norwegian bishopric. The episcopal see of Bergen had become vacant in a situation of war and unsettled peace negotiations. Bergen was one of the king's towns of residence and therefore an important stronghold for both parties. The document which King Håkon drew up in the summer 1370 to meet the demands of the victor, paints a detailed and gloomy picture of the atrocities the population – high- or low-ranking, lay or clerical – had suffered.²⁰⁴ From the evidence one may deduce that one of the first tasks of the new Bishop of Bergen would be to consecrate one of monasteries in the city (Munke-liv?) which had experienced sacrilege by a refugee being slain in its church. It is reasonable as well as probable that in this situation King Håkon welcomed Friar Benedict to the Bergen see in this situation.²⁰⁵

Friar Benedict took his church in possession before 19 July 1370, the date he attended the meeting of the Council of the Realm in Marstrand as Bishop of Bergen and a fully fledged member of the Council; all bishops were members *ex officio*.

¹⁹⁸ DD 3: VII nos. 96, 203, 246, 320, 365, 395.

¹⁹⁹ Gallén 1937: 76; Liedgren 1956: 189

²⁰⁰ Mollat 1965: 262 - 265.

²⁰¹ DN VI no. 271. Moltesen 1896, Tillæg XXXIV.

²⁰² DN XVII no. 140.

²⁰³ DN XVII no. 141.

²⁰⁴ DS IX no. 8148 gives a translation to Swedish of this important evidence which is hardly reflected in Norwegian research.

²⁰⁵ Eldbjørg Haug 2006: 100-101.

The most urgent issue of the meeting was to free King Magnus of his captivity by paying a ransom, and prepare for war if the attempt did not succeed.²⁰⁶

Bishop Benedict also succeeded in settling a latent conflict between Apostelkirken, 'the Church of the Apostles', and the cathedral of Bergen. Apostelkirken was the see of the Master of the Royal Chapels. The organisation of the Royal Chapels was institutionalised in 1308 and given some papal privileges. The provost of the Apostelkirken led the organisation and had the right to wear the same signs of dignity as a bishop (mitre, ring, and staff), to bestow blessings in the same way, and to visit the royal chapels. This caused conflict with the Bishop of Bergen, but was settled for King Håkon V's lifetime (1299 – 1319).²⁰⁷

The issues which Bishop Benedict solved were that the provost and the canons of Apostelkirken should have the full *cura animarum* with all rights over everybody in the king's court in Bergen, high and low, everybody in the king's retinue as well as their servants and those who only occasionally came to Bergen in the king's service, included those who stayed in hostels outside the king's castle. This right also included those who were in the service of the provost and the canons or served their church on a daily basis. The service should be the same as a parish priest would give. The provost and those authorised by him were given the full rights to absolve his canons, and the servants of the church, and lay down a proper penitence for their misdemeanours according to canon law. Finally Bishop Benedict encouraged the relatives of the pupils who attended either the cathedral school or the one connected to Apostelkirken to allow them the freedom to choose between the two schools.

Bishop Benedict's letter on these matters was lost in the fire of Copenhagen 1728. From its copy we learn that a notice in Latin was added: 'That Friar Benedict was in charge of his church for one year only and deprived her and the chapter of their privileges as seen from the letter above, and that these acts had to be seen as invalid and incompatible with his vow.'²⁰⁸ There is no evidence of conflict between the chapel clergy in Bergen and the bishop for the rest of the Middle Ages; King Håkon had learnt how to solve a conflict between church and state by securing the bishop being a loyalist. Presumably the endorsement was written on the background of other antagonisms in the Late Middle Ages which involved the Bergen church, or after the Reformation.

²⁰⁶ DN II no. 410, DS IX no. 8158.

²⁰⁷ NGL 2: I: 442-443. Hamre 1963: col. 256 - 261; Hamre 1970: 62-64; Bagge 1976: 101-132.

²⁰⁸ *Prefuit predictus frater Benedictus ecclesie uno anno, privavit ecclesiam et capitulum suis privilegiis ut supra habetur ... ejus facta esse irrita cassa et vana et contra ejus iuramentum.* DN I no. 410. Keyser 1856-1858: 387-389; Munch 1862-1863 vol. II: 859-860; Eldbjørg Haug 2006: 57-58.

Benedict Ringsted died in 1371 after only one year in office. Archbishop Olav's death and Bishop Benedict's are mentioned in the Fragment from Skálholt, one of the Icelandic annals, as a result of a plague that hit all of Norway.²⁰⁹ The archbishop died 14 August 1370, while Bishop Benedict dated his last letter on 21 February 1371²¹⁰ and probably died not long after the issuing. The same man who succeeded him as papal penitentiary for *Dacia* was also provided with the Bergen see.²¹¹

Jakob Jenssen of Bergen and the Rise of the Kalmar-Union

Jakob Jenssen (c. 1330 – 1410) was received as a papal penitentiary on 2 March 1370, two months after his predecessor was provided as bishop to Bergen.²¹² There is therefore reason to believe that Friar Jakob was present at the papal court as a representative of King Håkon VI Magnusson and King Valdemar Atterdag when Friar Benedict was provided to Bergen. Little is known of his background, apart from being a Dane of the Dominican order. He became the penitentiary for *Dacia* while Pope Urban V still was in Rome. At this time the later Swedish saint Birgitta Ulvsdatter lived there, and there is reason to presume that Friar Jakob met her. Friar Jakob returned, however, to Avignon in May 1370 in the company of six other minor penitentiaries, while the pope stayed in Rome over the summer.²¹³

While Jakob Jenssen served as a papal penitentiary he acted as intermediary for Bishop Magnus Slangestorp of Hamar when he paid the *commune servitium*; Bishop Magnus seems to have had a career in the Curia before he received Hamar.²¹⁴ Friar Jakob presumably helped pious Scandinavian princes to important privileges. King Håkon and Queen Margaret obtained the right to choose a confessor who could give them full absolution on their deathbeds. The king also obtained the right to celebrate mass before dawn when necessary for his transactions.²¹⁵ Friar Jakob's hand is seen in the letter to King Håkon on the papal provision of Trond Gardarsson as Archbishop of Nidaros 22 October 1371. On the back of the letter he addressed the king in medieval Danish:

²⁰⁹ For a discussion of the sifting of evidence from the Icelandic annals see Eldbjørg Haug 1997: 263-274; Eldbjørg Haug 2002: 58-80; Eldbjørg Haug 2006: 24-35.

²¹⁰ DN VI no. 278, I no. 410; Isl. ann.: 229.

²¹¹ DN VII no. 285.

²¹² APD VII no. 5502. Keyser 1856-1858 vol II: 392; Munch 1862-1863 vol. II: 9; Eldbjørg Haug 2006: 103.

²¹³ APS I no. 738; DD 3: VIII no. 442 - 445.

²¹⁴ Collectoriae 464 fol. 134r, Vatican Archive; DN XVII no. 146. See above, p. 208.

²¹⁵ DN XVII no. 142 and 143. Eldbjørg Haug 2006: 103.

‘My dear Lord, you said to me before you left for Svenneby this summer that I should seal the letters in the way your lordship had told me to. The other day, after you had left and were in a mood, I did not dare to talk to you or disturb you. Still I asked Bishop Gotskalk [Falkdal] if he would let fall a remark to you that I should have the same authorisation with your seal as those clerics have had whom you so have trusted. ...’²¹⁶

From this we learn more of the Scandinavian minor penitentiaries: Sometimes they penned papal letters. The actual letter was in other respects a regular one, but in this case it was important because it concerned the new metropolitan in Norway and was addressed to the king. The letter would ordinarily be written by a subordinate clerk, but was in this case an opportunity to make oneself known. Second, King Håkon VI had authorised Scandinavian penitentiaries at the Curia with extraordinary powers. Third, Friar Jakob took up the matter at the instigation of Bishop Gotskalk Falkdal of Linköping.

Friar Jakob had been a papal penitentiary for *Dacia* for two years when on 7 April 1372 Pope Gregory XI provided him to Bishop of Bergen.²¹⁷ Like his predecessor he did not pay any fees for the diocese.²¹⁸ King Håkon VI must have supported his candidature as Bishop in Bergen, perhaps a reward for his services as a papal penitentiary. Friar Jakob proved, however, to be a bishop who was loyal to his king.

