

Monika Saczyńska-Vercamer

Uncommon everyday married life in supplications from the province of Gniezno to the Apostolic Penitentiary in the fifteenth century

Abstract: The Apostolic Penitentiary, besides clerical, Church and religious matters, also dealt with matrimonial matters. The jurisdiction of the Apostolic Penitentiary included mainly granting dispensations from matrimonial impediments, but also absolution when the marriage was contracted with the knowledge of the existence of an impediment and resolving doubtful or unclear cases. The most common marriage problem in the province of Gniezno was the impediment of consanguinity in 4th and 3rd degrees. However, among the marriage cases we also find stories of domestic violence, complicated arrangements between relatives, acts of bigamy and love stories. All this took place in relatively narrow groups of cousins and people related by affinity to each other.

Abstrakt: Penitencjaria Apostolska oprócz spraw duchowieństwa, Kościoła i religii, zajmowała się także sprawami małżeńskimi. Do kompetencji Penitencjarii należało głównie udzielanie dyspens od przeszkód małżeńskich, ale także absolucji, gdy zawarto małżeństwo ze świadomością istnienia przeszkody oraz rozstrzyganie spraw wątpliwych lub niejasnych. Najczęstszym problemem małżeńskim w metropolii gnieźnieńskiej była przeszkoda pokrewieństwa w stopniu czwartym i trzecim. Wśród omawianych kwestii znajdują się także wątki dotyczące przemocy w rodzinie, skomplikowanych układów między krewnymi, aktów bigamii i historie miłosne. Wszystko to rozgrywało się w stosunkowo wąskich grupach osób spokrewnionych i spowinowaconych ze sobą.

Key words: marriage, marriage impediments, everyday life, Apostolic Penitentiary, supplication, Middle Ages

Słowa kluczowe: małżeństwo, przeszkody małżeńskie, życie codzienne, Penitencjaria Apostolska, supliki, średniowiecze

“All happy families are alike, while every unhappy one is unhappy in its own way.” These words date from the 19th century,¹ but they reflect a universal truth. Happy families do not leave many traces in the sources. Complications of family life, on the other hand, often end up in court. So although we trace individual cases, these are all families in a moment of crisis, while the happiness of everyday life disappears from our sight.

In the late Middle Ages, matrimonial cases came within the jurisdiction of ecclesiastical courts. Information on many of family dramas is, therefore, found in the records of the episco-

¹ Leo Tolstoy's novel *Anna Karenina* was written between 1873 and 1877.

² This material has already been studied by Polish historians. In general terms, this subject was explored by, among others, Małgorzata Delimata (Delimata M. 2005; Delimata M. 2008) and Izabela Skierska (Skierska I. 2014). Cases from the Lublin episcopal court were examined by: Piotr Hemperek (Hemperek P. 1970) and Grzegorz Jawor (Jawor G. 1986/1987); from Lviv episcopal court by Aleksandra Książkiewicz (Książkiewicz A. 2008) and from Poznań by Magdalena Biniś-Szkopek (Biniś-Szkopek M. 2018; Biniś-Szkopek M. 2019).

pal courts.² Some matrimonial cases appertained to the papal reserves and had to be referred the Apostolic Penitentiary. This office, which originated in the 12th century, granted absolution from grave sins, dispensations from the observance of certain orders and regulations, licences to enjoy special privileges, and papal declarations in cases in which the guilt of the suppliant was not clear according to canon law.³ The thematic range of matters under the authority of this pontifical office was derived from the field of interest of canon law and therefore included, besides clerical matters, the rights of the Church and the protection of the purity of religion, which also encompassed matters of marriage.⁴ For me, the cases concerning marriage and family are particularly interesting. Using the example of supplications from the province of Gniezno, I will show what information on married life we can find in the files of the papal office.

