

# Mediaeval Scandinavia

3 · 1970

ODENSE UNIVERSITY PRESS

71/913

# Kingship in the Arengas of Danish Royal Diplomas 1140-1223

by NANNA DAMSHOLT

The first part of the present study aims at determining the function and character of the arenga.<sup>1</sup> The second part is an analysis of the presentation of kingship by the arengas of the Danish royal diplomas from the period between 1140 and 1223. The third part contains some comparisons of the Danish material with foreign diplomas.

At times the arenga has been rejected as a source of history, owing to its stereotyped character. It is, consequently, the foremost duty of anybody dealing with this formula to study this particular aspect with special care.

As the arenga formula is no special Danish phenomenon, but part of the common Western European diplomatic tradition, its character and function should be treated not on a local but on a European plane. Even if the inter-relationship between Danish and other European diplomas is generally acknowledged a few examples may be given in illustration.

In one case an arenga is used in a French and in a Danish royal diploma in almost identical versions, the difference being that the Danish arenga elaborates the theme.

Philippe Auguste to the inhabitants of Boiscommun in 1186:<sup>2</sup>

Quoniam et demonis instinctu et hominis consensu a perhenni fonte sapientie miserabiliter decidimus, in hanc idcirco lacrimarum et miserie convallem dejecti, inter ceteros humane nature defectus, passionem oblivionis incurrimus. Nuperrime itaque et noviter acta vix ad memoriam revocare valemus; verum omnipotentis Dei benignitas, que nobis utcumque opus est misericorditer consulit, tandem imperitie nostre benignum et admirabile remedium tribuit ut videlicet pactiones quas cum aliquibus facimus, litteris et memorie mandaremus quatenus quod fragili perire poterat in memoria, vivaci conservaretur littera.

<sup>1</sup> The international term *arenga* will be used instead of *preambula*.

<sup>2</sup> Recueil des Actes de Philippe Auguste vol. I, Paris 1916, no. 174.

Erik III to the abbey of St. Peter Næstved, 1140, 21 March.<sup>3</sup>

Quoniam et demonis instinctu. et hominis consensu. a perhenni fonte sapientie miserabiliter decidimus. in hanc iccirco lacrimarum et miserie ualem deiecti. inter ceteros humane nature defectus. passionem obliuionis incurrimus. Nuperrime itaque et nouiter acta uix ad memoriam reuocare ualemus. nedum longe preterita dudumque remota memoriter teneremus; Verum omnipotentis Dei benignitas. que nobis utcumque opus est. misericorditer consulit. tandem. imperitie nostre benignum et ammirabile remedium contulit. ut uidelicet pactiones et beneficia. que a fidelibus in sancta ecclesia ad remissionem peccatorum conceduntur. litteris et memorie mandaremus. quatenus quod perire fragili poterat immemoria. uiuaci conseruaretur littera. Pulcherrime itaque consuetudinis usus apud nos inoleuit. qui de illis. que sancte ecclesie necessaria sunt. scriptis legitimos et idoneos testes adhibendos edocuit. quatenus si quis perditionis atque discordie filius aduersus iusticiam aliquid iniusticie machinari conabitur. carta in medium prolata ex eorum qui subscripti sunt testimonio. qui ex aduerso fuerit indubitanter conuincatur.

I cannot point out any connection between the two diplomas, their authors or recipients, that might explain the use of the same *arenga*, so the most reasonable explanation is that the *arenga* is common international property, possibly part of some collection of formulas used by the French as well as by the Danish Royal Chancery.<sup>4</sup>

The next example shows how an *arenga* from a papal diploma was partly copied by the Danish king.

Alexander III to Æbelholt Abbey (1171–1177).<sup>5</sup>

Ad hoc uniuersalis ecclesie cura nobis a prouisore deo omnium bonorum commissa est. ut religiosas deligamus personas. et beneplacentem deo religionem studeamus modis omnibus propagare. Nec enim deo gratus aliquando famulatus impenditur nisi de caritatis radice procedens a puritate religionis fuerit conseruatus. Oportet igitur omnes christiane fidei amatores religionem diligere et loca uenerabilia cum ipsis personis diuino ser-

<sup>3</sup> *Diplomatarium Danicum* (Dipl. Dan.) ed. by Det danske Sprog- og Litteraturselskab (DSL), Cph. 1938 ff., 1. ser. II, no. 78.