The sources from Bergen during the residence of Bishop Jakob are few, but significant. It is worth noting that the conflict with the royal chapel clergy in Bergen was now replaced with cooperation between the bishop and the Master of the Royal

²¹⁶ *Min kæra herra, j sagdin mich jnnan jdrom [bortffærd] j Suenaby. annan dag før en j þæthæ sommar, at jach sculde jnzsigla þe [bref] som jder nadh ffore sagde, [annan] daghin þær epter þa j bortfforin oc j varin swa vmodhughe vppa mich [at jach þor]dhe [ffore þa sculd vm] engin stykke til jder tala, eller vm mædha. En þogh bad jach sidhan [Got]scalc [biscop at] han vilde til jder [w]erfwa. vm jach sculde swa fulla makt hafua. med jdrom jnzsigli som andre þe klærka hawa haffi som j hawin þær til troot, min kære herra þet giordhæ jach ffore þy at jach wiste mich vfallin vara. til þe[itta] æmbete swa oc ffore þy at jach vilde v[ita] hwat mich vore lofflikt at gera oc huath ey, oc en ffore þa sculd at Gotscalc mich ater vmbød swa styg swar, þa skal jach þær j frá wara oc taka mich engin þe stykke til, som mich sculu ey wara kænneligh oc hørligh først fore gudh. swa fore jdrom herradom oc allom godhom mannom; þogh vare jach jdrom nader oc jdrom blidh andzvar gærna vmbidhiande. (DN VI no. 279.)*

²¹⁷ DN VI no. 271; VII no. 285.

²¹⁸ Storm 1897: 103.

Chapels. Vinald Henriksson, who later became archbishop, received the office of *magister cappellarum regis* after 26 August 1375. Bishop and master worked together with royal authority in at least one commission to make an inquest and give their judgement on the actual case.²¹⁹ The office as Master of the Royal Chapels was combined with being sheriff at Voss. Vinald reported to the bishop a testimony that he had taken up for the bishop's provost Arne Askelsson; he also carried the title of head priest at Voss and was a canon in the cathedral chapter of Bergen.²²⁰

Bishop Jakob belonged to the inner circles of the royal house. He was enfeoffed with Lindås and Herdla outside Bergen from the Kings Magnus Eriksson, Håkon VI, and Olav Håkonsson. Seim in Lindås used to be one of the residences for the first Norwegian kings, while there was a royal chapel at Herdla. The fiefs to the bishop, in reality the office as sheriff in the two communes, may thus be a part of the settlement with the chapel clergy in Bergen. Queen Margaret and the minor Erik the Pomeranian on 29 June 1389 renewed these fiefs with all royal rights for Bishop Jakob's lifetime and without accounts. On the same occasion the queen authorised him to pay the tax *sekkia giöld* on goods from Iceland directly to her in person or to those who had a letter from her; *sekkia giöld* was a tax on ships from Iceland, literally a tax on every sack. This tax-privilege may have been given by the three late kings. But Bishop Jakob was obviously a trusted person for Queen Margaret, for she authorised him to take care of her economic interest in the merchant ship 'Fana' which sailed on to Iceland. This ship must have belonged to the royal chapel church in Fana in the present municipality of Bergen.²²¹

During the minority rule of King Olav Håkonsson (born 1370, king 1380, of age 1384/85, dead 1387) Bishop Jakob played a prominent role in the government of his guardians, kept up the kingdom's rights on trade and taxation, and enjoined the law.²²² But he was not present in Oslo when the Norwegian Council of the Realm elected Queen Margaret as 'the authorised lady and right husband of the realm' for life on 2 February 1388.²²³ Neither was he present in Kalmar when Erik the Pomeranian was crowned; but no Norwegian bishops were present at this event.²²⁴ One should not emphasise his absence in Oslo in the winter 1388. It is more significant that he was in Queen Margaret's retinue at Helsingborg in June 1389, he was instrumental in is-

²¹⁹ DN II no. 453.

²²⁰ DN XXI no. 154. Júlíusdóttir 2006: 65-66.

²²¹ NGL 2: I no. 9. Magerøy 1993: 121-123.

²²² NGL III nos. 118 – 121. See also Bishop Jakob's transcript of Earl Henry Sinclair's acknowledgement of debt to the king, DN III no. 485.

²²³ NGL 2: I no. 1.

²²⁴ NGL 2: I no. 21.

suing two letters from the Norwegian Council of the Realm which recommended the minor Erik the Pomeranian as hereditary king of Norway.²²⁵ Erik was also anointed as Norwegian king before 1 April 1393.²²⁶ An educated guess is that the coronation took place in Oslo on Easter Sunday 14 April 1392 as a follow-up of the meeting of the Council of the Realm. On 29 March Queen Margaret's great *rettarbót*, an amendment to the Law of the Country, was adopted by the unanimous consent of the Council. There is no other evidence from Norway of a greater assembly of ecclesiastical councillors during the reign of Queen Margaret; Bishop Jakob Jenssen of Bergen had the seniority of the suffragans, and was probably one of the two formal witnesses to Erik's holy unction as king.²²⁷

On 24 February 1389 Queen Margaret won a decisive battle over King Albrecht at Åsle, in Västgötaland. Albrecht and his son were taken prisoners, and only Stockholm remained under the control of the House of Mecklenburg.²²⁸ This was a triumph for the queen, but in time became a cause of conflict. Margaret was not willing to release the king for ransom before he resigned his crown and his realm, and handed Stockholm over to her. But this behaviour towards a prince was outrageous for her contemporaries and caused diplomatic intervention from King Richard II of England. The gloomy international situation formed the backdrop to the Norwegian coronation of the minor Erik the Pomeranian in demonstrating that the church with Archbishop Vinald, Bishop Jakob of Bergen and Bishop Øystein Aslaksso of Oslo in the forefront wholeheartedly supported Queen Margaret's new dynasty.²²⁹

One of the Icelandic Annals tells that an assault on Bergen by the Baltic pirates called the *Vitalie* brothers took place immediately after Easter 1393. The pirates were used in the low-intensity conflict between Queen Margaret and some of the Baltic states, and had their nickname from the facts that they hijacked provisions. Bishop Jakob and the local law speaker were threatened to pledge allegiance to King Albrecht. The pirates also attacked the English merchants in the town. When Queen Margaret informed the King of England about the Norwegian coronation of her successor, she also asked for two battleships to help her in keeping the peace.

²²⁵ NGL 2: I nos. 8 a and b. Eldbjørg Haug 2000: 174-177.

²²⁶ Correspondence, Perroy 1933 no. 175: 122-123.

²²⁷ NGL 2.R.I, no. 16: 22; ST II no. 422. Erslev 1882: 182 – 194; Eldbjørg Haug 1995a: 11-12.

²²⁸ Linton 1971: 233-235; Fritz 1973: 19; Christensen 1980: 122-127; see the notices for the year 1389 in Gejrot 1988; Eldbjørg Haug 1995a: 1; Gejrot 1996 (Latin original text with parallel translation to Swedish); Eldbjørg Haug 2000: 170-171.

²²⁹ Eldbjørg Haug 1995b: 495; Eldbjørg Haug 2006: 174-175.

News of the assault on the English merchants in Bergen may have reached King Richard some days after the event, because he offered three ships, one more than she asked for!²³⁰

Bishop Jakob and other clerical and lay members of the Council of the Realm were involved in the negotiations on a peace between the two princes of Norway and Sweden. The Treaty of Lindholm 17 June 1395 released King Albrecht and his son for a ransom of 60,000 mark on the condition that it should be paid within three years or Stockholm would be handed over to Queen Margaret. Seven Hanseatic cities guaranteed for the treaty. For the first three years they would have control over Stockholm, after which it would be handed over to Queen Margaret if the ransom had not been paid.²³¹ In fact, the amount of money was so large that it hardly could be paid, and in 1398 all of Sweden was finally in the hands of Queen Margaret.

The new Bishop of Bergen reacted on how the German bachelor-merchants of the town lived it up. They were neither allowed to bring a family nor marry while working in Bergen, and the consequence was a notorious fornication in the town. On 11 March 1390 the bishop threatened those who lived with mistresses or as concubines to exclude them from the communion at Easter. The prohibition was issued 11 March 1390, three weeks before Easter, and should be read in the churches the next three Sundays.²³² In reality, the bishop threatened with the lesser ban which needed three admonitions to be effected. The offenders thus risked to be excluded from the annual Communion. His prohibition might be considered as a narrow-minded indignation from a Friar Preacher and former papal penitentiary. Later evidence shows, however, that the German merchants' behaviour caused common offence.

