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PENITENTIAL PILGRIMAGES TO ROME IN THE EARLY MIDDLE AGES

Summarium. — *Exposita ratione paenitentiali peregrinationum tempore medii aevi prioris, ex collectione anglica 10 epistolarum fere ignota quae a Wulfstan, episcopo Londinensi, postea Yorcensi, vel a Romanis pontificibus saeculo 10^o exeunte et saec. 11^o conscriptae sunt et in appendice eduntur, indicantur modalitates et condiciones talium peregrinationum. Apparet evolutio quasi parallela a minore ad maiorem consideratione auctoritatis Sedis Romanae in tali re et a maiore ad minorem severitatem poenarum quae peregrinis iniungebantur.*

Pilgrimage to holy places has been a popular form of Christian devotion since the end of the persecutions.¹ The exercise was believed from the earliest times to provide a spiritual benefit for the pilgrim, although the sacrament of penance and the theology of indulgences was not fully evolved until the crusading period.² A touristic impulse, however pious, can be discerned in the sources from every century; in the tenth it was best exemplified by Archbishop Sigeric of Canterbury, who journeyed to Rome in the summer of 990 in order to receive his pallium, and who kept a diary which is today an important source of information about contemporary Roman churches.³

Irish ascetics, beginning in the sixth century, supplemented the idea of pilgrimage with that of exile, and gave a penitential cast to such activity.⁴ The foundation of the Celtic monastery at Iona, for example, was undertaken by St. Columba as an act of mortification, since exile from his homeland was a means of suppressing self; according to one tradition, it was the desire to compensate for his

¹ B. KÖTTING, *Wallfahrt*, in: *Lexikon für Theologie und Kirche*² 10, coll. 941-46, and the bibliography there noted. — The author is grateful to Professor Robert Somerville of the University of Pennsylvania for advice and encouragement in the writing of this paper.

² H. E. MAYER, *The Crusades*, New York and Oxford 1972, pp. 25-40.

³ F. P. MAGOUN Jr., *The Rome of Two Northern Pilgrims: Archbishop Sigeric of Canterbury and Abbot Nikold's of Munkathverð*: *Harvard Theological Review* 33 (1940) 267-89.

⁴ For pilgrimages in the Irish tradition, see N. CHADWICK, *The Age of Saints in the Early Celtic Church* (Riddell Memorial Lectures 32) Oxford 1961, pp. 82-86.

guilt in inciting a battle in Ireland which led Columba to Iona.⁵ The Irish penitentials, many of which enjoyed a wide popularity in Europe through the eleventh century, frequently prescribe exile;⁶ their Anglo-Saxon and continental successors occasionally adopted this form of discipline, especially in cases of parricide, murder and incest. In these cases, the pilgrimage was of fixed duration (usually five, seven, ten or fourteen years, or for the entire lifetime), but without any prescribed destination.⁷ In the usage of the penitentials, the distinction between pilgrimage and exile was obliterated; anyone who, either voluntarily or under the direction of a confessor, left his own land for a spiritual purpose, whether or not he journeyed to a specific holy place, was a pilgrim in exile.

Many aspects of early medieval pilgrimage practice are well-known to historians, and studies of pilgrimage routes and journals are readily available.⁸ The communities of French and especially of English pilgrims in Rome also have been discussed.⁹ Less thoroughly investigated are specific motivations for embarking on such journeys. This paper will consider one such motivation: the penitential pilgrimage undertaken in expiation of past sins. Attention will be called particularly to pilgrimages made to Rome for confession to the pope, before the imposition of any penance. Sources for this investigation are chronicles, conciliar canons and imperial capitularies, formulary books, and episcopal and papal letters. Many of the latter have escaped the printed registers of papal documents, and therefore are not readily available for the historian's use. The relationship between English and continental pilgrimage practice will also be noted.

Dom U. Berlière called attention to the special nature of the *pèlerinage judiciaire* in a short notice of the *Revue Bénédictine* at the end of the last century.¹⁰ His suggestions inspired J. Schmitz' study of conciliatory pilgrimages, which includes a valuable comprehensive table indicating provisions for exile in those penitentials con-

⁵ Adomnan, *Life of Columba*, edd. A.O. ANDERSON and M.O. ANDERSON, London 1961, p. 186. See also the editors' notes pp. 71-73.

⁶ E.g. Penitential of Finnian c. 33, Penitential of Columbanus (B) c. 2, Penitential of Cummean II c. 7, Bigotian Penitential IV, 3 c. 4; printed in *The Irish Penitentials*, ed. L. BIELER (Scriptores latini Hiberniae 5) Dublin 1963.

⁷ Cf. the penitential provisions cited by E. VAN CAUWENBERGH, *Les pèlerinages expiatoires et judiciaires dans le droit communal de la Belgique au moyen âge* (Université de Louvain, Recueil de travaux 48) Louvain 1922, pp. 3-6 and printed in F.W.H. WASSERSCHLEBEN, *Die Bussordnungen der abendländischen Kirche*, Halle 1851.

⁸ See n. 1 above.

⁹ W.J. MOORE, *The Saxon Pilgrims to Rome and the Schola Saxonum* (University of Fribourg, Dissertation 1937 [unpublished]), and J. ZETTINGER, *Die Berichte über Rompilger aus dem Frankenreich bis zum Jahre 800*: (Röm. Quartalschr. für christl. Alterthumskunde u. f. Kirchengesch., 11. Supplementheft) Rome 1900, pp. 95-97.

¹⁰ *Les pèlerinages judiciaires au moyen âge*: *Revue Bénédictine* 7 (1890) 520-22.

tained in the edition of F. W. H. Wasserschleben.¹¹ E. van Cauwenbergh prefaced *Les pèlerinages expiatoires et judiciaires dans le droit communal de la Belgique au moyen âge* with the most important survey of penitential and literary material yet available for the Carolingian and post-Carolingian periods.¹² He noted the proliferation of models for episcopal letters in eighth and ninth century formulary books, which would introduce a penitent in exile to ecclesiastical and secular dignitaries. There are two basic forms for this type of letter: the first and less specific version is contained in the *Formulae Bituricensis*, while the *Formulae Salicae Lindenbrogianae*, the *Formulae Senonenses recentiores* and (as Schmitz noted) the *Formulae S. Emmermi* contain a longer model.¹³ Both forms note the nature of the crime involved (the second provides that this should be the murder of a close relative), but while the Bourges tradition provides for exile in accordance with canonical authority but for no stated period, the longer letter notes that seven years is the appropriate canonical penalty. Most importantly, there is no indication in the Bourges exemplar of any specific goal for the pilgrimage, while the longer model urges the reader to speed the pilgrim on *ad loca sanctorum*. Thus, although the penance was defined in terms of years as well as of destinations, the idea of penitential exile, which had often formerly been an aimless wandering, was now being linked with devotion to certain holy places.