<sup>4</sup> According to the *Dipl. Dan.* 1. ser. II ed. by L. Weibull and N. Skyum-Nielsen, p. 122, a royal chancery existed since the time of Erik IV Emune (1134–1137), probably originating in the chapel, that is the clergy in the king's service.

<sup>5</sup> *Scriptores Rerum Danicarum Medii Ævi* by Jacobus Langebek, P. F. Suhm et al., Cph. 1772–1878, vol. VI, p. 135, here dated about 1175. In the *Dipl. Dan.* 1. ser. V, no. 138, the commentaries, it is dated (1171–1177).

uicio mancipatis attentius confouere ut nullis prauorum hominum inquietentur molestiis uel importunis angariis fatigentur.

Valdemar I to the monastery of Odense 1175, 25 June.<sup>6</sup>

*Æquitas et iustitia suadet seruare ecclesiæ rerum suam firmitatem et inconcussi uigoris munimenta seruare. Non enim deo gratus aliquando famulatus impenditur, nisi ex caritatis radice procedens ramos dilectionis longius sed maxime ad eos, qui in domo dei non cessant quotidie clamare, extendat. Oportet ergo omnes christianæ fidei amatores religionem diligere et loca uenerabilia cum ipsis personis diuino seruitio mancipatis attentius confouere, ut nullis prauorum hominum inquietentur molestiis seu importunis angariis fatigentur. Nam quod constanter factum est sepius per calumniam infringitur, et quod legitime definitum est, maliciosus cauillationibus aliquoties dissipatur. Sed quoniam fidelis est literarum custodia, quæ rerum actiones inconcussa serie loquitur et ingentibus calumniis firma præstat obstaculum ueritate prædiorum commutationem etc.*

In the latter case the most probable explanation of the congruence is that the papal bull was copied by the Royal Danish Chancery. As the dating of the papal diploma is questionable, it cannot be proved that the author of the royal charter actually handled it. If the bull is older than the royal charter, it must also be proved that the author of the latter had the chance of using the papal arenga. The possibility of a connection between the monastery of Æbelholt and the royal chancery is suggested by Wm. Norvin in his study on the letters of Vilhelm, abbot of Æbelholt,<sup>7</sup> in which he maintains that Abbot Vilhelm often wielded the pen for the king.

The two arengas mentioned above, almost identical with arengas used outside Denmark, are the best examples available of our European connections, but a great number of "Danish" arengas contain foreign—or rather common European—elements, as will be shown later in this paper.

Comparisons between Danish arengas and contemporary European ones only serve to stress the stereotyped nature of the formula; thus the importance of tackling this problem is increased. The arenga has been subjected to most

<sup>6</sup> *Diplomatarium Arna-Magnæanum* (Dipl. AM) ed. G. J. Thorkelin, Cph. 1786, vol. I, p. 255. The present text and its dating as well as the texts and datings of all the Danish diplomas from the period 1169–1200 have, by kind permission by Mr. C. A. Christensen, M. A., been copied from the manuscript prepared by the late L. Weibull and N. Skyum-Nielsen for *Dipl. Dan.* 1. ser. III.

<sup>7</sup> W. Norvin, "Abbed Vilhelms breve", *Scandia* VI 2, 1933.

penetrating analysis in the work *Arenga. Spätantike und Mittelalter im Spiegel von Urkundenformeln* by Heinrich Fichtenau.<sup>8</sup>

Most of the Danish Royal charters of this period have an arenga. Sometimes it occurs in letters, sometimes not; whereas it is missing in mandates and acts.