My conclusions are based on registers of supplications entered in the oldest series of files of the Apostolic Penitentiary (*Registra Matrimonialium et Diversorum*).⁵ The nature of this type of source creates significant challenges for the researcher. The original registrar entered only basic details and removed any unnecessary ones. The history of individual persons was reduced to dry facts presented in the fixed form of an entry (a much-abbreviated copy of the original petition). Additional information was cited only when it was necessary for the case at hand. Hence, we get only crumbs of everyday life from which we can try to reconstruct a broader picture. We get the most detail from the supplications for papal declarations (*de declaratoriis*). This was due to the very nature of this type of request. A papal declaration established the innocence of a suppliant in a particular situation. The concept of guilt was complex in canon law. A number of circumstances mitigated responsibility for an act. While a perpetrator did contribute to a crime because something happened as a result of his actions, he was not responsible for a tragic outcome if he was not aware that his actions would lead to a tragedy.⁶ For this reason, the supplica *de declaratoriis* gave all the details that could prove innocence or lack of responsibility for the effect.

The jurisdiction of the Penitentiary included the granting of dispensations from matrimonial impediments — the category *de matrimonialibus*), also absolutions when marriages were contracted with the known existence of an impediment — these matters were registered under *de diversis formis* and the resolution of doubtful or unclear cases — in the category *de declaratoriis*.⁷ In the 15th century, the number of matrimonial cases processed by the Penitentiary within the European sphere was clearly increasing, as evidenced by the increasing number of *de matrimonialibus* cases (the most numerous group of matrimonial cases). During the pontificates of Callixtus III (1455–1458) and Pius II (1458–1464), the number of supplications *de matrimonialibus* constituted less than 27% of all supplications submitted to the Penitentiary. However, during the pontificate of Innocent VIII (1484–1492), it increased to over 44%.⁸

³ On the development of the office and its competences see: Salonen K. 2011, pp. 40–42, 58–77; in Polish literature: Steczkowski P. 2013, pp. 67–118; Saczyńska-Vercamer M. 2021, pp. 43–75.

⁴ From the pontificate of Callixtus III (1455–1458), cases were listed in the registers of the Penitentiary under six categories: *de matrimonialibus*, *de diversis formis*, *de promotis et promovendis*, *de defectu natalium*, *de uberiori*, *de confessionibus*. From the pontificate of Pius II (1458–1464), the category *de declaratoriis* was also distinguished by containing papal declarations, but it was thematically identical with the category *de diversis formis*, Saczyńska-Vercamer M. 2021, p. 88.

⁵ The existing volumes date from the years: 1410–1411, 1438–1443, 1448–1503 (with minor gaps). It is now considered a complete collection as the registers of the Penitentiary in the 15th century were kept intermittently in its first half and systematically only from 1448 onwards, Saczyńska-Vercamer M. 2021, pp. 80–85.

⁶ Salonen K. 2002, pp. 73–75.

⁷ This division has not always been consistently observed in the registers of the Penitentiary. Nevertheless, it shows the types of papal documents applied for by fiancés/spouses, namely dispensations, absolutions and papal declarations.

⁸ Salonen K., Schmugge L. 2009, p. 19, Table 1.

The European average for the period 1455–1492 was 36.8%.⁹ However, the situation differed from one area to another due to local circumstances; these might include local interpretations of canon law, the social acceptance of various norms, the possibility of resolving some cases locally, the opportunity of sending supplications to Rome, etc. Among the supplications from German territories for the period 1455–1492, we note an average of 24.4% of *de matrimonialibus* cases (from 17% for Callixtus III to 31% for Innocent VIII).¹⁰ For England and Wales in the same period, we note 27.8% of *de matrimonialibus* cases (from 12% under Pius II to 33% under Innocent VIII).¹¹ Much higher percentages are recorded for Italy. During the pontificate of Callixtus III, 40% of Italian supplications were matrimonial matters, while during the pontificates of Sixtus IV and Innocent VIII, two-thirds of Italian supplications were matrimonial matters.¹²

For the 15th century, there are almost 1300 supplications — of all types — from the province of Gniezno. Depending on the pontificate, they represent from 0.5 to more than 2% of the cases handled by the Penitentiary.¹³ Among these supplications, unlike in the European average, there were very few *de matrimonialibus* cases. In the period 1455–1503, only 78 supplications *de matrimonialibus* were sent by the inhabitants of the province of Gniezno to the Penitentiary, which represents 7.7% of the total number of supplications from that province (from 2.5% under Pius II to over 12% under Innocent VIII).¹⁴ In addition, there are also 12 matrimonial cases recorded in *de diversis formis* and 16 in *de declaratoriis* sections, making the total of 106 matrimonial cases from the Gniezno province.