In 1391 the papal penitentiary Peter Nicholasson (below pp. 232ff.) was provided by the Pope as bishop to Hólar on Iceland. In this connection Bishop Jakob of Bergen received a letter on the provision from the papal Camerarius. The missive was sent to the Bishop of Bergen and the collector and subcollector of Hólar.²³³ His successor on the Bergen see, Bishop Jakob Knudsen, was a papal collector, and the reason for Bishop Jakob receiving the letter was probably that also he had this office with the responsibility of the revenues from Iceland among other things.

Jakob resigned his office in 1401 and became the sheriff of Sunnfjord for the rest of his life. King Erik gave him all the ordinary royal incomes from the region

²³⁰ *Isl. ann.*: 398. Eldbjørg Haug 2000: 201.

²³¹ *DD*: 4: V nos. 384, 385, 426, 432. Christensen 1980: 127, 281; Eldbjørg Haug 2000: 205.

²³² *NGL* 2: I no. 149. Munch 1862-1863: 354.

²³³ *DN* VI no. 333.

‘quits and freely’, i.e. there was no need of an account.²³⁴ This privilege as well as the ones Bishop Jakob received in 1389 were on 19 April 1410 transcribed in Bergen, probably connected to a sorting out after his death.

Bishop Michael Magnussen of Skálholt

The next Scandinavian papal penitentiary after Jakob Jenssen was the Friar Preacher Michael (c. 1320 – post 1391). The Camerarius’ register of curial offices lists nine minor penitentiaries who were admitted 1371/1372 and four who died in the same period. Göller took note of the last notice in this list: ‘On 12 April the Camerarius was authorised by the pope [Gregory XI] to admit Friar Michael Magni O. P. as penitentiary. He authorised him on the same day by the usual vow.’²³⁵ Although nothing more is said about the Friar Preacher Michael Magni or Magnussen, he must be identical with the papal penitentiary Michael, who in the beginning of 1383 was provided to Skálholt diocese in Iceland. His patronymic is not known from other sources.²³⁶ From this we can deduce that the penitentiary followed Pope Gregory XI when he left Avignon and went to Rome, stayed there after the Pope was deceased and continued in his assignment when the Great Schism occurred. He was provided to Skálholt by Pope Urban V; the evidence from the papal archives from these years is almost non-existent, but the Scandinavian church provinces were faithful to the Roman obedience.²³⁷

A hitherto unnoticed source on Bishop Michael shows that he was highly trusted by his Order. On 2 August 1383, while on his way northwards, he issued an open letter from Lübeck. He had been consecrated at the Curia before being sent home²³⁸ and called himself bishop of the Skálholt church in this letter.²³⁹ Bishop Michael and Friar Dietrich Koller O. P., professor in theology in the Order’s province Saxony, had recently in Nuremberg received an assignment from the master general Raymondus. The friars in *Dacia* had complained to him over the activities of foreign friars at the markets in Scania. After having heard both parties the master general had forbidden friars from Saxony under threat of excommunication to transgress the bor-

²³⁴ NGL 2: I no.28; DN II no. 565.

²³⁵ *Die XII aprilis de mandato d. n. pape d. camerarius recepit in penitentiarium fratrem Michaellem Magni O. P., et prestitit solitum iuramentum.* Göller 1907 vol. I: 1: 133 note 1.

²³⁶ Isl. ann.: 282, 414.

²³⁷ Eldbjørg Haug 2006: 116-120, 147-149.

²³⁸ Isl. ann.: 282.

²³⁹ DD 4: II no. 370 (not the non-existent Scala church as wrongly translated in *Danmarks Riges Breve*).

ders of the province *Dacia* without permission of this province's prior general or his subprior. There were, however, still problems, and the bishop and the professor had received full authority by the master general to limit the activities of the German Friars Preachers in Scania.

The issue was a result of the Peace of Stralsund in 1370, which had given the Cologne Confederation control of the Scanian castles for 15 years and the right to take part in the election of King Valdemar Atterdag's successor. The merchants' interest in Scania was, however, limited to free access to the herring markets from 15 August every year and no restrictions on the sailing through Øresund; the castles they enfeoffed to the Danish seneschal Henning Podbusk. Consequently many German merchants attended the rich herring markets, but had problems in understanding Danish. As a result they sought mendicants from their hometown for the cure of their souls. This harmed the Danish mendicants who were used to receiving extra alms during the market period. The former papal penitentiary and the professor therefore ruled that only four designated Friars Preachers were allowed freely to go to Scania for as long as the annual market lasted, to sing masses for the burghers whose souls they ordinarily had the care of. Two friars should be from Stralsund, two from Lübeck. They were allowed to beg and receive alms, but only from merchants, fishermen and others who arrived from the Friars Preachers' province Saxony.²⁴⁰

Bishop Michael was the first Bishop of Skálholt who was provided by the pope. Keyser emphasised that a Dane in this respect received the dignity as bishop to Skálholt. He presumed that it happened partly caused by Friar Michael's connections to the Curia, partly because he was a countryman of Queen Margaret. Danish nationality was also underlined by Kr. Erslev. Oluf Kolsrud was of another opinion. Inspired by Edvard Bull this bishop was placed in the group of Friars Preachers who were papal penitentiaries and owed their advancement to the Pope.²⁴¹ The reaction on the provision by the bishop's contemporary flock, as well as by scholars of the 19th century should be understood against the background of the organisation of the bishop-elections. The bishoprics of Iceland, the Faeroes, Greenland, and Sodor (the diocese on the *Suðreyar*; the present-day Hebrides) had no chapters. When there was a vacancy on these sees, a new bishop would be elected by the chapter of Nidaros and the archbishop, and be provided and consecrated by the archbishop. For Iceland, the Settlement of Tautra emphasised that a local meeting of priests should nominate a new bishop.²⁴² But when Skálholt became vacant 15 August 1381 Archbishop

²⁴⁰ DD 4: II no. 370. Hørby 1971: col. 68; Eldbjørg Haug 2006: 135

²⁴¹ Keyser 1856-1858 vol. II: 410-411; Erslev 1882: 127; Kolsrud 1958 (†): 278-279.

²⁴² DN III no. 39. Hamre, et al. 2003 (†): 208-209, Norwegian translation of the Settlement of Tautra p. 207.

Trond was on his deathbed or already deceased. The provision of a bishop to Skálholt thus devolved to the Pope. That a local meeting had nominated a candidate is doubtful. The Icelandic annals are narratives, not documentary evidence, and in no way inform of all events. But such a nomination would probably have been recorded as the annalistic notices echo that his residence was controversial.

Within a synchronic context there is nothing peculiar about Friar Michael's promotion. We have to assume that it was concurrent with the provisions of three Roskilde canons as bishops: Nicholas Jakobsen 'Rusare' as Archbishop of Nidaros, Olav Pedersen to Stavanger, and Peder Jenssen Lodehat to Växjö. And these men were closer to Queen Margaret than Friar Michael. But he had probably mighty friends in royal circles when he became a papal penitentiary, and his provision to Skálholt was welcomed by the queen.²⁴³

It is interesting to note that Friar Michael used 'bishop by the grace of God and the Apostolic See' (*dei et apostolice sedis gratie*) as his devotion formula.²⁴⁴ Archbishop Nicholas Rusare and bishop Olav of Stavanger did the same.²⁴⁵ This formula is only known from Norway in a couple of incidents during the Council of Basle and after 1523 when Olav Engelbrektsson as the last Archbishop of Nidaros was provided to Nidaros. On both these occasions the administrative links between the Norwegian church and the Curia was broken. There is a parallel between these two periods, as the provisions to Nidaros and Stavanger were not rooted locally and, at least in Stavanger, caused conflict.²⁴⁶ More important, though, was probably the Great Schism. The Apostolic See was in Rome, not in Avignon. Only a bishop who was titled to his church by the Roman Pope could link this to the grace of the Apostolic See.²⁴⁷

As noticed already by P. A. Munch, the years under which each event is reported in the Icelandic annals are not trustworthy.²⁴⁸ The annals disagree on when Bishop Michael arrived in Iceland, 1384 or 1385, but the former is probably correct. A notice tells further that he travelled by a ship owned by Mistress Margaret Ozurardót-

²⁴³ Eldbjørg Haug 2006: 136.

²⁴⁴ DI=*Diplomatarium islandicum: Íslenzkt fornbréfasafn, sem hefir inni að halda bréf og gjörninga, dóma og máldaga, og aðrar skrár, er snerta Ísland eða íslenzka menn 1857-1956*, vol. III nos. 507, 511.