### *The function*

The arenga is the first part of the proper text of the medieval diploma. Its purpose is to state with universal and eternal validity the reasons for issuing the diploma or in like manner to explain its legal contents.<sup>9</sup> The arenga is part of the complete classical apparatus of formulas. It forms the opening of the diploma and, according to the rhetorical rules, it should be in accordance with the main contents of the diploma.<sup>10</sup> It may be used deliberately in order to embellish the diploma, and in the hands of the right scribe the arenga might become the ornament of the diploma, which would increase its effect as *captatio benevolentiae*.<sup>11</sup> If it did not make the reader more favourably disposed, it might, say by a very solemn or pompous style make some impression on him. The arenga was the place where the scribe had free scope for displaying his gift for writing, his knack of devising variations on a theme, and his knowledge of artistic prose.

In combination with the invocation, the devotional formula and the sanction, the arenga may raise the whole diploma into a higher sphere. This is, of course, particularly the case, where the contents of the arenga are of a religious nature.

The sacral character of the formula may be desirable for a prince who wishes to stress his intimate connection with God and his divine right of kingship.<sup>12</sup>

<sup>8</sup> Heinrich Fichtenau, *Arenga. Spätantike und Mittelalter im Spiegel von Urkundenformeln*, Mitteilungen des Instituts für Österreichische Geschichtsforschung, Ergänzungsband XVIII, Graz-Köln 1957.

<sup>9</sup> This definition is a translation of that given by Herluf Nielsen in *Kulturhistorisk Leksikon for Nordisk Middelalder*, vol. I, Cph. 1956, s.v. "arenga".

<sup>10</sup> Fichtenau, op. cit. p. 83. — As to the origin and development of the term *arenga* see Martin Granzin, "Die Arenga der frühmittelalterlichen Urkunde", Inaugural-Dissertation, Halle, 1930. As to the relations between the medieval and the antique diplomas see P. Classen, "Kaiserreskript und Königsurkunde", *Archiv für Diplomatik* I–II, 1955.

<sup>11</sup> According to the theoretical definitions of rhetoric the arenga should, a.o., be "quædum prefatio que ad captandam benevolentiam præmittitur et facit ad ornatum". See H. Nielsen op. cit. column 206.

<sup>12</sup> Fichtenau, *Monarchische Propaganda in Urkunden*. *Bolletino dell' Archivio Paleografico Italiano*, Nuova serie 2–3, Rome 1956–57, p. 313.

*The characteristics*

The uniform stamp is to a great extent due to the fact that the main contents of the arengas are often the same. Two groups of arengas are numerically dominant, one dealing with the duty of the prince to protect the Church, the other being variations on the theme: As human memory is weak, it is clever to make use of letters. The latter type may be called the *memoria-oblivio* arenga.<sup>13</sup> Its frequent use is natural, as an arenga of this type may fit into any diploma. The fact that the introduction, the *prooemium*, of the *Lex Castrensis sive curie* by Svend Aggesen, "Nam quod uetustatis antiquitate obsoletum esse plerumque decernitur, id ipsum scripture beneficio reparatur"<sup>14</sup> might be used as an arenga of this type shows the close connection between the two phenomena, prooemium and arenga. As to the first group, I suppose the explanation of its frequent use might be found in the circumstances under which the diplomas have been handed down to us. Most of the charters addressed to churches and monasteries have been preserved, because the clergy kept their royal charters carefully, knowing their value, and often made copies of them. Consequently the arenga, natural in these charters, occurs again and again.

Apart from these rather obvious reasons the stereotyped character of the arenga arises from various other causes. The common language, Latin, the natural written language, facilitated mutual influence between the various countries. Common language makes the copying of style, rhythm, rhyme, etc. easy. The ideas of Western Europe were Christian and so the introduction of biblical motifs, often direct quotations from the Bible, are natural and internationally accepted and understood. In this connection I should like to call attention to Fichtenau's comparison of the diplomatic formulas with liturgy, also composed of sentences repeated endlessly without losing their meaning.<sup>15</sup>

The arenga deals only with general motifs according to its function, and even if we may notice a movement from the general aspect of a matter towards its more special aspects within an arenga, its statements are always kept on the general plane.