The competence of the Apostolic Penitentiary in matrimonial matters was clear from the scope of canon law's interest in this sphere of life. Canon law defined in which cases and in what way a marriage might take place and what obstacles prevented it. The legal rules on marriage were clarified during the pontificate of Alexander III (1159–1181).¹⁵ The decisions he outlined were only changed — for most Catholic territories — by a decree of the Council of Trent.¹⁶ The basic rules for a legitimate marriage were as follows. Any Christian man could marry any Christian woman if both had reached the age of majority. For the act of promise of marriage (*sponsalia de futuro*) this age was set at 7 years for both fiancés and for the act of marriage (*sponsalia de praesenti*) at 14 years for men and 12 years for women. The free declaration of consent *per verba de praesenti* by the fiancées established a legitimate marriage from the point of view of canon law. However, a freely expressed will to marry in the future, *i.e.* a promise to marry *per verba de futuro*, also established a legitimate marriage if it was followed by a sexual act.¹⁷

The Fourth Lateran Council obliged local parish priests to check whether there were any impediments according to canon law between persons wishing to marry (canon 51).¹⁸ It restricted the impediment of consanguinity to the fourth degree (canon 50). It introduced the requirement to make announcements (canon 51) and it also prohibited charging of fees by

⁹ The chronological scope was determined, on the one hand, by the moment when the *de matrimonialibus* category was introduced into the registers of the Penitentiary (Callixtus III) and, on the other, by the general data available in the literature for the whole of Europe (Innocent VIII).

¹⁰ Based on: RPG. 2001–2008, vol. 3–7.

¹¹ Based on: Supplications. 2012–2014.

¹² Salonen K. 2002, p. 112.

¹³ Saczyńska-Vercamer M. 2021, pp. 107–108.

¹⁴ Based on: APA, Reg. Matrim. et Div., vol. 5–26, 28–41.

¹⁵ Brundage J.A. 1986, p. 59; see also: Donahue Jr. Ch. 1976, pp. 251–281.

¹⁶ Decree *Tametsi* (Session XXIV, Sept. 11 1563); see: Dokumenty. 2007, pp. 720–733.

¹⁷ Donahue Jr. Ch. 1983, pp. 144–145.

¹⁸ Dokumenty. 2004, pp. 293–294.

the clergy on the occasion of marriage as well as when administering other sacraments (canon 66).¹⁹

The main impediments to marriage were: consanguinity (*consanguinitatis*),²⁰ affinity (*afinitatis*),²¹ spiritual kinship resulting from assisting together at the sacraments (*cognatio spiritalis*),²² legal kinship, but also the impediment of public decency (*publicae honestatis iustitia*). This last relationship arose between the families of the fiancées even if the marriage was not concluded, for example due to the death of one of the fiancées, but breaking of the betrothal. In addition, the following constituted an impediment to marriage: a previous reception of holy orders, a previously contracted marriage, compulsion to marry.²³

The most frequent marriage problem both in the province of Gniezno and on the European scale was the obstacle of consanguinity in the 4th and 3rd degree.²⁴ Most supplications submitted to the Penitentiary included a request for a dispensation from this impediment. This indicates the existence of a phenomenon in which marriages took place within a circle of relatives, with the relationships going back four generations, *i.e.* to great-great-grandparents. This may have been due to the relatively limited possibilities of finding a suitable spouse and/or circulating in relatively narrow circles. Such was the case for the marriage of Andrzej Świdwa of Szamotuły (died in 1511) and Katarzyna Oleśnicka (died after 1517), both of whom descended from Dymitr of Goraj. The spouses were related to each other in the 3rd and 4th degree.²⁵ For Andrew, Dmitri was a great-grandfather and for Catherine a great-great-grandfather.²⁶ This case shows that finding a spouse who properly matched the social background, wealth and interests of the family was not easy. A single marriage united families for many generations, theoretically excluding subsequent unions.²⁷ This problem was not just a concern of the aristocratic class. Małgorzata Kołacz-Chmiel points out that among peasants in Lesser Poland in the 15th century, over 80% chose a spouse from the neighbourhood.²⁸ It would have been impossible to avoid violating canonical norms in such a closely related community. Let us now examine the further examples of the everyday (or other than everyday) marital life of the inhabitants of the 15th century province of Gniezno.