As a pilgrimage goal, Rome, with its formidable store of bones and other relics, was unrivalled in western Christendom; in the course of the ninth through the eleventh centuries it became a principal destination for pilgrimages.¹⁴ Already in 813 at a council at Chalon-sur-Saône, penitential journeys to Rome, Tours and other places were forbidden to those of every social level. Past or present sin cannot, the council decreed, be obviated by prayer at these devotional centers, but only by amendment of life. Pilgrimage, undertaken after confession to one's priest and after performance of penance was, however, considered a laudable activity. Importance was placed on the role of the local confessor in correct penitential practice.¹⁵ This may have been in reaction to the custom, expanding through the ninth century, of ignoring local ecclesiastical authorities, but traveling to Rome to confess serious sins to the pope, and to receive the im-

¹¹ J. SCHMITZ, *Sühnewallfahrten im Mittelalter* (University of Bonn, Inaugural-Dissertation 1910 [unpublished]) pp. 8-9. For Wasserschleben's work, see n. 7.

¹² VAN CAUWENBERGH pp. 1-18.

¹³ Ibid. pp. 13-14; SCHMITZ p. 14; K. ZEUMER, *Formulae Merovingici et Karolini aevi* (MGH Leges 5) Hannover 1886, pp. 173, 278-79, 217 and 466, respectively. Cf. A. BROUARD, *Manuel de diplomatique française et pontificale*, Paris 1929, pp. 135-38.

¹⁴ ZETTINGER pp. 100-01.

¹⁵ A. WERMINGHOFF, *Concilia aevi Karolini* 1,1 (MGH Leges 3) Hannover and Leipzig 1906, pp. 282-83.

position of penance from him. An early suggestion of this practice may be implicit in Hauto of Basel's collection of capitularies, which confirms the jurisdiction of the local bishop or priest over all others in penitential cases, *quia a proprio episcopo suo aut sacerdote [penitentes] ligandi aut solvendi sunt, non extraneo*.¹⁶

Evidence for the Roman confessional pilgrimage is sparse for continental Europe. Such a journey could well have been accomplished without generating any written documents. Even if the papal sentence were recorded, motivation to preserve such a letter after the completion of the penance, and certainly after the penitent's death, would be lacking, except perhaps to serve as useful precedents.¹⁷ Few letters of this type were preserved from the early medieval period in episcopal or monastic registers and chronicles; of these, letters concerning confessional pilgrimage represent a very small proportion. Two exceptions, however, can be noted in H. Zimmermann's register of tenth and early eleventh century papal *acta*,¹⁸ and are summarized below. Neither can be accepted as completely authentic as it now stands, but both accurately reflect contemporary attitudes and pilgrimage practice.

Cologne chroniclers record that Archbishop Everger, as a penitent for his role in the murder of his predecessor, journeyed to Rome in 986 or 987, confessed to the pope, and promised to endow a monastery in his diocese as satisfaction for his crime. The monastery of St. Martin was restored, and Irish monks were there established in fulfillment of this penance. This story was recorded by Thietmar of Merseburg¹⁹ and by the fourteenth century historian Levold of Northoff.²⁰ Discrepancies in the names of the persons involved make the episode's dating uncertain, but there is no reason to doubt the core of the story.

A similar entry in Zimmermann's register describes the actions of Hugh of Montboissier, who, according to the Chronicle of San Michele della Chiusa, was supposed to have confessed his sins to Pope Sylvester II in 999, and to have promised to found a monastery

¹⁶ A. BORETTUS, *Capitularia regum Francorum* 1 (MGH Leges 2) Hannover 1883, pp. 364-65.

¹⁷ See below, p. 66.

¹⁸ H. ZIMMERMANN, *Papstregesten 911-1024* (Regesta imperii 2, 5) Vienna, Cologne and Graz 1969, *653 p. 260 and *863 p. 364. Cf. also ZIMMERMANN 1112, p. 437, which records that Pope Benedict VIII between 1013-16 commissioned the pilgrim Wardrad of Jarnac to found a monastery in honor of Ss. Stephan and Peter. Although the circumstances of the injunction are not recorded, Wardrad may well have undertaken his pilgrimage in order to confess to the pope.

¹⁹ *Die Chronik des Bischofs Thietmar von Merseburg und ihre korveier Überarbeitung*, ed. R. HOLTZMANN (MGH Scriptores, nova series 9) Berlin 1935, p. 100.

²⁰ Levoldus de Northof, *Catalogus archiepiscoporum Coloniensium*, ed. G. WAITZ (MGH Scriptores 24) Hannover 1879, p. 360.

in satisfaction for them.²¹ Since San Michele was actually founded before 987,²² this account cannot be strictly accurate, although Hugh did obtain a privilege for the monastery from Silvester II.²³ The chronicle may, however, be reflecting an authentic tradition about the circumstances of the foundation. Whether true or false in its particulars, it demonstrates that pilgrimage to Rome and confession to the pope were in accord with contemporary ideas.

In neither of these instances is there evidence that papal imposition of penance resulted in a diminution of episcopal jurisdiction. The excerpt from Haito of Basel, however, indicated that this might be the case, and two canons of the 1023 Council of Seligenstadt confirm this suspicion.²⁴ These forbade any travel to Rome undertaken without episcopal licence, and required the completion of locally imposed penance before setting out on such a journey. Even in these circumstances, episcopal permission and a dimissorial letter from bishop to pope were necessary. The Seligenstadt decrees repeat Haito's solicitude for local authority as well as the Chalon council's instance on the performance of penance before undertaking any pilgrimage. Taken together, these decrees can be seen as an effective check on the performance of confessional pilgrimages, and therefore as negative indication of their popularity.