The most important fact to bear in mind in order to understand the arenga is that uniformity was desired and deliberately aimed at. It is a fact

<sup>13</sup> Agnes Kurcz gives this name to the type in "Arenga und Narratio ungarischer Urkunden des 13. Jahrhunderts", Mitt. des Inst. f. Österr. Geschichtsforschung, LXX, 1962.

<sup>14</sup> Scriptores minores historiae Danicae medii aevi, rec. M. Cl. Gertz I, Cph. 1917, p. 64.

<sup>15</sup> Heinrich Fichtenau, La situation actuelle des études de diplomatique en Autriche, Bibliothèque de l'école des chartes, Paris 1962, p. 18.

that certain arengas belonged to certain diplomas, which appears from the collections of formulas, and the diplomas themselves show that the rule has been put into practice.<sup>16</sup> But the use of the same arenga may have other reasons. The repetition might serve to emphasize the continuity, say, between a king and his son who succeeded him to the throne, or it might serve to stress the legitimacy of a king, if he copied his legitimate predecessor's formulas.<sup>17</sup>

Finally, it is necessary to call attention to the importance attached to repetition and tradition by medieval man. A repetition of something served to intensify its effect and make it more reliable.<sup>18</sup>

The desired uniformity may be achieved by direct copying of whole arengas, but usually the dictator of the diploma confines the copying to some passages, to a few words. Sometimes he takes over the composition, and sometimes he simply takes over the theme, the idea of the pattern, and expresses it differently, according to his own taste. In connection with his comparisons between Western European and Byzantine dictators, Herbert Hunger maintains that it would be far beneath the latter to copy anything directly, whereas the former would do it gladly.<sup>19</sup> Anyway, the necessary harmony between the arenga and the rest of the diploma sets a natural limit for the degree of copying.

It can easily be proved that arengas in diplomas from the archives of a monastery have been copied, but the existence of a collection of formulas in the Royal Danish chancery during this period cannot be proved, though the idea seems possible.<sup>20</sup> The use of a formula-book would of course add to the uniformity of the arengas. The very existence of a chancery, following a certain practice, and with a clerically trained staff, gives the diplomas issued a uniform stamp, and this applies to the arenga as well as to the rest of the diploma.

The following arengas are all variations on the same theme, and they are parts of diplomas addressed to different recipients, so their similarity must be due to the fact that they originate in the same place, which can only be the royal chancery.

<sup>16</sup> H. Bresslau, *Handbuch der Urkundenlehre für Deutschland und Italien*, Leipzig 1912-1931.

<sup>17</sup> Fichtenau, *Arenga*, p. 85.

<sup>18</sup> Fichtenau, *Arenga*, p. 54.

<sup>19</sup> Herbert Hunger, *Prooimion. Elemente der Byzantinischen Kaiseridee in den Arengen der Urkunden I*, Wiener-Byzantinistische Studien 1, Wien 1964, p. 36.

<sup>20</sup> cf. p. 67.

A: Knud Valdemarsen to Esrom Abbey, 1194, 21 October.<sup>21</sup>

Considerantes nouissima nostra. idque solum homini de vniuerso labore suo quo laborat sole videntes reseruari in posterum. quod terrenis mente abiectis voluptatibus seruitio diuino mancipatis impenditur. quoque indigentium tenuitas releuatur. . .

B: Knud Valdemarsen to the Cathedral of Ribe, 1196, 18 March.<sup>22</sup>

Considerantes id solum homini de uniuerso labore suo quo laborat sub huius carnis ergastulo positus in fructum uerum cedere et in posterum utiliter reseruari quo diuini amoris intuitu et pro regni celestis desiderio studuerat erogare. mente stabiliuimus domino propositum confirmante. ecclesie dei facultates pro posse nostro ab iniuriis alienas manutegere et defensare. et prout dominus nobis inspirare dignatur. facultate nobis suppetente. ecclesie dei et religiosorum libertates ampliare. celestem nobis post huius uite compendia preparare cupientes mansionem. Hec est enim preciosissima margarita uenditis omnibus comparanda et indeficiens thesaurus erugini nequaquam aut tinee corrumpendus.