In 1485, Sylwester Mayher of Nuremberg (diocese of Bamberg) and Dorota, daughter of Wojciech of Warsaw (diocese of Poznań) asked for a dispensation related to their intended marriage. Sylwester had previously married Catherine, sister of his current fiancée. But Catherine

¹⁹ Dokumenty. 2004, pp. 290–293 (canon 50 i 51), p. 310, 311 (canon 66).

²⁰ Dokumenty. 2004, pp. 290–293.

²¹ Numerous provisions dealt with the impediment of affinity, *e.g.*: X 4.14.1, Corpus. 1879–1881, vol. 2, pp. 700–701; in the *Corpus iuris canonici* there is also an *Arbor afinitatis*; see: Corpus. 1879–1881, vol. 1, pp. 1431–1432.

²² See also: X.4.11.1–8. and VI 4.3.3., Corpus. 1879–1881, vol. 2, kol. 693–696 and kol. 1068.

²³ Sallonen K. 2002, p. 111.

²⁴ Among the supplications from the Gniezno province, this number was as high as 70%. Also on a European scale, requests for dispensations from the obstacle of consanguinity clearly dominated and constituted more than a half of all supplications *de matrimonialibus*, as Kirsi Salonen estimates from a poll research. Sallonen K. 2002, p. 113.

²⁵ RPG. 2001–2008, vol. 6, No 1557.

²⁶ Pielas J. 2007, Table 1; Słownik. 2008, p. 785; see also: Dworzaczek W. 1959–1960, pp. 409–412; Garbacik J. 1959–1960, pp. 408–409; Jurek T. 2009–2010a, pp. 562–656; Jurek T. 2009–2010b, pp. 565–569; Jurek T. 2009–2010c, pp. 572–576.

²⁷ Maria Koczerska points out that in late medieval and early modern Poland the canonical norm was consistent with the secular norm. The circle of relatives covered by the right of succession in the collateral line reached eight degrees of kinship according to the Roman reckoning (4th degree of canonical comportment), Koczerska M. 1974, p. 23.

²⁸ Kołacz-Chmiel M. 2018, p. 82.

— *sicut Domino placuit* — died. So, Sylvester decided to marry his sister-in-law. However, such a union was forbidden by canon law, so the fiancés had to ask the Penitentiary for a dispensation. They received a positive decision.²⁹ There is a lot of information hidden in this relatively short and simple supplication recorded in this *de matrimonialibus* entry. We have here the attestation of strong contacts between distant cities. We can guess that they were initiated for commercial reasons. The cooperation must have been effective if it was decided to reinforce it with family ties. What is more, when death ended one marriage the parties were ready to maintain the already existing relationships. A pragmatic interpretation is possible. The continuation of a marriage between members of two families could simply have been beneficial for both families. Was there any deep affection behind all this? We do not know. Let us note, however, that in the supplication there is a request only for dispensation, and no request for absolution, which would have been necessary in cases where intercourse had occurred between the fiancés. So there was no love affair.

The matter of the classical marriage triangle is clearly described in an earlier supplication of 27 III 1482 (*de matrimonialibus*). The spouses from the diocese of Cracow, Marcin of Zielnik and Anna, had been united in passion while Marcin's wife was still alive and they had committed numerous acts of fornication. After the death of the wife, the lovers got married. In this case they asked the Penitentiary for a dispensation and an absolution, which they received.³⁰ This is the first case of this type which we find among the supplications from the province of Gniezno. In others, few in number, the same story was repeated. During a wife's lifetime, a husband had an affair and when his wife died, he wanted to marry his lover. The sin of adultery and the suspicion of murder hung over such a relationship, so each time the petitioners made special efforts to make very clear that the death was due to natural causes.³¹