²⁴⁵ DD 4: II no. 275; DN XIII no. 44.

²⁴⁶ Eldbjørg Haug 2006: 136.

²⁴⁷ Majic 1955: 130-131 concerning issues of the penitentiaries during the Schism.

²⁴⁸ Munch 1862-1863: 251; Eldbjørg Haug 2006: 31-34.

tir who was the widow of Ivar Vigfusson, the leader of the king's guard at Iceland.²⁴⁹ He was set ashore with ten men east of Mýrdalur,²⁵⁰ having been well received by an influential woman in the upper echelon of Icelandic society. The annals moreover tell that the ship which had carried Bishop Michael and his retinue continued its voyage, but went down. Everybody died, and pieces of the wreck were later found on the coasts of the Faeroes and Shetland. In other words, a tragic catastrophe from which the bishop escaped.

When Bishop Michael had taken possession of his church he began reform. He appointed Arí Gunnlaugsson as officialis and Odd Teitsson as steward in the Skálholt diocese.²⁵¹ When visiting the Austfjord, he dismissed abbess Thorgerd in Kirkjubö and installed Halldora Ranulfsdottir.²⁵² The annals report that many priests in Skálholt diocese were without offices, and that the bishop made many changes. The interpretation of this has been that they were dismissed by the bishop. But why he dismissed them has so far not been given a satisfying answer.

One explanation may be found in the distinctiveness of the local churches, a result of the private church system which in Iceland lasted far longer than elsewhere in Europe. The local churches were of two kinds, foundations with the church owner

²⁴⁹ 'Mistress' is a translation of Margaret's title *hustru* (ON) which shows that she was married to a squire. Her patronymic is not mentioned in the annals and is the Norwegian philologist Hallvard Magerøy's conclusion. Concerning her role as a ship-owner consideration should be taken to the archbishop's privilege to ship grain to Iceland, given in connection with the foundation of the archsee in 1152 – 1153. (Isl. ann. 282, 365, 414-415, Magerøy 1993: 33, 122, 129, 132, 155.) The archbishop sought to uphold this privilege although there was hardly any surplus grain from the archdiocese in the Late Middle Ages. Mistress Margaret may well be commissioned by the archbishop.

²⁵⁰ This must have made the rest of his journey to Skálholt more strenuous than if he had gone ashore in Reykjavík or further west. The nearest harbour east of Mýrdalur is Höfn which is the logical place to start a visit of the eastern part of the diocese. The bishop would then omit the strenuous and almost impassable Mýrdalssandur, Meðallandssandur, Skeiðarársandur and Breiðamerkursandur which are situated between Mýrdalur and Höfn. Sigríður Júlíusdóttir has informed me on this.

²⁵¹ Arí died in 1391.

²⁵² Gottskalk's Annals from the diocese Hólar emphasises that Halldora was dismissed the same year, while *Nýi annáll* tells that she died in the first plague in Iceland. Isl. ann.: 287, 365; Munch 1862-1863: 251.

as patron (ON *staðir*) and private 'layman' churches.²⁵³ In the 11th and 12th centuries the patrons of the churches were often priests in their churches and had spiritual as well as mundane power. But towards the end of the 12th century the clergy had become a distinct profession. Still their obedience to the ordinary bishop was mostly a formality; the priests' loyalty was to their patrons. But with a professional clergy the bishops started to demand the real authority over the local churches. The result was a bitter church strife, the so-called *staðamál*. In 1297 King Eirik Magnusson (1280-1299) and Bishop Árni of Skálholt reached agreement. The 'Settlement of Avaldsnes' gave the bishops full authority over all the *staðir*-churches, while the laymen kept the power and authority over layman churches that owned a half or less of their properties and economic rights. Furthermore, the settlement confirmed the bishops' rights to visit the local churches.²⁵⁴

It is conceivable that during the 14th century some of the church patrons in Skálholt diocese gained control of local *staðir*, and that Bishop Michael reacted by dismissing these priests as well as the abess. In local charters, so-called *máldagi*, the results of the visitations are recorded. No charters are, however, preserved from the period of Bishop Michael's residence, but there is reason to believe that he recorded his dismissal of priests if the Icelandic annals are true on this point. A notice in a post-reformation year-book tells us that his book of charters was lost when a ship went down. Another later source tells us that the large local church Stafholt became a *staðr* while Michael was the bishop. Stafholt was an old *staðr*, and the source has for this reason been regarded as a misunderstanding. But if we explain the Icelandic annals' notices of Bishop Michael's dismissal of priests as his renewed efforts to gain control of *staðir*-churches according to the Settlement of Avaldsnes, Stafholt may have been one of them.

Bishop Michael's reforms caused reaction; in the summer of 1388 a letter of protest against him was read at the Allting 'in which were a lot of untrue allegations,' the annalist comments. Seemingly this happened while Bishop Michael and many of the priests were absent from Iceland. Munch has suggested that the case

²⁵³ 'Eigenkirche, -nwesen, 1. Island', in *Lexikon des Mittelalters*, 10 vols (Stuttgart: Metzler, [1977]-1999), 3, cols 1708-1709, in *Brepolis Medieval Encyclopaedias - Lexikon des Mittelalters Online* <<http://www.brepolis.net/bme>> [Accessed 16 December 2006]; Stefánsson 2000: 34-36.

²⁵⁴ DI II no. 167; *Isl. ann.* 51, 72, 145, 198, 339, 486; RN II no. 886. The Settlement of Avaldsnes is dated on the 'Eve of the Mass of the Cross in the 17th year of King Eirik Magnusson' which indicates that it was issued on 2 May 1297. This date is contrary to Steinnes 1937: 28-31, but fits with the chronology of the Icelandic annals which all tell that bishop Árni of Skálholt left Iceland in 1297. The agreement thus fit in with the Settlement of Tautra which was given 23 June 1297, but was based on a preliminary agreement from 1296. Helle 1972: 606.

against him was appealed to the archbishop in Nidaros.²⁵⁵ Another reason for going to Nidaros was that Erik the Pomeranian was hailed according to old custom in Nidaros on the Nativity of the Blessed Virgin Mary 8 September 1389.²⁵⁶ The hailing represented an appropriate opportunity for any suffragan to combine their visit to the archbishop with this unique event.

Probably Bishop Michael made too many enemies in his zealotry. In 1391 he resigned the see of Skálholt and settled in Denmark, perhaps in one of the convents of the Friars Preachers. The resigning of a bishop was a reserved case for the pope and Friar Hugoline de Carne O. P. resigned on Bishop Michael's behalf for the papal Vice Chancellor Franciscus of Praeneste.²⁵⁷ Michael did not go the long and exhausting way to Rome, then, which may indicate that he was an old, fragile man. But before he resigned his office he consecrated Torstein Snorrison as abbot of Helgafell and made him officialis of Skálholt. His successor received the papal provision to Skálholt on 19 February 1392 and took possession of his church in the summer 1394.

Bishop Peter of Hólar

Peter Nicholasson (Peder Nielsen) O. P. (c. 1338 – before 23 December 1411) served as the Scandinavian minor papal penitentiary well into the Great Schism. Jarl Gallén has pointed to a possible identification with the friar *Petrus Nichoyi de Dacia*, whom the general chapter of the Order of the Preachers (Carcasson 1378) ordered to their college in Canterbury as assistant lecturer of sentences.²⁵⁸ The identification is reasonable, and is the first known evidence of this friar preacher. Assumingly Friar Peter became a papal penitentiary after the provision of Bishop Michael to Skálholt (1383).²⁵⁹ According to the annals of the *Flateyarbók* he was Danish by birth.

On 23 January 1391 Friar Peter Nicholasson was provided as bishop to Hólar.²⁶⁰ The annotation in *Flateyarbók* that he was consecrated while the old bishop still lived is probably a misunderstanding of the manuscripts by the writer; Peter's pred-

²⁵⁵ Júliusdóttir 2001: 24; Júliusdóttir 2006: 65-66 concerning the use of retrogressive method in these cases.

²⁵⁶ NGL 2: I no. 10 note 1.

²⁵⁷ DN XVII no. 935.

²⁵⁸ *Viz Acta capitulorum generalium Ordinis Praedicatorum. Monumenta ordinis fratrum Praedicatorum historica* vol. IV *Acta capitulorum generalium Ordinis Praedicatorum* 1899: 447; Gallén 1937: 78.