C: Valdemar II to the city of Lübeck (1202–1214).<sup>23</sup>

Cum uniuersos cuiuscumque professionis aut sexus homines nostro dominio mancipatos in sua uelimus iusticia confouere. illis tamen nos specialius recognoscimus debitores. qui nobis noscuntur specialiter attinere.

D: Valdemar II to the city of Ribe (1202–1214).<sup>24</sup>

Cum uniuersis in regno nostro constitutis ex iniuncto nobis diuinitus officio subuenire et condescendere teneamur. illis tamen specialius nos recognoscimus obligatos. qui uoluntati nostre se specialius optulerunt. nec labori nec expensis ad beneplaciti nostri promocionem in aliquo parcentes.

E: Valdemar II to the monastery of Odense (1202–1214).<sup>25</sup>

Consideratis diligencius status humani circumstanciis. ea tantummodo cognouimus mortalibus usibus reseruari. que prouida hominum circumspectio. diuine remunerationis intuitu erogauerit. succedentibus seculis multiplici fenore reditura. Quod enim in hoc corpore constitutus sibi quisquam non timuerit subtrahere. et eorum qui necessitatem paciuntur usibus ministrare. hoc profecto cum nudus ad uterum matris sue unde nudus exierat.

<sup>21</sup> Text according to MS at the DSL. (cf. note 6). Ed. Dipl. AM I, p. 67.

<sup>22</sup> Text according to MS at the DSL. Ed. O. Nielsen: Ribe Oldemor, no. 1.

<sup>23</sup> Dipl. Dan. 1. ser. IV, no. 53.

<sup>24</sup> *Ibid.* 1. ser. IV, no. 54.

<sup>25</sup> *Ibid.* 1. ser. IV, no. 56.



reuertitur se non dubitet inuenire. Eapropter antecessorum nostrorum piis uestigiis incedere cupientes. et ab eorum uirtutis et caritatis operibus in quantum nobis dominus permiserit non satagentes. ullatenus declinare. cum uniuersis in nostro dominio constitutis tenemur in iusticia non deesse. illis tamen specialius nos recognoscimus debitores. qui relictis huius mundi illecebris nudi ab huius seculi naufragio euaserunt. diuino se incessanter seruicio mancipientes.

**F: Valdemar II to Løgum Abbey (1202–1214).<sup>26</sup>**

Considerantes id solum homini de uniuerso labore suo, quo laborat sub huius carnis ergastulo positus, in fructum uerum cedere et in posterum utiliter reservari, quod diuini amoris intuitu et pro regni coelestis desiderio studuerit erogare, igitur stabiliuimus, domino propositum confirmante, ecclesiae dei facultates pro posse nostro ab iniuriis alienas manutegere et defensare et, prout nobis dominus inspirare dignatur, facultate suppetente, religiosorum libertates ampliare celestem nobis post huius uitae compendia preparare cupientes mansionem.

**G: Valdemar II to Vitskøl Abbey (1202–1214).<sup>27</sup>**

Considerantes iuxta diuinæ institutionis assertionem nihil homini prodesse, si mundum uniuersum lucretur, animæ uero suæ percipiat detrimentum, rebus momentaneis et caducis thesaurum nobis in caelestibus dignum duximus comparare, quem nec erugo nec tinea demolitur. Ne igitur temporis diuturnitate aut rerum mutabilitate ea, quæ prædecessores nostri et nos diuinæ remunerationis intuitu decreuimus ordinanda, immutentur, notum facimus etc.

**H: Valdemar II to the Cathedral of Aarhus 1204, 16 March.<sup>28</sup>**

Licet iuxta apostoli testimonium quicquid antiquatur et senescit prope est ad interitum. illud tamen quodammodo cognoscitur exitum deuitare. quod artificis diligentis circumspectione prouida fuerit litterarum tenaci memorie commendatum. Ea enim que annosa temporum reuolutione ab humanis mentibus quasi innata radicitus exstirpantur. nam memorem esse omnium potius diuinum est quam humanum. litterarum suffragio mediante non perueniunt ad occasum. sed noui semper solis illustrata lumine. eodem cursu iterum ad ortum redeunt et relegentis frequentia ad primeua natiui-

<sup>26</sup> *Ibid.* 1. ser. IV, no. 57.