Evidence for an English tradition of confessional pilgrimage to Rome is more ample. Such journeys do not seem to have posed the same jurisdictional problems for the Anglo-Saxons which troubled the fathers at Seligenstadt; every English source which discussed the motivation for a confessional pilgrimage records that the advice of the local bishop or priest was sought before the journey was undertaken.²⁵ There is no indication in the English sources of a concept of special papal authority to absolve particular or serious sins. The English pilgrim simply trusted in the intercessory powers of St. Peter, and in the pope's skill in applying penitential medicine.²⁶

Frank Barlow has discovered literary evidence for English confessional pilgrimage in the Peterborough *Chronicle of Hugh Candidus* and in the *Liber Eliensis*.²⁷ Both chronicles, although they were compiled after the Conquest, were closely based on pre-Conquest

²¹ Ibid. *863 p. 346; *Chronica monasterii sancti Michaelis Clusini*, ed. A. HOFMEISTER (MGH *Scriptores* 30) Leipzig 1934, p. 965.

²² ZIMMERMANN p. 346.

²³ Ibid. 864 p. 346.

²⁴ Canons 16 and 18: L. WEILAND, *Constitutiones et acta publica imperatorum et regum* 1 (MGH *Leges* 4) Hannover 1893, p. 638.

²⁵ See below.

²⁶ Nn. 29 and 31 below.

²⁷ *The English Church 1000-1066*, London 1963, p. 272.

materials.²⁸ The *Liber Eliensis* records that one Leofwine, in anger, gravely wounded his mother, and was advised by priests and wise men to go to Rome to consult the pope, who would know how to impose an appropriate penance.²⁹ The penance required by the pontiff was the gift of Leofwine's eldest son and a number of estates to a poor monastery. The chronicler found the evidence for this transaction in a chirograph in the Old English language which was preserved at Ely.³⁰ It is impossible to identify the priests and prudent men, or to do more than speculate on the nature of the commendation of Leofwine to the pope (if indeed it took written form at all). The incident does, however, fit the pattern of pilgrimage and confession.

The *Chronicle of Hugh Candidus* demonstrates the desire to travel to Rome, although no journey was actually accomplished. Hugh recounts the story of a « chancellor » of King Edgar, Eadulf, who loved his only son so much that he allowed the son to sleep between him and his wife. One night, when his parents were drunk, the boy was suffocated in this unusual circumstance. The penitent Eadulf wanted to go to Rome,³¹ where he would quickly gain access to the Lord's mercy, but he was persuaded by Bishop Aethelwold of Winchester that the money would be more worthily employed in the restoration of the monastery at Peterborough.³² This incident demonstrates a belief in the special efficacy of a Roman pilgrimage and probably also of confession to the pope, as well as the role of the bishop in encouraging (or discouraging) a penitent would-be pilgrim.

An important but little known series of episcopal and papal letters relating to English pilgrims in the late tenth and eleventh centuries survives in three manuscripts.³³ Most of the letters were

²⁸ *Chronicle of Hugh Candidus*, ed. W.T. MELLOWS, Oxford 1949, pp. xx-xxxvi; *Liber Eliensis*, ed. E.O. BLAKE (Camden Society, 3rd series, 92) London 1962, pp. xxviii-xliii.

²⁹ « (Dominus apostolicus) ... qui unicuique secundum qualitatem culpae congrue et discrete medicamentum penitentiae novit imponere »; *Liber Eliensis* p. 131.

³⁰ *Ibid.*

³¹ « (Adulfus) ... dixit se velle Romam ad sanctum Petrum profisci, quo cicius misericordiam domini posset consequi »; *Chronicle* p. 29.

³² *Ibid.* pp. 29-30.

³³ Copenhagen, Kongelige Bibliothek Gl. Kgl. Sam. 1595 ff. 41r-42r (C); Cambridge Corpus Christi College 265 pp. 110-113 (X); Oxford, Bodleian Barlow 37 (6464) ff. 12r-13v (B). C was written in the first quarter of the eleventh century (see n. 49 below), X about the middle of the eleventh century, and B in the late thirteenth century. The relationship between the manuscripts has not been established but they contain a great deal of common material (see n. 37 below). C is described by E. JØRGENSEN, *Catalogus codicum medi aevi Bibliothecae Regiae Hafniensis*, Copenhagen 1926, pp. 43-46 and by N. KER, *Catalogue of Manuscripts Containing Anglo-Saxon*, Oxford 1957, p. 140. X was described by M. R. JAMES, *A Descriptive Catalogue of the Manuscripts in the Library of Corpus Christi College, Cambridge* 2, Cambridge 1912, pp. 14-21 and

printed without commentary from one manuscript, Cambridge, Corpus Christi College 265, by M. Bateson in the *English Historical Review* of 1895;³⁴ D. Bethurum appended those which pertain to Archbishop Wulfstan to her edition of his homilies.³⁵ The texts, nevertheless, have been neglected by students of papal documents. In his *Papsturkunden in England*, W. Holtzmann referred his readers to Miss Bateson's article in the discussion of CCCC 265, but overlooked the letters in Oxford, Bodleian Library Barlow.³⁶ The letters were not registered by P. Jaffé or his revisers in the *Regesta pontificum Romanorum*,³⁷ and H. Zimmermann failed to include them in his calendar of papal *acta* between 911 and 1024.³⁸ Since these standard registers do not include the letters in this series, they are in danger of being ignored by historians, at least until, in another generation or so, Zimmermann's generally admirable catalogue is itself revised.

The four episcopal and six papal letters (not all of which are contained in every manuscript³⁹) are all concerned with penitential pilgrimages. They were not composed as composition models, but are copies of the actual documents written or received by late Anglo-Saxon bishops. In most cases, the sender and or recipient are named and can be identified. It was probably because of the juridical principles which they set forth that they were copied and recopied; the papal letters compiled here make up an early if modest collection of letters of decretal character.⁴⁰

This series of texts also forms part of what Professor Bethurum has dubbed the « commonplace book » tradition of canon law, liturgical forms and homilies.⁴¹ Commonplace book materials were extensively used and augmented by Archbishop Wulfstan, although the

by N. KER, *Catalogue* p. 94. B is described by F. MADAN et al., *A Summary Catalogue of Western Manuscripts in the Bodleian Library* 2, 2, Oxford 1937, p. 1057.

³⁴ A Worcester Book of Ecclesiastical Collections Made C. 1000 A.D.: *English Hist. Review* 10 (1895) 712-31.