²⁵⁹ Eldbjørg Haug 2006: 135-137, 187-188

²⁶⁰ DN XVII no. 933.

ecessor Jón Eiríksson ‘the bald’ died 10 August 1390.²⁶¹ The Bishop of Hólar should according to the Settlement of Tautra, be elected by the same procedure as mentioned for Skálholt. It may be that the see had been reserved by the pope for his provision when Bishop Jón, after having faced rebellion and dismissal of obedience, went to Pope Urban V and received a papal confirmation of his title rights as Bishop of Hólar. On the recommendation of Archbishop Olav of Nidaros he had been translated to Hólar by Pope Innocent VI. The pope demanded no taxes however, and transferred the authority of provision to the archbishop.

On 16 April 1391 a missive on the provision of Peter was sent to Bishop Jakob in Bergen by a layman from Roskilde who had been sworn in as a dispatcher.²⁶² The reason for this may be that Bishop Jakob was a papal collector and subcollector for Hólar (see above). Like Bishop Michael of Skálholt Bishop Peter of Hólar used the devotion formula ‘bishop by the grace of God and the Apostolic See.’ The reason was probably that he would emphasise that he had his title from the pope in Rome.²⁶³

The first thing we know about the new bishop after his provision is that he on 16 November 1391 visited two churches at Zealand in Denmark, Hellerup and Søllinge, and issued indulgence letters to their pilgrims.²⁶⁴ Bishop Peter of Hólar probably went through Denmark on his way to Iceland to deliver Queen Margaret the Pope’s letter on his provision.²⁶⁵ The indulgences to the churches of Hellerup and Søllinge could be a clue to the bishop’s place of birth, or to his former convent.

Bishop Peter sang his first mass on Michaelmas 1392.²⁶⁶ The new bishop of Hólar had arrived with the ship ‘Petersbollen’, which ran aground between Krisuvík and Grindavík and broke to pieces. The bishop, his retinue, and everyone else on the ship came safely ashore however, and went on horseback to Hólar, where the grand old man of the diocese, Einar Havlidesson welcomed Bishop Peter to his church,²⁶⁷ Einar was the officialis of the former bishop and is known as the author of ‘Bishop Laurentius’ saga’. He has also written a large part of the main manuscript of the ‘Law Speaker’s Annals’. These annals tell that everybody promised Bishop Peter their obedience, lay as well as learned.²⁶⁸

²⁶¹ Isl. ann.: 417; Kolsrud 1913: 275; Eldbjørg Haug 2006: 188.

²⁶² DN VI no. 333.

²⁶³ Eldbjørg Haug 2006: 188.

²⁶⁴ DD 4: IV no. 461.

²⁶⁵ DN XVII no. 333. Queen Margaret’s itinerary for 1391 in Bøgh 2003: 325.

²⁶⁶ The annals of the Flateyrbók dates the event to 1393 which must be wrong; a bishop has not the full jurisdiction of his church before he has sung his first mass. Isl. ann.: 421.

²⁶⁷ Isl. ann.: 285, 418-419.

²⁶⁸ Isl. ann.: 285.

Bishop Peter seems to have been a wise man. Contrary to his colleague in Skálholt, he let everybody keep their offices and prebends. Einar Havlidesson asked, however, to be relieved from his office after a short period, and the priest Jón Magnússon was appointed as the new officialis and became the steward as well.²⁶⁹ The school of Hólar is also mentioned in the annals of the *Flateyarbók*, with the deacon Bodvar as schoolmaster;²⁷⁰ there must have been a school there before, and the new bishop probably gave it a new impetus.

While the bishopric of Skálholt was vacant, Bishop Peter performed the necessary episcopal consecrations in the neighbouring diocese. Several men are mentioned in the Flateyar-annals as receiving church foundations (*staðir*) in this diocese while its episcopal see was vacant.²⁷¹

The last source on Bishop Peter of Hólar is an indulgence letter to the Gertrude church in Køge in Zealand that he issued on 4 July 1408 from Roskilde. He called himself 'Friar Peter former bishop of Hólar' and had obviously retired.²⁷² The bishop's successor was provided with the diocese 'after his death', so seemingly Bishop Peter had not resigned his see for the Curia before he died shortly before 23 December 1411.²⁷³

The Last Papal Penitentiary for Dacia

Friar Peter Nicholasson, Bishop of Hólar, was apparently the last Scandinavian papal penitentiary.²⁷⁴ That there actually were Scandinavian penitentiaries at the Curia after his promotion to Hólar cannot be excluded, taking into consideration the archival situation during the Great Schism. The Icelandic bishop and scholar Finnur Jónsson who in the years 1772-1776 published the history of the Icelandic church in Latin, stated that the regular Augustinian canon Árni Ólafsson who from 1414-1420 was bishop of Skálholt had been a papal penitentiary.²⁷⁵ So far it has been impossible to substantiate this, and Finnur may have misunderstood a notice in the Icelandic *Nýi annáll* which states that Arní was present at the funeral of Bishop Vilkin of Skálholt

²⁶⁹ Isl. ann.: 420.

²⁷⁰ Isl. ann.: 423.

²⁷¹ Isl. ann.: 423; Sigurdsson 2006: 159. Bishop Peter, the priests, and the congregation of Hólar received their part of catastrophes when on the 4th day of Christmas 1393 the cathedral and its tower fell down and one deacon who was inside the church died. Isl. ann.: 285; Munch 1862-1863: 372.

²⁷² DD IV: 11 no. 350 accessed at <http://dd.dsl.dk/diplomer/08-070.html> 17 June 2007.

²⁷³ DN XVII nos. 366, 969.

²⁷⁴ Bull 1910: 372.

²⁷⁵ Jónsson 1772-1776, tom. II: 466-467.

Table 1. Recorded Career of Papal Minor Penitentiaries for Dacia

Popes	Minor penitentiaries for <i>Dacia</i>	Religious Order	First time mentioned	Service in the Apostolic Penitentiary	Other career
Urban IV (1261-1264)	1. Herman of Visby	O. P.	15 March 1263	1262? – 1 July 1264	Papal nuncio
Gregory X (1271-1276)	2. Nicholas of Dacia	O. P.	1260	1272	Norwegian nuncio? Lecturer in Lund? Provincial prior
Boniface VIII (1294-1303)	3. Henrik	O. F. M.	1298	1298	Bishop of Reval
Clement V (1305-1314)	4. Nicolaus Ripensis	O. P.	1313	C. 1309 – 1313	Prior of Ribe Bishop of Tartu (Dorpat)
John XXII (1316-1334)	5. Peter of Dacia	O. P.	7 August 1316	7 august 1316 – 1319	Professor of the Friar Preachers Papal nuncio and collector Bishop of Roskilde
	6. Jens Nyborg	O. P.	3 March 1324	3 March 1324 – 1330	
Benedict XII (1334-1342)	7. John of Åbo	O. P.	9 June 1333	9 June 1333 – 1337/1338	Confessor of Magnus Eriksson?
	8. Peter of Åbo	O. P.	23 June 1338	23 June 1338 - 1347	Bishop of Stavanger Bishop of Oslo
Clement VI (1342-1352)	9. Sigfrid Hennikesson	O. P.	23 May 1334	5 September 1347 - 1351	
Innocent VI (1352-1362)	10. Nicholas Asmundsson	O. P.	1 September 1352	1 September 1352 - 1361	Lecturer, sub-collector Confessor of Magnus Eriksson Bishop of Linköping
	11. Gotskalk Falkdal	O. P.	1326	31 December 1362 - 1363	
Urban V (1362-1370)	12. Benedict Ringsted	O. P.	1357	14 March 1364 - 1370	Bishop of Bergen
Gregory IX (1370-1378)	13. Jakob Jenssen	O. P.	2 March 1370	2 March 1370 - 1371	Bishop of Bergen
Urban VI (1378-1389)	14. Michael Magnussen	O. P.	12 April 1372	12 April 1372 - 1382/83	Bishop of Skálholt
	15. Peter Nicholasson	O. P.	1391	1383? - 23 January 1391	Assistant lecturer of sentence, Canterbury Bishop of Hólar

in Bergen in 1405 and then became 'penitentiary for all Norse men'. There seems to have been a synod of the Norwegian church in Bergen this summer, and Arní probably received the assignment in this connection. There is, however, no evidence of him staying in the Curia before he on 24 July 1414 was provided bishop to Skálholt.²⁷⁶

During the Council of Konstanz no papal penitentiaries were provided. After that the Danish Franciscan friar and baccalaureus Hemming Boeson (Boethius) represents an exception to a dying institute. In 1425 he was given an office as papal penitentiary on the request of Erik the Pomeranian. The king's supplication was probably delivered when Erik applied to visit the Holy Sepulchre in Jerusalem.²⁷⁷ The evidence on this penitentiary is sparse.