<sup>27</sup> *Ibid.* 1. ser. IV, no. 59.

<sup>28</sup> *Ibid.* 1. ser. IV, no. 93. The arenga ends with the word "reuocantur". After that follows the narration containing very arenga-like passages.

tatis cunabula reuocantur. Considerato itaque pietatis studio et sancte caritatis desiderio. quo uenerabilem . . . ei qui ubi uult spirat. placuit. ut in deo cuius oculis nuda sunt omnia confidimus inflammari regi seculorum a quo omnia bona procedunt deuotas gracias referentes ipsius propositum quod optatum perducere non petuit ad effectum. diuine remunerationis fieri participes affectantes in quibus eius pia deuotio languit et defecit regie dignum duximus munificencie consummare. Ipse siquidem non parce seminans ut fructum perciperet plenior. semen suum more prouidi seminantis humo non sterili commendauit. sed ut ubi thesaurus suus esset ibi et cor suum in eternis celi sedibus thesaurizasse confiditur ubi nec erugo nec tinea demolitur.

I: Valdemar II to Innocent III (1205).<sup>29</sup>

Cum uniuerſi quacunque per orbem terrarum diffusi. christiane fidei sectatores sanctitatis uestre excellentiam uenerari et diligere. non seruilis. sed filialis deuotionis obsequiis teneantur. illi tamen si iusta paternitatis uestre meritis uoluerint uicissitudine respondere; ad hoc se debent abundantius recognoscere debitores; quos specialis prerogatiua dilectionis et euidentioris gratie manifestis indiciis honoratis. Licet enim ad obediendum et obsequendum sanctitatis uestre beneplacitis christiane professionis generalibus institutis et gentibus uniuerſis communibus teneamur; specialius tamen immense benignitatis et beneuolentie uestre nobis impense stimulis urgentioribus excitati. ad perficiendum beniuole uniuerſa que uestre discretioni nouerimus complacere. nos profecto recognoscimus firmitus obligatos. quia non solum antecessorum uestrorum qui antecessores nostros. et regnum eorum sincere semper caritatis brachiis amplexati sunt uestigiis incedentes; uos constituistis dilectionis quam ad ipsos habuerant successores. uerum etiam eam studuistis incrementis spe quoque maioribus adaugere. et ad perficiendum nostrum beneplacitum. et honorem nostrum et regni pariter promouendum. paterna sollicitudine laborare.

J: Valdemar II to the Cathedral of Ratzeburg (1205).<sup>30</sup>

Circumstantias conditionis humane et uarietates rerum numquam in eodem statu permanentium in momento. diligentius intuentes; nichil in humanis actibus ita firmum uel stabile in presenti seculo consideramus. quod diu-

<sup>29</sup> *Ibid.* 1. ser. IV, no. 101. In this letter, drawn up as a diploma, it may be discussed where the narration begins. Maybe by "licet enim", more likely by "specialius", but as the narration is very arenga-like, it is not necessary in this connection to distinguish sharply between arenga and narration.

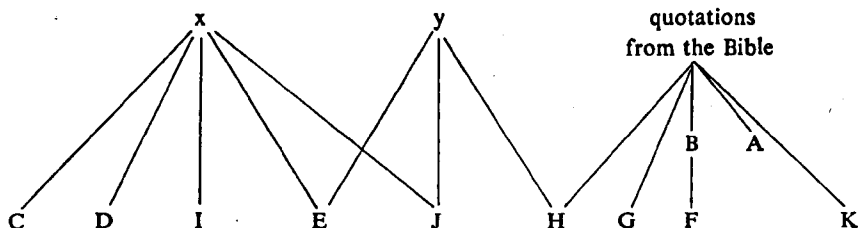
<sup>30</sup> *Ibid.* 1. ser. IV, no. 102.