³⁵ D. BETHURUM, *The Homilies of Wulfstan*, Oxford 1957, pp. 374-76.

³⁶ *Papsturkunden in England* 3 (Abhandlungen der Akademie der Wissenschaften, Phil.-Hist. Klasse, Dritte Folge 33) Göttingen 1952, pp. 64 and 19. Cf. R. ARONSTAM, *Pope Leo IX and England: an unknown letter*: *Speculum* 49 (1974) 537 n. 15.

³⁷ The second edition of this work was prepared under the direction of G. Wattenbach, 2 vols. (Leipzig 1885-88). Papal letters are cited where possible from this edition with the prefix JL, indicating that they date between 883-1198, for which years S. Loewenfeld revised Jaffé's catalogue.

³⁸ See above n. 17.

³⁹ The letters, which are appended to this article, occur in the manuscripts in the following order. (The numeration is that used in the appendix.)

Copenhagen 1595: 1, 2, 3, 4, 6, 5, 7, 10

CCCC 265: 1, 2, 3, 4, 5, 6, 7, 8, 10

Barlow 37: 1, 2, 3, 4, 5, 7, 8, 10, 9

⁴⁰ Cf. ARONSTAM, art. cit. 540 n. 30.

⁴¹ D. BETHURUM, *Archbishop Wulfstan's Commonplace Book*: *Publications of the Modern Language Association* 57 (1942) 916-29.

tradition did not originate with him.⁴² Many of the letters under consideration are explicitly associated with Wulfstan, others may be assumed to have been addressed to him, but a few have no direct connection with him, or were appended to the series after his death.

The first three letters in all the manuscripts were written by Wulfstan under the Latin pseudonym *Lupus*; in letters 1 and 2 he is identified as bishop of London, while the third letter simply accords him the title bishop. Since Wulfstan of London (consecrated 996) became archbishop of York and bishop of Worcester in 1002,⁴³ the letters can probably be dated between these years. Although they are less polished than the Frankish models discussed above, these documents serve the same purpose: they are general letters of introduction to be carried by penitents in exile, containing brief accounts of the crimes committed by their bearers and requests for the reader's prayerful intercessions. The salutations differ, but are generally addressed to Wulfstan's fellow bishops, and then to other Christians in either secular or religious life. The similarity between these letters and the formulae of the Frankish notaries shows that the practice of long penitential exile, current on the continent at least through the ninth century, clearly was advocated in England into the eleventh.

Letters 2 and 3 of the Wulfstan series record briefly that their bearers had committed murders; one man had killed his own child, the other his brother. There is no reason to believe that either of these letters was concerned with sending a pilgrim to Rome (or any particular devotional center); neither contains evidence that the penitent ever consulted the pope. In these cases, pilgrimage was imposed by Wulfstan on his own authority. The series' first letter is similar in that it introduces the bearer as a man who has committed a parricide, but it includes the information that « urged by us, he visited holy places, and many bodies of saints, and the Roman pope; and returning to us, he brought back a letter which provided that he was to do penance by its judgment and by our order (... *quarum penitet iuditio simul et nostro imperio*). » This is confirmation of the practice described by the Ely and Peterborough chroniclers noted above. Wulfstan's letter records that a man, having killed his father, was advised by Wulfstan to undertake a pilgrimage for two purposes: to obtain for the sinner all those benefits normally to be derived from visiting holy places; but also specifically to receive the imposition of a suitable penance from the pope. Although this letter does not record the papal decision, it notes that the judgment was

⁴² Ibid. For the ninth century continental origin of the tradition, cf. the author's doctoral dissertation, *The Latin Canonical Tradition in Late Anglo-Saxon England: the Excerptiones Egberti* (Columbia University 1974) pp. 11 and 149 n. 48.

⁴³ BARLOW p. 68.

brought back to Wulfstan in a letter. The penance which the pope had enjoined apparently was subject to alteration or addition at Wulfstan's own order, although the text could simply mean that Wulfstan was to implement, by his authority, the papal judgment. Part of this penance was the exile which occasioned the composition of the extant document.

A fourth episcopal letter (number 10 in the appendix) was appended to the series in all manuscripts. This is the sole text which is addressed directly to the pope, although the salutation includes also all the sons of the church. It was written by an unnamed English archbishop, probably of Canterbury, to an unspecified pope.⁴⁴ The bearer's crime was the murder of a cousin, for which he had sought a penance from the archbishop. The sentence of exile was imposed by archiepiscopal authority. There is no mention of a desire for papal intervention in the case. The closing phrases, moreover, are addressed not to the pope but rather to « all faithful cultivators of the Lord's vineyard. » The letter seems to have been written as a general introduction for a penitent whose pilgrimage would bring him to Rome, but does not indicate a desire on the part of the pilgrim to have his case considered by the pope.

Letters 4 though 9 were sent by popes to English bishops. They record the penitential sentences imposed by the popes on English pilgrims. Identification of the correspondents is generally possible by examination of the coincidence of names and periods of office. Letter 5, the earliest in the series, was written by Pope Gregory V (996-999) to Archbishop Aelfric of Canterbury (995-1005). Since Aelfric was an intimate of Wulfstan during the latter's London episcopacy (996-1002),⁴⁵ the presence of this letter among Wulfstan documents is not surprising. The ninth letter, appended to the collection in one manuscript only, is the latest in the series, sent by Pope Leo IX to Archbishop Eadsige of Canterbury between 1049-50.⁴⁶ The four remaining letters were all written by a pope or popes named John; an addressee is specified only in letter 7. This information indicated that letter 7 was written by Pope John XVIII (1003-09) to Archbishop Wulfstan. K. Jost attributed letters 4, 6 and 8 also to John XVIII, because of the stylistic similarity to letter 7.⁴⁷ While this identification can be accepted for letters 4 and 6, letter 8 has significant differences.

The similarity between letter 7, 4 and 6 is indeed striking. They are the most vague of the series' letters with regard to the nature

⁴⁴ ARONSTAM, art. cit. 538 n. 23.

⁴⁵ J. M. COOPER, *The Last Four Anglo-Saxon Archbishops of York* (Borthwick Papers 38) York 1970, p. 5.

⁴⁶ ARONSTAM, art. cit. 537-38.