The reasons for the province *Dacia* no longer having a minor penitentiary at the Curia should probably be sought in Rome. The institute of papal penitentiaries had been subject to criticism. While the popes stayed in Avignon there were papal penitentiaries in the apostolic basilicas in Rome who belonged to the corps of papal *penitentiaries minores* and had the same authorisation as those who served in the Curia.²⁷⁸ But they were reported to break the rule of not accepting money from the penitents and having absolved heretics and rebels in Italy in cases which were reserved for the Pope; some of the rebels were probably followers of Ludwig the Bavarian. But also the papal penitentiaries at the Curia in Avignon were criticised. Alvarus Pelagius meant that they were too lenient concerning dispensations for concubines.²⁷⁹

When the Schism broke out, several of the penitentiaries who had remained in Avignon stayed with Pope Clement VII according to the camp to which their national rulers belonged. According to Dietrich of Niem, Pope Urban VI was left with Germans, English, Bohemians, and Hungarians as officials and had to provide a lot of 'new men' to the Camera, the Penitentiary, and the Chancery. The Avignon-popes also tried to be represented in Rome itself by providing penitentiaries there.²⁸⁰ The

²⁷⁶ DN XVII no. 368.

²⁷⁷ DN XVII no. 437. Erslev 1901: 104-108.

²⁷⁸ Rehberg 2003: 96-114 gives an overview of the minor penitentiaries in Rome during the Avignon period. One of them is the confessor of Birgitta Ulfsdotter, Magister Peter Olofsson.

²⁷⁹ '*Sic servat stilus curie, sicut in officio penitentiarie d. pape fui expertus, qui multas literas dedit clericis concubinariis Hispanie, ut cum eis sui episcopi super irregularitate sic contracta auctoritate mea dispensarent.*' Göller 1907: 202-203 and note 1; Vincke 1938: 419.

²⁸⁰ Majic 1955: 138-139 maintains that these provisions had no practical results. They received, however, extended authorities which presumably could be used in other contexts.

number of authorised papal penitentiaries rose, caused by the penitentiaries at the Roman basilicas working together with the curial ones. Also the critic of the penitentiaries continued. One concern, which was raised by the conciliar movement, was the general growth of the papal bureaucracy.

The Scandinavians' need for papal absolution continued, however. Most penitents had the same language problem as before in making themselves understood when they confessed their sins. In 1435, the head of the Birgittine hospital in Rome therefore obtained the right from Pope Eugene IV to absolve Scandinavian penitents of some of their sins, and communicate the reserved cases to the papal Penitentiary and a court under the leadership of the grand penitentiary.²⁸¹ The Pope then abolished the office of a particular Scandinavian papal penitentiary, and reduced the number of minor penitentiaries in the Curia to eleven.

The provisions and the delegation of absolutions to the Birgittines were some of Pope Eugene IV's attempts to gain influence in the Norwegian church. He provided some of his non-Scandinavian papal penitentiaries to Norwegian dioceses from 1432 – 1435:

The Minor Friar John Erker de Moys, apostolic penitentiary in one of the apostolic basilicas in Rome (*basilica principis apostolorum*), was on 5 July 1432 provided to the bishopric Gardar in Greenland.²⁸² This episcopal see was at the time a church without a congregation, as the last Norse settlement was mentioned in 1411. Gardar was therefore also a church without the need of a shepherd.²⁸³ Bishops who were provided to Gardar may have received some income from Greenland by the hunt for fur and ivory from walrus. In respect to their spiritual tasks they may be considered as suffragans along with the bishops to Oriental dioceses that had come under the rule of Islam and only possessed their title and consecration (*episcopi in partibus sc. infidelium*). In Germany, England, and Scandinavia they performed episcopal duties on behalf of other bishops as *vicarii in spiritualibus et pontificalibus*.²⁸⁴ Whether Friar John Erker continued as a papal penitentiary or was used as a suffragan is unknown, but there is no more evidence on him from Scandinavia.

The English Carmelite John Bloxwich became a papal penitentiary on 31 January 1433.²⁸⁵ When the English-born bishop John Craxton of Hólar in Iceland was

²⁸¹ DN XVII no. 1023. Gallén 1968: col. 177.

²⁸² DN XVII nos. 493 (1006), 498.

²⁸³ Seaver 2006: 244-251.

²⁸⁴ Sägmüller 1909: 418; Feine 1972: 276-277; Smith 1982: 17-20; Eldbjørg Haug 2006: 276-277

²⁸⁵ DN XVII B: 277-278.

transferred to Skálholt 5 January 1435, Pope Eugene IV provided this penitentiary to Hólar.²⁸⁶

The Minor Friar John Scheffchin became a papal penitentiary on 31 January 1434. Exactly one year later, Pope Eugene IV provided him as bishop to the Faeroes (31 January 1435).²⁸⁷ He was driven away by the Swedish Birgittine priest Hemming, who was consecrated as bishop by Archbishop Aslak Bolt around 1441.²⁸⁸ John Scheffchin was present in Bergen in 1446, half a year later he obtained a benefice because he had been driven away by a man called Godswin.²⁸⁹ It is doubtful that this man existed; contrary to the two others he is not mentioned in the Faroes list of bishops. Anyway, Friar John was a foreigner and had probably no local support as bishop.

Concluding Remarks

This article has focused on a sample of a medium stratum in the papal Curia which is possible to identify and give a face. We are now able to tell more of the history of the relations between *regnum* and *sacerdotium* through the history of individual actors in the service of their popes or kings. The minor papal penitentiaries were high enough in the curial hierarchy to have the ears of popes and cardinals. They were also recruited from an echelon close to the kings of their homeland. Last, but not least, the papal penitentiaries were unique in the Curia by having duties which were strictly sacramental, connected to the confession. By adopting a biographical and contextual approach we have succeeded in giving a new angle to the dynamics between the papacy and the Scandinavian monarchs in the 13th and 14th century. The study has focused on a period which starts when the papal monarchy was fully developed and the struggle between pope and emperor finished. It stops before the reform councils had ended; in many respects they for a while reduced the pope to an Italian prince.

The three Scandinavian kingdoms, Denmark, Norway with Iceland and the Atlantic islands, and Sweden with Finland were geographically peripheral to the papacy, whether situated in Rome or Avignon. This study started with some questions and a hypothesis that the Scandinavian papal penitentiaries were intermediates between this periphery of Christendom and the focal point of European politics in the 13th and 14th centuries, and that it contributed to the centralisation of the church.

²⁸⁶ DN XVII no. 519, 520. Hamre 1972.

²⁸⁷ DN XVII B: 290, DN XVII no. 523, 524.

²⁸⁸ DN XVII B: 292.

²⁸⁹ DN XVI no. 161. Andreas Haug and Kruckenberg 2006: 189.

We are now able to answer the questions and draw some conclusions. It is then necessary to give a sketch of the development of the papal monarchy in the centuries before our study starts. Its roots go back to the Early Middle Ages, when the popes had to defend Rome and large parts of Italy on behalf of an absent emperor. The papal monarchy had been developed in the struggle between the emperors and the popes. *Libertas ecclesia* meant a deliberate decentralisation strategy to free the local churches from their dependence on their monarchs – by introducing canonical elections to the bishoprics and creating new provinces which were independent of the emperor or monarch supporting him and loyal to the pope. A hierarchical structure had thus been built up with the pope as its peak leader. Far more strikingly, the church developed two effective repressive mechanisms: crusade and inquisition. The Dominicans were instrumental in both, as preachers and inquisitors. The crusades meant taxations, and the popes developed an advanced administration, the Apostolic Curia, which were more or less finished in the first half of the 13th century. The canonical elections of bishops had been a part of the strategy. But the popes never gave up their rights to provide bishops in certain cases, and extended this right in the 14th century until it became the rule of bishop successions.