turnitate temporis que mater est obliuionis; non possit ignorantie nebulis sepeliri. et ab humana que ualde labilis existit memoria extirpari. Volumus itaque ea que digna memorie a nobis geruntur in tempore. ne cum tempore labili a memoria hominum elabantur; litterarum irrefragabili suffragio perhennare. ut in posterum filii qui nascentur et exsurgent; enarrent ea filiis suis. et occasus nescia. nouo semper sole humanis mentibus scripture testimonio elucescant. Cum igitur ex iniuncto nobis diuina permissione officio teneamur omnibus in iustis causis ad nos confugientibus subuenire; precipue tamen et quadam speciali prerogatiua. eos qui diuino sunt seruicio mancipati tenemur in iusticia confouere. et ab iniuriis omnium eis malignari uolentium; protectionis munimine defensare.

K: Valdemar II to Næstved Abbey 1209, 23 September.<sup>31</sup>

Uniuersa negotia mandata litteris trahunt memoria firmamentum. . . Attendens iuxta euangelicæ assertionis ueritatem nihil homini prodesse, si mundum uniuersum lucretur animæ autem detrimentum patiatur, propterea rebus momentaneis et caducis diuina nobis in cælestibus comparare dignum duximus. Cæterum quia omnium inestimabilis res est libertas ac cognoscentes libertatem rebus quantumlibet pretiosissimis præualere ideo etc.

Stemma:



The diplomas C, D, E, I, and J probably have a common source x, the wording of which must be very like C and D. Also the group E, H, J, must have a common source y.

The arengas A, B, G, H, and K are all based on the following quotations from the Bible:

*Eccles.* 1,3: Quid habet amplius homo de uniuerso labore suo, quo laborat sub sole?

*Matth.* 6,20–21: Thesaurizate autem uobis thesauros in cælo, ubi neque ærugo neque tinea demolitur. Ubi enim thesaurus tuus, ibi est et cor tuum.

<sup>31</sup> *Ibid.* 1. ser. IV, no. 160.

*Matth.* 16,26: Quid enim prodest homini, si mundum uniuersum lucretur, animæ uero suæ detrimentum patiatur?

Beyond the close interrelationship demonstrated above, all these arengas belong to the period from 1194 to 1214; both these facts and a preliminary comparison of the remaining formulas of the diplomas in question would, I assume, support the theory that all but two were produced by the Royal Chancery. One of the two exceptions is F, which according to the *Diplomatarium Danicum* must have been worked out by the recipients, using three older documents as patterns. The other one is K, which is also characterized in the *Diplomatarium Danicum* as written by the recipients. An explanation of F's resemblance to B might be that the king's chancellor was present at the drafting of the diploma and placed a collection of formulas or a copy of B at the disposal of the monastery, or he might have taken part in the work.<sup>32</sup> The same may be true of K, but here the resemblance of the arenga to the others may be solely due to the fact that they are based on the same quotation.

Likewise the similarities between the following arengas of diplomas addressed to different recipients must be due to their common origin in the Royal Chancery:

Valdemar II to the Cathedral of Lund 1213, 13 May.<sup>33</sup>

Mutantur tempora, transmigrant homines, sed uiuit littera, et per eam uiuunt diucius actiones. Huius rei gracia emanauit consuetudo laudabilis a discretis, ut ea, que irrefragabiliter statuenda discernent, litterarum presidio confirmarent.

Valdemar II to Albert count of Holstein 1214, 23 May.<sup>34</sup>

Mutantur tempora, transmigrant homines, recedit memoria sed uiuit littera. et per eam uiuunt diucius actiones. Unde consuetudo emanauit laudabilis a discretis. ut ea que perpetualiter seruanda geruntur. litterarum presidio roborentur.

Further there must be a connection between the following arengas:

a: Valdemar I to Esrom Abbey (1157–1160).<sup>35</sup>

Quoniam nostrum est prouidere. quomodo hii qui in regno nostro sunt. in

<sup>32</sup> This possibility is supported by N. Skyum-Nielsen's statement in the commentaries concerning diploma no. 54, 1. ser. IV. This informs us that the chancery had at least some hand in drawing up the diploma.