⁴⁷ *Wulfstanstudien* (Schweizer anglistische Arbeiten 23) Bern 1950, p. 18.

of the offense: 4 und 6 do not reveal the penitent's crime, while 7 mentions fratricide and other unnamed crimes. The terms of penance meted out in these texts are severe, and the details of penitential observance are recorded at length; in this they resemble the earlier letter of Gregory V (5), and differ from letters 8 and 9. The most notable similarity, however, lies in the careful respect for episcopal authority which characterizes letters 4, 6 and 7. These are the only letters in the series which provide that « if it please you to make any change in this, we give permission. »⁴⁸ Letter 6 reenforces this respect for episcopal authority by providing also that the penitent is not to communicate, except with the permission of the bishop.

Letter 8 differs markedly from the other Johannine texts. The crime its bearer had committed was carefully recorded as the accidental slaying of his own son. Although the penance is relatively long — fourteen years, as opposed to the seven-year (but occasionally lifelong) sentences which had previously been the rule — its intensity was much relaxed. Only forty days a year were to be spent in fasting, as opposed to the thrice weekly (or about 125 days per year) fasts which were formerly imposed. The prohibition from church attendance was reduced from the duration of the penance to only one year. Other details about the performance of penance were not mentioned.

Stylistically letter 8 provides a great contrast to letters 4, 6 and 7. The narrative portions of the latter texts present their case as simply as possible, while letter 8 dwells at some length on the tearful sincerity of the penitent, and on the danger of his despair. The letter explains that the penitent may enter the church after one year, since « with God the measure of time is not worth as much as (the measure) of pain. » This phrase, which derives probably from the *Enchiridion* of St. Augustine,⁴⁹ and intermediately from the 859 Synod of Metz,⁵⁰ seems to have been first phrased this way in the *Decretum* of Burchard of Worms, a work composed only in the second decade of the eleventh century.⁵¹ The author has been able to find no intermediate version of the Metz decrees upon which John and Burchard might have drawn, although such a version may exist in one of the unpublished canonical collections of the period.⁵² It is

⁴⁸ Wulfstan's first letter indicates that the papal instructions he had received included a phrase similar to this (see above). Since this letter dates before 1003, the year in which John XVIII took office, this deference to episcopal authority cannot have been an innovation of John.

⁴⁹ Ed. O. SCHEEL, Tübingen and Leipzig 1903, p. 41.

⁵⁰ Synod of Metz (859) c. 10; A. BORETIUS and V. KRAUSE, *Capitularia regum Francorum* (MGH Leges 2, 2) Hanover 1867, p. 445.

⁵¹ *Decretum* 19.31; PL 140 col. 985.

⁵² Cf. ARONSTAM, art. cit. 540.

unlikely, in the context of present knowledge, that the letter dates before the 1020's; John XVIII died in 1009.

It is probably significant that letter 8 is not contained in the Copenhagen manuscript, a book which dates before the death of Wulfstan in 1023.⁵³ The letter is probably an addition to the original series, inserted as a supplementary text by a later copyist. The letter can, for the reasons noted, be attributed not to John XVIII but to John XIX (1024-33). The identification explains the contextual and stylistic differences between letter 8 and the other Johannine texts.

Jost also argued that letter 7 was a papal answer to Wulfstan's third letter, while letter 8 was a similar reply to letter 2.⁵⁴ Neither suggestion can be accepted. The Wulfstan letters contain no reference to Rome or commendation of the penitents to the papacy, and the descriptions of the crimes involved, fratricide and child-murder, are not sufficiently distinctive to justify the linkage. Letter 7 is addressed to Archbishop Wulfstan, but when the letter was written, Wulfstan had not yet been raised to his archiepiscopal see. Letter 8, as suggested above, was written after Wulfstan's death and therefore cannot have been addressed to him.

In addition to the papal letters transmitted in the Wulfstan series, the canonical collection known as the *Britannica* and the *Register* of Pope Gregory VII contain one letter each which fits into the tradition of confessional pilgrimage. The *Britannica* yields a text (designated A in the appendix) addressed by Pope Alexander II directly to the penitent, who was a layman;⁵⁵ while Gregory's *Register* records a letter (B) sent to Bishop Remigius of Lincoln.⁵⁶

We undoubtedly possess only a fraction of the papal confessional letters sent to England and elsewhere; eight letters from as many decades are not a large sample from which to draw conclusions. Two trends, however, can be distinguished: the assumption of the legal as well as penitential implications of wrongdoing into papal consideration from the second or third decade of the eleventh century, and then the distinction of these elements, with a growing emphasis on the legal dimension of the offenses. These later letters illuminate an early stage in the history of medieval appeals to Rome and indicate the first stages of the papal juridical expansion which characterizes the central middle ages.

⁵³ Copenhagen 1595 is annotated in Wulfstan's own hand; N.R. KER, *The Handwriting of Archbishop Wulfstan, in England before the Conquest: Studies in Primary Sources presented to Dorothy Whitelock*, edd. K. HUGHES and P. CLEMOES, Cambridge 1971, pp. 319-20.

⁵⁴ Op. cit. p. 19.

⁵⁵ JL 4583: S. LOEWENFELD, *Epistolae pontificum Romanorum ineditae*, Leipzig 1885, p. 53.

⁵⁶ JL 4806: *Register Gregors VII* 1, 34, ed. E. CASPAR (MGH, *Epistolae selectae* 2) Berlin 1920, p. 55.

There seems discernible from these documents a shift of emphasis during the eleventh century from the penitential to the legal, i.e., from the spiritual state of the individual to the public consequences of his actions. Judgments came to be more frequently argued, rather than simply stated, as was the case in the earliest texts. The penances themselves became increasingly lenient.