On the pages of the registers of the papal office, we find not only the tragic figure of the betrayed wife (perhaps even murdered), but also husbands whose wives had become involved with other men and intended to or had committed bigamy. However, these cases are far more complicated than the bigamy cases that have come before the Episcopal Courts. In the supplication of 27 June 1490 (section *de diversis formis*), we read the story of a couple from Gdańsk, Mathias Schonywensteyn and Anna. Anna was once married to a certain George. However, he disappeared for a long time and everyone thought he had died somewhere in faraway lands. Anna, who was still a young woman, thinking she was a widow, married again. Twelve years after his disappearance, Anna's first husband George returned. He considered himself the legitimate spouse of his wife and began to assert his rights. Here we can wonder whether his zeal was dictated by his feelings for Anna, his offended male pride or some economic calculation. All we learn from the supplication is that George died during his efforts to regain his wife. Mathias and Anna testified that this was due to natural causes. This death simplified their situation, but at the same time brought suspicion of murder. They therefore ask the Pope to release them from any excesses, *i.e.* from the suspicion that they may have contributed to the death of George. They also asked to be allowed to remain in their marriage and for the legitimacy of their offspring to be confirmed.³²

We learn of another drama, probably one of many, from a modest supplication in the *de diversis formis* category. On 12 May 1475, Nicolas (son of Stanislaus) of Koziglinowo and Elisabeth had married in the diocese of Krakow and asking for dispensation and absolution gave a brief description of their case. Nicolas had seduced Elisabeth. However, he subsequently mar-

²⁹ RPG. 2001–2008, vol. 7, No 57 (21 II 1485).

³⁰ RPG. 2001–2008, vol. 6, No 1780.

³¹ RPG. 2001–2008, vol. 7, No 768 (23 VII 1488); No 805 (12 VIII 1488); No 943 (26 V 1489).

³² RPG. 2001–2008, vol. 7, No 2158.

ried her. He knew, nevertheless, that his father was Elisabeth's godfather. The couple came to have children. From this last fact, we learn that the supplication was made with some delay. The couple asked the Pope for an absolution and a dispensation so that they could legally remain in their union or enter into it anew; they also asked for confirmation of the legitimacy of the offspring.³³ The request for absolution was necessary because Nicholas knew of the spiritual bond between them. The question of the spiritual bond formed at the time of Elisabeth's baptism was not debatable. What is important in this matter is what has been passed over in silence. The euphemistic term "seduced" actually means rape. So, Nicholas raped his father's goddaughter. We can guess that their families were on good terms. The girl felt safe in the company of her almost-cousin and their families saw no danger in their close contact. Nicholas took advantage of this. When the affair came to light (maybe the girl got pregnant?) it was decided to save their honour. The girl was forced to marry the rapist. So it is a record of the brutal treatment of women and sexual violence among members of an extended family. The supplication does not mention a forced marriage, but only spiritual kinship. From this we can conclude that the whole situation was not perceived as coercion of the victim. Perhaps she was even considered lucky, since her honour was also saved. It is we — with our modern eyes — who see the tragedy of this story. What the girl actually felt, we will never know.

Finally, the last of the illustrative marriage stories, is also related to the obstacle of spiritual kinship. Gregory Suwoszangel and his wife, both from the Diocese of Włocławek, presented their doubts to the papal office (supplication under the category *de declaratoriis*). They had once concluded a marriage *per verba de praesenti* and consummated it. The spouses wished to remain married but noticed, they believe, an obstacle. Before their marriage, they had stood as godparents together, which they thought might raise an impediment of spiritual kinship. They asked for a declaration that there was no such thing between them and that they could stay in the marriage; the declaration was granted.³⁴ This is a very interesting case showing a local over-zealous interpretation of canon law.

Spiritual kinship arose between the godparent and the child and included the godparent's cousins. However, according to canon law, no spiritual kinship arose between the godparents themselves and holding a child together for baptism did not constitute a marriage impediment. In the public perception, however, the bonds between the godparents were strongly felt. The cited supplication proves in the Polish territories the great importance was attached to this relationship between the godparents.³⁵ It is also an indirect testimony to there being a local interpretation of the precepts of canon law, in this case that spiritual kinship was extended to a wider circle of persons than that recognised by the Church. The difference between canon law and social conviction led Gregory and his wife to seek a solution at the Penitentiary.