Göller proved that the career of the Scandinavian penitentiaries whom the pope provided to bishops in the 13th and 14th centuries were not unique, and thus answered one of our initial questions. When seeing the provisions in retrospect, an observation is that none of the nine who became bishops were elected by local chapters, they were provided by the pope. The reasons were that there had not been a canonical election, as in the case of Reval or that the pope had reserved the bishopric for his provision. It is wrong to see the papal penitentiaries as hunting for vacant offices, as indicated by the first scholars who studied these bishops. In the 14th century the penitentiaries were popular, and they were welcomed by the monarchs as bishops. Apart from Gotskalk Falkdal, Linköping,²⁹⁰ and Michael Magnussen, Skálholt, the same can be said of the local churches.

From the pope's point of view these bishops played a role in how the local church was organized. In the Baltic it is significant that they were always faithful to the interests of the pope as opposed to the Emperor, or the Teutonic Order. Those who became bishops did not climb to the very top of a church province, but were still crucial in the policies of the Scandinavian kings.

The study has substantiated our hypothesis; the Scandinavian bishops with a background from the Apostolic Penitentiary closed the gap between the Nordic Countries and the Holy See. The first known Scandinavian papal penitentiary is an

²⁹⁰ Herman Schück 1959: 85-86.

example of this. Although the evidence on Friar Henrik of Visby is sparse, he interacted on the papal and royal side in the first Danish Church Strife. Control of the Baltic seems to be an important aspect of the recruitment to the Curia in the 13th century, as well as the provisions of the only Franciscan friar as a Scandinavian papal penitentiary to the see of Reval, and Nicholas of Ribe to Tartu. The Scandinavian penitentiaries are thus an aspect of the papal answer to the German drive to the east. In the 14th century, when the organisation of the Apostolic Penitentiary was more elaborated and our sources become better, those who became bishops played an important role in the church policy of King Magnus Eriksson. Those who were recruited to the episcopal sees of Bergen, Skálholt and Hólar in the Norwegian church province fit in with Queen Margaret's general church policy in Norway: During the Schism she cooperated with the Roman pope who in return placed loyal men at Norwegian episcopal sees through papal provisions. And this policy also strengthened the Norwegian church.²⁹¹

The religious orders dominated the recruitment to the Apostolic Penitentiary. Besides Dominicans there were Carmelites, Augustinian hermits and Franciscans. Of these, the Augustinians were not present in Scandinavia, and the Carmelites were only in Denmark and never numerous. This is in sharp contrast to the Order of the Friars Preachers, which was the most numerous religious order in the North. The Dominicans recruited all the Scandinavian papal penitentiaries with only one exception. Although it has been possible to find some more papal penitentiaries than we knew before this study, and also to identify some of them closer, their belonging to the Dominicans is no surprise. The 13th and 14th centuries were the order's flourishing period. Not until we reach well into the 15th century with Pope Eugene's efforts in Scandinavia is there a change in the orders to which the penitentiaries belonged. But these penitentiaries were foreigners, and their provision had no local support.

A characteristic of the mendicant orders was their international orientation. The friars expected their members to be available for transfer between houses and, if necessary, between countries and continents. As Scandinavian penitentiaries they knew the languages, but to which nation they belonged by birth was less important. The emphasis historians in the 19th – and to some extent also in the 20th century – placed on the nationalities of the bishops as a sign of Danish or other nations' supremacy does not catch the essential facts: the penitentiaries were highly esteemed, and the kings welcomed them to bishoprics within their kingdoms.

²⁹¹ Eldbjørg Haug 2006: 300-309.

Our knowledge of the penitentiaries in the Apostolic Curia in the last part of the 13th century is small. One of the reasons is the political situation in Rome that the popes were always dependent on. Although the struggle between pope and emperor was history, French influence now played a larger part. Many of the popes were French, and most of them resided outside of Rome. The Avignon-period meant that the papal monarchy finally could rule the church.

Apart from Pope Eugene's provision to Hólar during the Council of Basle, his other efforts were in vain. An important precondition for the papal earlier provisions was missing: there was no party in Scandinavia who was interested in papal policies. The Scandinavian churches had for all practical purposes broken the relations with the pope when the Council of Basle started. The contact was not renewed before the radical reform council of Ferrara ended in 1449.²⁹² King Magnus Eriksson, King Valdemar Atterdag, King Håkon VI, Queen Margaret, and King Erik the Pomeranian had all cooperated with the Pope in the provision of bishops. But in the 1430s King Erik had to face rebellions in all his kingdoms, first Sweden, later Denmark, and finally Norway. The axis Scandinavia – Rome was broken.

The hypothesis for this study is substantiated; the Scandinavian papal penitentiaries were important men both to the popes and the North and contributed to a further integration of the church. Some issues may bring us further in understanding the dynamics in the relationship between the pope and the North. This study has only to a limited extent taken advantage of results from other linguistic areas which were represented in the cosmopolitan Apostolic Penitentiary. A comparative study of papal penitentiaries from other provinces is therefore a natural first task.²⁹³ The second is a more systematic review of the documents from all the Nordic countries on papal dispensations and other tasks which the papal minor penitentiaries had the authority to decide. The two approaches will bring more insight into the penitentiaries at work in the Curia. Two more issues are the papal taxation and the papal nuncios to Scandinavia. There is a lot of research on these questions, but mostly from the point of view of one church province.²⁹⁴ The research on the papal legates has tended to centre on the time before c. 1250. The nuncios and legates were mostly sent to all Scandinavian churches, and the papal taxation was not a local problem. In this study we have seen that some penitentiaries arrived in the North as nuncios, but also that there were nuncios who were

²⁹² Lindhardt 1907: 92; Brilioth 1941; Hamre 1955: 460-462; Eldbjørg Haug 1998: 135.

²⁹³ Vincke 1938; Majic 1955; Tamburini 1997; Plöger 2005.

²⁹⁴ Munch 1864; Moltesen 1896; Brilioth 1915.

not minor penitentiaries. A comprehensive study on these issues from a Nordic point of view will bring us further.

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Sammendrag

En svenske og fire dansker som paven providerte til biskoper i den norske kirkeprovinsen i andre halvdel av det 14. århundre hadde til felles at de hadde vært pavelige skriftefedre eller mindre-pønitiariere for språkprovinsen Dacia. Artikkelen søker å klarlegge hvorfor de pavelige pønitiariere ble providert, hvorvidt de var avanserte prebendejegere i kurien og om deres karriere var enestående. For dette

formålet er det nødvendig med et større kronologisk spenn der den enkelte pønitesiers biografi står i sentrum.

Artikkelen tar utgangspunkt i organiseringen av det pavelige botskontor slik det kjennes fra begynnelsen av det 13. århundre. Hypotesen er at *de nordiske pavelige pønitiensiarene var mellommenn mellom en geografisk periferi og pavedømmet, og bidro til sentraliseringen av det pavelige monarki.*

Det apostoliske pønitiensariat, ofte oversatt med botskontoret, var den eneste avdelingen i kurien hvis virksomhet var knyttet til et sakrament, skriftemålet. De pavelige pønitiensiarene hadde spesielle oppgaver i tilknytning til sentraliseringen av botssystemet og pavens dispensasjonsrettigheter. Mindre-pønitiensiarene var underlagt en kardinal, stor-pønitiensiar. De tilhørte pavens nærmeste krets som hans *familiares* og stod først i rang etter kardinalene.

Rudolf Keyser mente utnevnelser av pavelige pønitiensiarer til norske bispeseter var et eksempel på den generelle åndelige nedgangstid som preget senmiddelalderen. L. J. Moltesen utnyttet som den første fra Norden forskeres adgang til Vatikanarkivet fra 1881. Emil Göllers uttømmende monografi om hele institusjonen har likevel vært grunnleggende for å forstå det relativt sparsomme materialet som vedrører Norden. Edvard Bull kunne plassere de pavelige pønitiensiarene blant kuralister som skyldte paven sin forfremmelse. Jarl Gallén har flere oversiktsarbeider over alle de nordiske pønitiensiarene i kurien. Han påviste at tiggerordenene fra første stund spilte en sentral rolle som nordiske pavelige pønitiensiarer.

Avignon-pavedømmet representerte den endelige organiseringen av mindre-pønitiensiarene som ble inndelt i 12 språkprovinser. Antallet vekslet mellom 12 og 19. Ved opptaket ble deres liv og lærdom undersøkt grundig. Kurien underholdt dem; det var forbudt å motta (penge)gaver.

Den nordiske språkprovinser fikk navn etter middelalderens navn på Danmark, *Dacia*. Grunnene var flere: Danmark var den nordiske stormakt i det 13. århundre, skandinaver ble ansett for å tale dansk, samtidig som skandinaverne forstod hverandre innbyrdes.