The earliest and most severe penance (although not the longest) is described in letter 5, of Gregory V to Aelfric of Canterbury. Gregory informs Aelfric that the bearer, who had accidentally killed his own son, should do seven years' penance. This would consist of a bread and water fast three days a week, except during the Easter season. At no time during the penitential period was the penitent to enter a church or to receive the sign of peace from other Christians. Probably the pope was of the opinion that retirement to monastic life would be most appropriate, since he provided that, should this happen, the penitent was to serve under the command of his abbot. If he refused to become a monk, the penitent was to pass seven years in pilgrimage, never spending two nights in one place unless he was unable to walk through illness. The form of this letter is exceedingly simple: salutation, narration, imposition of penance. The bulk of the text is concerned with details of the penance to be performed; questions of jurisdiction or of the external consequences of the murder are not raised. Although the sacramental and legal aspects of sin or crime were not, in the tenth and eleventh centuries, sharply distinguished, it is clear that this letter deals with the inward, penitential aspects of the homicide rather than with its outward social and legal dimension.⁵⁷

The similarities of the letters of Pope John XVIII have already been mentioned. Letters 4 and 6 omit the narration of crimes committed; letter 7 names fratricide and other crimes. It is difficult to judge the severity of a penance without knowing the nature of the crime, but the lifelong penance proposed in letters 4 and 7 must be considered strict, especially since it entails a thrice weekly fast (except during the Christmas and Easter seasons, according to letter 4), the exclusion of meat from the diet except on Sundays and great feasts, woolen clothes and bare feet on fast days. These features are common to all the letters of John XVIII in the series; other details include twice (4 and 6) or thrice (7) yearly haircuts, exclusion from church except at Christmas and Easter (7) or for three years (6) or at the point of death (7). Although the elements

⁵⁷ An unidentified Latin text found in Anglo-Saxon manuscripts associated with Wulfstan, which discusses the distinction between sin («peccatum») and crime («crimen») and which uses the Augustinian phrase described above (see n. 45) is printed in B. FEHR, *Die Hirtenbriefe Aelfrics in altenglischer und lateinischer Fassung* (Bibliothek der angelsächsischen Prosa 9) Hamburg 1914, p. 244.

of the penances are similar and certain phrases recur exactly or in close paraphrase in all the letters of John XVIII, each penance is different and was clearly conceived to suit a particular offense.

The addition of the phrase safeguarding episcopal authority which is first evident in the letters attributed to John XVIII demonstrates a new element in the tradition.⁵⁸ Although the context is still inwardly directed (i. e. penitential), the question of jurisdiction is for the first time implied. The penitent, having brought his case to the attention of the pope, is subject to the papal decision in all its particulars. John, however, provided for the alteration of the judgment by the local bishop, whose judicial authority was thus preserved.

The contents of letter 8 have been described above. Its elaborate narrative strives to justify a penance which was imprecise but notably lighter than those imposed by earlier popes in similar cases from the collection at hand. John may have consulted a canonical collection, the *Decretum* of Burchard of Worms, in reaching his sentence. The letter also attempts, however, to deal with the public consequences of the crime, by requesting the archbishop's intercession for the penitent with the king, so that the penitent's property might be restored to him. One would like to know more about the type of property involved and whether the king had actually deprived him, or whether the king was here being called upon to intervene between another lord and his man. The context of the decision, nevertheless, was undergoing a shift from penitential to legal.

A letter of Pope Leo IX⁹ further marks the change of emphasis.⁵⁹ Leo wrote to Archbishop Eadsige of Canterbury concerning a priest who had committed homicide. Here details of the penance are completely lacking; Leo noted only that seven years' grave penance was to be performed. The heart of the letter considers a legal rather than a penitential question, i. e., whether or not the man could be restored to office. Such a restoration would be the sign of the remission of the consequences of the crime of homicide, as well as those of the sin. Leo's decision was to effect the restoration, contingent on the performance of the penance. An explicit citation from a letter of pseudo-Calixtus I was used to justify the restoration. The case was handled as a legal problem, and the judgment was reached by reference to legal precedent. The confessional motivation for the pilgrimage was in this case secondary to the legal.

Increasing papal judicial activity did not, however, completely obliterate the confessional function. Letter A, a text of Alexander II, is concerned only with the penitential aspect of the transgression

⁵⁸ Cf. n. 44 above.

⁵⁹ ARONSTAM, art. cit.

of a man who, while drunk, had set fire to a church and neighboring buildings. While serious, this action is hardly comparable to the various forms of homicide, but even so the penance was notably light; Alexander himself observed that the penance was enjoined *non iuxta modum culpaе, sed moderamine benigne pietatis*, in spite of the fact that in Alexander's judgment, drunkenness intensifies, rather than lessens, the sinner's guilt. A five year penance was set, with thrice weekly fasting in Advent and Lent, but only one day's fast each week during most of the year. For « this year » (*hoc anno*) the penitent was not to enter a church, nor to communicate except in danger of death. Although this letter deals with an interior, penitential problem rather than with its social consequences, the developing distinction between penitential and legal aspects can be perceived in the fact that the letter was addressed to the penitent himself, rather than to his local bishop; the jurisdictional authority of the bishop could be overlooked simply because the letter deals only with the spiritual consequences of the sin, and not with its social or legal ramifications. Compensation for the loss of property belonging either to the church or to others was not mentioned. The bishop's pastoral function was also not considered, although the possibility remains that a second letter addressed to the bishop, now lost, might supply these deficiencies.

Letter A differs from other surviving papal penitential texts in two ways. It is the only text addressed directly to the penitent, rather than to a member of the local hierarchy. This type of letter may not have been uncommon in the eleventh century, but documents addressed to laymen, rather than to monasteries or prelates, had a relatively small chance of survival in local ecclesiastical registers, chronicles or archives. It is possible, therefore, that the purely penitential activity mirrored in A may have continued in the eleventh century more vigorously than evidence now indicates. Secondly, it should be noted that A is the only letter under discussion which has no necessary connection with England. The *Collectio Britannica*, in which it is found, is named for its present location rather than for its provenance; it is an Italian canonical collection, including papal letters dispatched to various parts of Europe.⁶⁰ The nationality of the penitent described in A is therefore uncertain.⁶¹

⁶⁰ For the *Britannica*, see P. EWALD, *Die Papstbriefe der Brittischen Sammlung: Neues Archiv* 5 (1899) 2754-424; cf. also S. KUTTNER, *Urban II and the Doctrine of Interpretation: a Turning Point?*: *Studia Gratiana* 15 (1972) passim.

⁶¹ The penitent's name, however, gives some indication of possible Anglo-Saxon origin. EWALD p. 336 and LOEWENFELD p. 53 agree that the manuscript reading is the dative « Ane » and that the letter's incipit is « Confessus es ». Ewald emended the name to « Anne », while Loewenfeld, noting that the penitent's gender had to be male, given the masculine participle, preferred « Ade ». Anna is, however, a masculine Anglo-Saxon name, and Ewald's conjecture, which more nearly follows the manuscript reading, is therefore more likely to be correct.