The above examples provide enough information for us to try to understand events behind submissions of supplications and create bases for reconstructing micro-histories. Were they exceptional? The cases described in supplications to the Penitentiary are 'crimes' that were discovered. It was a 'coincidence' or inquisitiveness and zeal of a local clergyman, or perhaps nosiness of neighbours that led to the discovery of a transgression and thus the preservation of information about it for eternity. There were probably more similar cases. These known from the files of the Apostolic Penitentiary should be treated as examples of marital problems occurring in the 15th century and of ways to resolve them. The solutions resulted from both the existing legal and moral situation.

The supplications in matrimonial cases from the Gniezno metropolis paint a picture of unions concluded within a relatively limited group of relatives and acquaintances (also godpar-

³³ RPG. 2001–2008, vol. 6, No 2528.

³⁴ RPG. 2001–2008, vol. 6, No 3748 (20 III 1482).

³⁵ Koczerska M. 1974, pp. 25–26.

ents). However, this restriction did not have to be equivalent to a geographical limitation. The choice of a spouse was dictated by social origin, wealth and family interests. This meant that the relevant social group, although limited in number, could reach, e.g. a distant town. In these rather closed communities, dramas of sexual violence, betrayal and forbidden love took place, intertwined with family interests and the imperative to preserve property and honour. The few testimonies that have been preserved in the files of the Apostolic Penitentiary provide a glimpse into family relations and testify to the complexity of human relationships.

A separate question, quite impossible to be adequately answered, is the scale of such problems in the society of the period. In this matter, we can rather discuss the scale of seeking legal solutions for these situations, i.e. sending certain cases to the Penitentiary. We discover the extent to which Polish matrimonial cases were fixed in the network of dependence to the Apostolic Penitentiary. The number of matrimonial cases from the province of Gniezno is very small — a little over 100 cases. It should also be emphasized that for inhabitants of the province of Gniezno contact with the Penitentiary, regardless of the type of a case, was very rare. This relationship was similar for the Penitentiary officials — supplications from the province of Gniezno disappeared in a multitude of Italian, French and German supplications. These numbers may indicate the relatively high independence of the province of Gniezno from the central authority, unlike in the case of many other ecclesiastical provinces. The further important research task is to conduct extensive comparative studies on the actual influence of the papacy on the communities of individual regions of Western Christian Europe.³⁶

Address of the Author:

dr Monika Saczyńska-Vercamer
Instytut Archeologii i Etnologii PAN
Al. Solidarności 105
00-140 Warszawa
msaczynska@wp.pl
<https://orcid.org/0000-0003-1316-6846>

BIBLIOGRAPHY

Archival sources

APA [Archivio della Penitenzieria Apostolica], Reg. Matrim. et Div. [Registra Matrimonialium et Diversorum], vol. 5–26, 28–41.

Printed primary and secondary sources

- Biniaś-Szkopek Magdalena. 2018. *Małżonkowie przed sądem biskupiego oficjła poznańskiego w pierwszej ćwierci XV wieku*, Poznań.
- Biniaś-Szkopek Magdalena. 2019. *Małżeńska przeszkoda impotencji i oziębłości płciowej w świetle akt poznańskiego konsystorza z XV wieku*, “Kwartalnik Historyczny”, vol. 126, fasc. 2, pp. 253–281, <https://doi.org/10.12775/KH.2019.126.2.02> (dostęp 24.09.2021).
- Brundage James Arthur. 1986. *Marriage and Sexuality in the Decretales of Pope Alexander III*, [in:] *Miscellanea Rolando Bandinelli Papa Alessandro III*, ed. F. Liotta, Siena, pp. 59–83.
- Corpus. 1879–1881. *Corpus iuris canonici*, vol. 1–2, ed. E. Friedberg, Leipzig.
- Delimata Małgorzata. 2005. *Wiarołomni mężowie przed polskimi sądami kościelnymi*, “Nasza Przyszłość”, vol. 104, pp. 247–258.

³⁶ One way of achieving this objective is to undertake further studies on supplicants from different regions of Europe.