Den første skandinaviske pavelige pønitiensiar var Herman av Visby. De eneste kildene om ham er knyttet til den første kirkestriden i Danmark der han som pave Urban IVs utsending tar parti for Erik Glippings formyndere mot Jakob Erlandsen. Kildeknappheten om den neste, Nikolas av Dacia er stor, men spørsmålet reises om den danske provinsialprien kan være identisk med Håkon Håkonssons utsending i forbindelse med Magnus Lagabøters frieri til Ingeborg, datter av Erik Plogpenning. Fransiskaneren Henrik ble som pavelig pønitiensiar providert til biskop av Reval. De danske kongene hadde tidligere hevdet kollasjonsretten her. Men Henrik stod trofast på Erik Menveds side mot erkebiskop Jens Grand i den andre danske kirkestriden og

støttet kongens baltiske politikk. Også etterfølgeren i pønitiensariatet, Ribe-prioren Nikolas, fikk et bispesete i Estland. Men Tartu lå til Riga og tilhørte ikke den danske kirkeprovinsen, og biskopen synes ikke å ha spilt samme rolle som sin kollega. Hans residenstid falt sammen med den tredje kirkestriden mellom Erik Menved og erkebiskop Esger Juul. Disse mendikantenes virksomhet som pavelige pønitiensiarer er sparsomt opplyst av kildene. Det henger sammen med at pavene alltid var prisgitt de politiske forhold i Roma. Selv om striden med keiseren var over og det pavelige monarki ferdig utviklet, kom pavene i siste del av det 13. århundre under økende fransk innflytelse og residerte utenfor Roma. Først da pavene slo seg ned i Avignon kunne det pavelige monarki utfolde seg i praksis.

Med Avignon-pavedømmet vokser vår kunnskap om de skandinaviske pavelige pønitiensiarene. Peter av Dacia er den første av dem, men han døde på post etter 3 – 5 års tjeneste. Etterfølgeren Jens Nyborg ble derimot biskop til Roskilde. Her virket han i den danske kongeløshetsperioden og deltok i Valdemar Atterdags første restaureringsvirksomhet da han kom til makten i 1340. I det apostoliske botskontor ble han etterfulgt av fire svensker og en nordmann, John av Åbo, Petrus av Åbo, Nikolas Asmundsson, Sigfrid Hennikesson som ble biskop i Stavanger og litt etter translaterert til Oslo, og den danskfødte Gotskalk Falkdal (Mule) som ble biskop av Linköping. Biskop Sigfrids utnevning til biskop i Stavanger representerte den første pavelige provisjon til et norsk bispesete og den første taksering av inntektene fra bispedømmet. Biskop Gotskalk var særlig aktiv i å fremme Magnus Erikssons interesser vis-à-vis Albrecht av Mecklenburg. Han ble biskop nettopp som kongen mistet mesteparten av Sverige til sin nevø. Dermed lyktes ikke biskopen i å komme i besittelse av hele bispedømmet før i januar 1374 da han skiftet lojalitet til Mecklenburg. Hans etterfølger som pavelig pønitiensiar, Benedikt fra Ringsted, var i samme konvent i Stockholm som Gotskalk Falkdal. Han fulgte med pave Urban V til Roma da han forsøkte å flytte residensen tilbake. Mens paven var i Roma ble Benedikt providert til biskop i Bergen (1370), men betalte ikke servitier fordi bispesetet ennå ikke var taksert. Som biskop bila han striden mellom domkapitlet og Apostelkirken, som var et kongelig kapell, om rekrutteringen til deres respektive skoler.

De tre siste skandinaviske pavelige pønitiensiarene var alle danske dominikanere som endte sin karriere på et bispesete i den norske kirkeprovinsen. Men mendikantene var uhyre internasjonale i all sin gjerning, og nasjonal tilhørighet har neppe spilt noen rolle. Kongetroenskap var derimot viktig. Jakob Jenssen etterfulgte Benedikt Ringsted både i det pavelige botskontoret og som biskop i Bergen. Han er kjent for å ha vært en sentral støttespiller for Håkon VI og dronning Margrete, bl.a. som selsmann i Sunnfjord. Göllers påvisning av den neste pønitiensiares patronymikon har tidligere vært oversett: Michael Magnussen som ble providert av paven til bis-

kop i Skálholt. Den islandske samtidens negative omtale av ham har antakelig sammenheng med at han som biskop forsøkte å få kontroll over bispesetets *staðir* i henhold til Sættargjerden på Avaldsnes av 1297. Den siste skandinaviske pavelige pønitiensiar var Peter Nikolasson, som ble biskop i Hólar, også han utnevnt ved pavelig provisjon.

Det er flere trekk ved de femten skandinaviske pønitiensiarene som er slående. Bortsett fra fransiskaneren Henrik av Reval var alle de øvrige dominikanere. Ingen av de ni som ble biskoper var valgt av lokale domkapitler. Utnevnelsene til Reval, Roskilde, Stavanger, Bergen, Skálholt og Hólar var også de første pavelige provisjoner til bispesetene. Av deres virksomhet i kurien og som biskoper ses at de har hatt mektige støttespillere og stått kongene nær. Våre kunnskaper om de seks første (til og med Jens Nyborg) er knyttet til danske politiske forhold: arven etter Erik Plogpenning som er et sentralt tema i internordisk politikk i årene fremover, de tre danske kirkekampene, Erik Menveds baltiske politikk og den danske kongeløshetsperioden.

Så skifter det maktpolitiske tyngdepunktet til den norske og svenske kongen Magnus Eriksson. Men da mesteparten av Sverige falt i hendene på mecklenburgerne i 1163, gjenstod den norske kirkeprovinsen som stabil og mest attraktiv for de nordiske pavelige pønitiensiarene. Det blir biskopene som provideres under Håkon VI Magnusson og dronning Margrete som lojalt tar del i hennes vei til makten. Et argument for hvor vel ansett pønitiensiarene var er at det ikke synes å ha vært konflikter i den lokale kirken eller kirkeprovinsen som sådan i forbindelse med bispeprovisjonene. Unntakene er biskopene Gotskalk Falkdal av Linköping og Michael Magnussen av Skálholt.

Fra pavedømmets synspunkt spilte disse biskopene en rolle i den lokale kirkeorganisasjon. Vi ser at de alltid var lojale i forhold til pavens interesser. I de baltiske bispedømmene gjør dette seg gjeldende i forhold til Den tyske orden, som ikke drev karitativ virksomhet og kun opererte som en militærorden i Sverdridderordenens gamle område. Men lojaliteten til paven kan være en forklaring på Linköping-biskopen Gotskalk Falkdals skiftende lojalitet, fra Magnus Eriksson til Albrecht av Mecklenburg, for å komme i besittelse av sitt bispedømme. Hypotesen om at de pavelige pønitiensiarene var mellommenn mellom en geografisk periferi og det kirkepolitiske sentrum er således underbygget gjennom denne undersøkelsen.

Var det flere nordiske pavelige pønitiensiarer? Det store skisma og reformkonsilene som fulgte representerte et skille. Finnúr Jónssons påstod at augustinerkanniken Arne Olavsson som ble biskop i Skálholt, var pavelig pønitiensiar, men dette avvises. Han har derimot vært pønitiensiar i Nidaros. I 1425-årene utnevnte pave Eugen IV fransiskaneren Hemming Boesen til pavelig pønitiensiar uten at mer er kjent ut-

over dette. Noe av behovet for nordiske pavelige skriftefedre ble antakelig dekket da birgittinerkonventet i Roma fikk myndighet til å absolvere skandinaviske pilegrimer og formidle saker utenfor dets myndighet til det apostoliske botskontor.

Under Basel-konsilet utnevnte paven pavelige pønitensiarer som tilhørte andre språkprovinser, til bispesetene på Grønland, Færøyene og Hólar på Island. Gardar-biskopen var på denne tiden en ren titulær-biskop. Færøy-biskopen ble fordrevet etter noen år, og bare biskopen i Hólar ser ut til å ha fungert i embetet.

Artikkelen tar til slutt til orde for en systematisk gjennomgang av saker i de tre kirkeprovinser som krevde pavelig dispensasjon, eventuell absolusjon. Også en gjennomgang av den pavelige beskatningen i hele Norden og pavelige delegater i perioden kan gi større sammenheng og bedre forståelse av den pavelige sentraliseringen som også Norden ble en del av.

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