If the Alexandrine letter concerns only the internal aspect of wrongdoing, the letter of Gregory VII to Bishop Remigius of Lincoln (B) examines only the social, external aspect. In a case similar to the one treated by Leo IX in letter 9, Remigius had asked whether a priest might be restored to office after having committed homicide. With reference to indefinite canonical authorities, Gregory strongly prohibited such a restoration, although he allowed that if penance for the crime were performed, some provision for the man ought to be made to prevent his decline into poverty and disregard for divine precepts. This is, of course, in contradiction to the judgment of Leo IX, but canonical literature was divided on this point and both positions were tenable. What should be noted is that Gregory's only concern here was the public implications of the crime; the papacy's role had become purely judicial, concerned with the definition of the law.⁶²

Appendix of letters concerning English penitential pilgrimages

Letters 1-8 and 10 are edited from MSS Copenhagen, Kongelige Bibliothek Gl. Kgl. Sam. 1595 (C; base MS), Cambridge, Corpus Christi College 265 (X), and Oxford, Bodleian Barlow 37 (6464) (B). Letter 9 is reprinted from the author's edition in *Pope Leo IX and England: an unknown letter*: *Speculum* 49 (1974) 541. Letter A is taken from S. LOEWENFELD, *Epistolae pontificum Romanorum ineditae*, Leipzig 1885, p. 53, letter 10 from *Register Gregors VII I*, 34, ed. E. CASPAR (MGH, *Epistolae selectae* 2) Berlin 1920, p. 55. Simple orthographic variants are not noted.

1

C, f. 41r; X, p. 110; B, f. 12r^v

Lupus londoniensis^a episcopus cunctis fratribus atque conservis in Christo salutem. Notum vobis esse cupimus quia homo iste diabolica fraude deceptus parricidii reatum incurrit. Quapropter ad nostra concurrit pedum vestigia lacrimabili prece veniam petens, et sic a nobis ammonitus, loca sacra^b multaque corpora sanctorum atque apostolicum romanum causa tante necessitatis adiit, et ad nos rediens litterarum reportavit textum quarum penitet iuditio simul et nostro imperio.^c Ideoque petimus ut pro eo precum iuvamina ad Deum omnipotentem effundere dignemini quatinus quandoque ei tanti sceleris offensam Christus dominus sua largiflua clementia indulgere dignetur. Valete.

^a londoniensis C ^b sanctaque C ^c iuditio C

2

C, f. 41r; X, p. 110; B, f. 12r^v

In nomine domni Lupus londoniensis^a episcopus cunctis catholicis fratribusque omnibus^b christianis utriusque ordinis perpetuam in Christo^c domno^d salu-

⁶² Gregory did, however, assume that penance had been imposed by the local bishop.

tem. Notum fraterni societati vestre esse^e cupimus quia iste homo^f casu incidit in ingentem atque in lugubrem culpam id est in proprie sobolis necem. Unde petimus ut ei adiuuamina precum ad Deum effundere dignemini quatinus vestris intercessionibus adiutus pervenire possit ad indulgentiam, prestante omnipotentis Dei multimoda misericordia. Bene valete.

^a lundonensis C ^b fratribus omnibusqus XB ^c Christo om. C. ^d Christo domno: domno Deo B ^e om. C. ^f homo iste tr. X

3

C, f. 41r; X, pp. 110-111; B, f. 12v

Lupus episcopus cunctis divine servitutis cultoribus perpetuam in domno salutem. Notum vobis^a esse cupimus quia iste diabolica fraude deceptus ita erat per iram commotus, ut proprii fratris sanguini non parceret sed eius temporaneam vitam per nimium furorem propria manu funditus extinxit. Unde obnix petimus ut vestris fiat intercessionibus adiutus quo ad omnipotentis Dei misericordiam facilius pertingere possit. Valete.

^a om. C.

4

C, f. 41r-v; X, p. 111; B, f. 12v

Iohannes episcopus servus servorum Dei domno archiepiscopo karissimam salutem et apostolicam benedictionem. Huius igitur ostensorem kartule nomine N a nobis circa sue vite diebus penitentiam accepisse sciatis. Ea igitur ratione ut feriis ii, quarta et vi ieiunet in pane et aqua. Ecclesiam non ingrediatur usque triennium. A resurrectione domni usque ad pentecosten et a natale domni usque in epiphaniam^a non ieiunet. Carnem quoque^b non commedat nisi dominicis diebus et precipuis festis.^c Laneo utatur vestimento in ipsis tribus diebus quando ieiunat et nudis incedat pedibus. Capillos incidat duabus vicibus per annum. Si autem^d aliquid remedii in illo vobis placet facere, licentiam damus.

^a in epiphaniam: epiphania C, ad epiphaniam B ^b autem B ^c a carne add. B ^d om. B

5

C, f. 41v; X, p. 111; B, ff. 12v-13r

Gregorius episcopus servus servorum Dei Aelfrico anglosaxonum episcopo et compresbitero nostro carissimam et apostolicam benedictionem. Notum fieri volumus de istius kartule portitore qui proprium interemit filium quamvis non sponte, tamen precipimus ut vii annos peniteat tribus diebus in pane et aqua, exceptis paschalibus diebus. In ecclesia non intret, pacem non accipiat, et si in monasterio vult introire, sub abbatis imperio militetur.^a Si vero hoc facere rennuit, in una domo duas noctes non faciat, excepto si preoccupatus fuerit infirmitate pro qua ambulare non possit.

^a militet B

6

C, f. 41v; X, pp. 111-112

Iohannes episcopus servus servorum Dei venerabili N episcopo salutem et apostolicam benedictionem. Dignum duximus dilectioni vestre indicare^a istius viri penitentiam. Debet usque septennium persistere in penitentiae luctu, ea videlicet ratione ut feriis ii,^b iiii et vi ieiunet^c in pane et aqua a carne. Utatur laneo vestimento in ipsis diebus^d iiii quando ieiunet et nudi pes incedat. Ecclesiam non ingrediatur nisi in natale domni et in pascha. Non communicet nisi cum vestra licentia. Carnes non comedat nisi dominicis diebus et precipuis festis. Incidat capillos bis per annum. Si aliquid remedii in eo vobis facere placet,^e licentiam damus.