- Delimata Małgorzata. 2008. »*Mulieres suspectae*« — przypadki niewiernych żon w aktach sądów w późnym średniowieczu, "Acta Universitatis Wratislaviensis", vol. 177, pp. 287–292.
- Dokumenty. 2004. *Dokumenty Soborów Powszechnych*, vol. 2: 869–1312, eds. A. Baron, H. Pietras, Kraków.
- Dokumenty. 2007. *Dokumenty soborów powszechnych*, vol. 4: 1511–1870, eds. A. Baron, H. Pietras, Kraków.
- Donahue jr. Charles. 1976. *The Policy of Alexander the Third's Consent Theory of Marriage*, [in:] *Proceedings of the Fourth International Congress of Medieval Canon Law, Toronto, 21-25 august 1972*, ed. S. Kuttner, Citta del Vaticano, pp. 251–281.
- Donahue jr. Charles. 1983. *The Canon Law on the Formation of Marriage and Social Practice in the Later Middle Ages*, "Journal of Family History", pp. 144–158.
- Dworzaczek Włodzimierz. 1959–1960. *Górka Łukasz h. Łódzia (1482–1542)*, [in:] *Polski Słownik Biograficzny*, vol. 8, ed. K. Lepszy, Wrocław, pp. 409–412.
- Garbaciak Józef. 1959–1960. *Łukasz Górka (z Górki) h. Łódzia*, [in:] *Polski Słownik Biograficzny*, vol. 8, ed. K. Lepszy, Wrocław, pp. 408–409.
- Hemperek Piotr. 1970. *Sprawy małżeńskie w oficjalacie okręgowym w Lublinie w XV w.*, "Roczniki Teologiczno-Kanoniczne", vol. 17, fasc. 5, pp. 27–44.
- Jawor Grzegorz. 1986/1987. *Obraz rodziny chłopskiej w Polsce XV wieku w świetle ksiąg oficjalu lubelskiego*, "Annales Universitatis Mariae Curie-Skłodowska", Sectio F, vol. 41/42, pp. 81–91.
- Jurek Tomasz. 2009–2010a. *Szamotulski Andrzej h. Nałęcz*, [in:] *Polski Słownik Biograficzny*, vol. 46, ed. A. Romanowski, Warszawa–Kraków, pp. 562–656.
- Jurek Tomasz. 2009–2010b. *Szamotulski Dobrogost Świdwa h. Nałęcz*, [in:] *Polski Słownik Biograficzny*, vol. 46, ed. A. Romanowski, Warszawa–Kraków, pp. 565–569.
- Jurek Tomasz. 2009–2010c. *Szamotulski Piotr Świdwa h. Nałęcz*, [in:] *Polski Słownik Biograficzny*, vol. 46, ed. A. Romanowski, Warszawa–Kraków, pp. 572–576.
- Koczerska Maria. 1974. *Rodzina szlachecka w Polsce późnego średniowiecza*, Warszawa.
- Kończ-Chmiel Małgorzata. 2018. *Mulier honesta et laboriosa. Kobieta w rodzinie chłopskiej późnośredniowiecznej Małopolski*, Lublin.
- Książkiewicz Aleksandra. 2008. *Sprawy małżeńskie w konsystorzu lwowskim w późnym średniowieczu*, "Nasza Przeszłość", vol. 109, pp. 287–292.
- Pielas Jacek. 2007. *Oleśnicy herbu Dębno w XVI–XVII wieku. Studium z dziejów zamożnej szlachty doby nowożytnej*, Kielce.
- RPG. 2001–2008. *Repertorium Poenitentiarie Germanicum*, vol. 3–7, eds. L. Schmutge et al., Tübingen–Berlin–Boston.
- Saczyńska-Vercamer Monika. 2021. *Władza i grzech. Supliki z metropolii gnieźnieńskiej do Penitencjarii Apostolskiej w XV wieku*, Warszawa.
- Salonen Kirsi 2002. *The Penitentiary as a Well of Grace in the Late Middle Age. The Exemplar of the Province of Uppsala 1448–1527*, Helsinki.
- Salonen Kirsi 2011. *The Apostolic Penitentiary and Violence in the Roman Curia.*, [in:] *Violence in the Medieval Clergy*, eds. G. Jaritz, A. Marianović, Budapest, pp. 17–28.
- Salonen Kirsi, Schmutge Ludwig 2009. *A Sip from the "Well of Grace". Medieval texts from the Apostolic Penitentiary*, Studies in Medieval and Early Modern Canon Law, vol. 7, Washington.
- Skierska Izabela 2014. *Rozwiązanie małżeństwa w Polsce późnego średniowiecza w świetle praktyki sądów kościelnych*, [in:] *Manželství v pozním středověku: rituály a obyčaje*, eds. P. Kras, M. Nodl, Praha, pp. 35–52.
- Słownik. 2008. *Słownik historyczno-geograficzny województwa poznańskiego w średniowieczu*, vol. 4, fasc. 4, ed. T. Jurek, Poznań.
- Steczowski Piotr. 2013. *Penitencjaria Apostolska (XIII–XVI w.). Powstanie, ewolucja, odnowienie*, Rzeszów.
- Supplications. 2012–2014. *Supplications from England and Wales in the Register of the Apostolic Penitentiary 1410–1503*, eds. P.D. Clark, N.R. Zutshi, vol. 1–2, Cantenbury–New York.