^a iudicare C ^b et add. X ^c om. C ^d om. X ^e om. C

7

C, ff. 41v-42r; X, p. 112; B, f. 13r

Iohannes episcopus servus servorum Dei Pulfstano venerabili archiepiscopo^a karissimam salutem et apostolicam benedictionem.^b Iste vir pro fratricidio perpetrato et pro aliis suis criminibus^c sanctorum apostolorum limina adiit fomentum penitentiae a nobis requisivit. Iniunximus ei penitentiam pro predicto fratricidio circa sue vite^d dies ea videlicet ratione et feria ii et^e iiii et vi ieiunet in pane et aqua. Ecclesiam non ingrediatur in^f natale domni et^g pascha. Carnem comedat diebus dominicis^h et praecipuis festis. In ipsis tribus diebus quando ieiunat a carne, laneo utatur vestimentoⁱ et nudis incedat pedibus; pacem non donet; capillos non incidat nisi tribus vicibus per annum. Non communicet umquam^j nisi pervenerit ad mortis exitum. Si aliquid remedii in illo vobis facere placet, licentiam damus.

^a archiepiscopo venerabili tr. B ^b salutem C ^c criminibus suis tr. B ^d vite sue tr. B
^e om. XB ^f om. C ^g in add. B ^h dominicis diebus tr. XB ⁱ laneo utatur vestimento: laneo veste utatur C, laneo utetur vestimento X, utatur laneo vestimento B ^j om. XB

8

X, pp. 111-113; B, f. 13r

Iohannes episcopus N archiepiscopo dilecto confratri nostro salutem et apostolicam benedictionem. Visis apostolorum liminibus presentium latorem litterarum illic reperrimus, qui ante nostram presentiam lacrimabiliter fuis precibus penitentiam petiit dicens casu accidente ei evenisse ut proprie^a sobolis vitam extingueret. Nos vero ne^b in desperationis vinculum incurrisset indiximus^c ei penitentiam xiiii annorum ea videlicet ratione^d ut per unumquodque annum^e iiii xmas in pane et aqua perficiat. Interum induximus ei ut post annum ecclesiam introeat quia apud Deum non tam valet mensura temporis quam doloris. Interea dilectissime frater avida deposcimus intentione ut pro amore Christi hunc gerulum litterarum adiuvetis apud vestrum regem^f ut sua omnia restituat.

^a proprii X ^b non B ^c indixissus B ^d om. X ^e unumquodque annum: annum quodque X ^f regem vestrum tr. B

9

B, f. 13^v

Leo episcopus servus servorum Dei E anglorum archiepiscopo salutem et apostolicam benedictionem. Hunc Andream presbiterum vestrum in homicidii crimine lapsum, et annos vii gravi penitentia agentem, si ita est, remittimus vobis in Dei nomine absolutum suoque sacerdotio restitutum, non tam considerantes mensuram temporis quam penam doloris. Ne tamen cuilibet imprudenti videatur iniustum sacris eum altaribus restitutum, discat hoc ex sanctis patribus confirmatum, inter quos sanctus Calixtus noster antecessor in decretis suis sic promulgavit: Errant, inquit, qui putant sacerdotem post lapsum, si dignam penitentiam egerit, domno ministrare non posse, ita tamen ut vitam et mores suos corrigat et a malis absteineat. Peccator post penitentiam iam non est qui fuit; pereunte culpa quamvis manente substantia, quia qui mortuus erat peccato iam vivit Deo per Ihesum Christum domnum nostrum.

10

C, f. 42^r; X, p. 113; B, f. 13^r

Domno pape N cunctisque generaliter sancte matris ecclesie filiis N^a anglorum archiepiscopus. Notum fieri vobis cupimus de portitore scedule presentis quia^b diabolica instinctu avunculi sui filium interimerat. Unde a nobis penitentiae^c fructum inquirentem in huius vite peregrinatione constituimus corporalique cruciati damus, quo spiritus eius in tremendi examinis die salvetur. Valete cuncti fideles vinee dominice^d cultores ipsius inopiam benedictionum vestrarum copia reficere volentes in Christo.

a P X b qui X c petimusnitentie C d dominici CX

A

Ade [*cf. n. 61*] penitenti. Confessus es, te per ebrietatem ecclesiam cum contiguis sibi domibus incendisse. Unde penitentiam tibi, licet non iuxta modum culpae, sed moderamine benigne pietatis iniunximus. Cum enim ebrietatem pretendis, non argumentum excusationis sed exaggeratio est summae accusationis. Indicimus itaque tibi penitentiam quinque annorum hoc modo: ab hoc die usque ad festivitatem sancti Martini sexta feria ieiuna in pane et aqua, abinde usque in natale tres dies in epdomada, ab epiphania usque in quadragesimam ieiuna diem unam, tota quadragesima dies tres, a pentecosten usque ad sanctum Martinum diem unam; et sic comple quinquennium. Hoc anno ecclesiam non ingrediaris, neque communices nisi pro necessitate mortis.

B

Gregorius episcopus servus servorum Dei Remedio Linconensi in Anglia episcopo salutem et apostolicam benedictionem. Latorem presentium, quem fraternitatis tue littere homicidio maculatum nobis denuntiaverunt, nulla sanctorum patrum auctoritas concedit ulterius sacris altaribus ministrare, nec nos decet restitutioni illius, quod absit, assensum prebendo canonum statutis contrahere. Tua tamen religio, si eum pro commisso crimine perspexerit dignum Deo exhibere fructum penitentiae, hoc sibi misericorditer provideat, ne stipendiis

ecclesiasticis careat atque paupertate pusillanimis factus divina postponat precepta. Licet namque sacerdotium nullo pacto unquam mereatur recipere, dignum tamen est consequi eum aliquod beneficium ab apostolica sede. Absolutionem preterea tuorum peccatorum, sicut rogasti, auctoritate principum apostolorum Petri et Pauli fulti, quorum vice quamvis indigni fungimur, tibi mittere dignum duximus, si tamen bonis operibus inherendo et commissos excessus plangendo, quantum valueris, corporis tui habitaculum Deo mundum templum exhibueris. Quod autem precatus es nos tibi iubere, quatinus possis scire, unde nobis serviendo merearis placere, hoc potissimum precipimus, tuis videlicet iuari orationibus, ut compotes simul mereamur gaudiis perfrui perennibus. Data Terracine IIII Nonas Decembris, Indictione XII.