Niezwykłe małżeńskie życie codzienne w suplikach do Penitencjarii Apostolskiej z metropolii gnieźnieńskiej w XV wieku

Zakres tematyczny spraw podległych Penitencjarii Apostolskiej wynikał z zakresu prawa kanonicznego, obejmował zatem, oprócz kwestii dotyczących duchowieństwa, praw Kościoła i ochrony czystości religii, także sprawy małżeńskie. Te ostatnie są tematem niniejszego artykułu. Na przykładzie suplik z metropolii gnieźnieńskiej z XV wieku pokazano, jakie informacje na temat życia małżeńskiego znajdują się w aktach tego papieskiego urzędu.

Do kompetencji Penitencjarii należało głównie udzielanie dyspens od przeszkód małżeńskich, ale także absolucji, gdy zawarto małżeństwo ze świadomością istnienia przeszkody oraz rozstrzyganie spraw wątpliwych lub niejasnych. W drugiej połowie XV w. liczba spraw małżeńskich procedowanych w Penitencjarii w skali europejskiej wynosiła ok. 36%. Wśród suplik pochodzących z poszczególnych terenów notowane są jednak spore różnice. Największy procent spraw małżeńskich stwierdzono w suplikach z diecezji włoskich (pod koniec XV w. nawet ok. 2/3). Na tym tle wartości dla metropolii gnieźnieńskiej są niskie. W latach 1455–1492 supliki *de matrimonialibus* stanowiły 8,5% ogółu suplik z tej prowincji.

Podstawowe przeszkody małżeńskie to: pokrewieństwo (*consanguinitatis*), powinowactwo (*affinitatis*), pokrewieństwo duchowe wynikające z asystowania przy sakramentach (*cognatio spiritualis*), pokrewieństwo prawne, ale też przeszkoda przyzwoitości publicznej (*publicae honestatis iustitia*). Przeszkody w zawarciu małżeństwa stanowiły także: przyjęcie wcześniej święceń, wstąpienie w związek małżeński oraz przymus przy zawieraniu małżeństwa. Najczęstszym problemem małżeńskim, zarówno w skali metropolii gnieźnieńskiej, jak i w skali europejskiej, była przeszkoda pokrewieństwa w stopniu czwartym i trzecim.

Wśród analizowanych suplik pojawiają się także opowieści szczególne, dotyczące przemocy w rodzinie, trudnych układów między krewnymi (małżeństwo z krewną żoną), aktów bigamii i historie miłosne. Wszystko to rozgrywało się w stosunkowo wąskich grupach osób spokrewnionych i spowinowaconych ze sobą. Sprawy, które można poznać dzięki aktom Penitencjarii Apostolskiej, są elementami szerszego obrazu. Nie można ich traktować jedynie jako jednostkowych losów. To „szczęśliwy przypadek” lub czyjaś gorliwość doprowadziły do wykrycia poszczególnych spraw, a tym samym do zachowania tych informacji na wieki. Źródła te pozwalają wejrzeć w ówczesne stosunki rodzinne i dają świadectwa skomplikowanych relacji międzyludzkich.