<sup>33</sup> *Dipl. Dan.* 1. ser. V, no. 34.

<sup>34</sup> *Ibid.* 1. ser. V, no. 46.

<sup>35</sup> *Ibid.* 1. ser. II, no. 122.

pace et quiete uiuant. et maxime illi qui in communi uita religiose uiuunt. et pro nostra salute. et regni stabilitate Deum orant. notum etc.

b: Valdemar I to Esrom Abbey (1158-1160).<sup>36</sup>

Quia regie maiestati non solum honorificum sed et omnibus regimini nostro subiectis saluberrimum fore credimus quomodo hii qui in regno nostro diuinis mancipati sunt obsequiis. et pace nostra tueantur. et regie liberalitatis presidio fulciantur. ne egeant. et maxime hii qui artam uitam professi panem in sudore uultus sui commedunt. quia in orationibus salus nostra protegitur. et regni nostri stabilitas firmatur. notum etc.

c: Valdemar I to Esrom Abbey (1158-1160).<sup>37</sup>

Quoniam nostrum est prouidere quomodo hi qui in regno nostro sunt in pace et quiete uiuant. et maxime illi qui in communi uita unanimes habitant. et pro nostra salute et regni stabilitate Deo supplicant. notum etc.

There is close agreement between a and c, and the few differing expressions still represent the same ideas. It appears from the *Diplomatarium Danicum* that the diplomas were issued by the chancery. The interrelation between a and b is not so obvious, but there are parallels in composition and contents. The fact that all the diplomas are addressed to the monks of Esrom supports the possibility of mutual dependence.

To sum up, several reasons would serve to explain the stereotyped character of the arenga, but also to warn the historian not to reject it as a source of history. On the basis of the description of the characteristics and functions of the arenga, we can, then, safely proceed to an analysis of the statements and conceptions presented there. I have concentrated on the notion of kingship formulated in the arengas of the royal diplomas, and especially on the statements which throw light on the prevailing ideology, if there was one.

Sources concerning a Danish ideology of kingship are few. W. Berges<sup>38</sup> and P. E. Schramm<sup>39</sup> consider coronation ordines the most important among sources for the ideology of kingship. Their value is first and foremost due to their timeless character. Fichtenau compares the arenga to these ordines and maintains that the arenga aims at just the same quality. Unfortunately we have no knowledge of ordines used at coronation ceremonies in Denmark, so

<sup>36</sup> *Ibid.* 1. ser. II, no. 128.

<sup>37</sup> *Ibid.* 1. ser. II, no. 130.

<sup>38</sup> W. Berges, *Die Fürstenspiegel des hohen und späten Mittelalters*, Schriften des Reichsinstituts für ältere deutsche Geschichtskunde 2, Leipzig 1938.

<sup>39</sup> P. E. Schramm, *Der König von Frankreich*, Weimar 1960.

we must make do with the diplomas. Two other formulas of the diploma may serve as sources for this purpose, namely the devotional formula and the sanction, but they have not so far been analyzed; these formulas can be invoked only occasionally.

In this connection, however, it might be useful to dwell a little on the narration formula. In character it is not at all like the devotional formula, the arenga, and the sanction but very often it follows directly after the arenga and is frequently intimately linked with the latter both in contents and form. The transition may be very smooth, the end of the arenga may be very narration-like while the narration may be arenga-like or contain passages which to judge by their contents actually belong to the arenga. In his work the historian tries to separate the two. It is true that the diploma is composed of a number of formulas, but it emerges as an entity, and sometimes the formulas are merged into one another, making it difficult, if not impossible, to decide where to divide them.

Consequently, in several cases information from the narration is used, partly because it is arenga-like, partly in order to throw the statements of the arenga into relief: The "purer" the arenga, the fewer the pieces of special information given in it, according to its definition. The more general the statements on kingship, the more indefinite the terms for it. As soon as the term becomes special, it turns narration-like. A completely symbolic terminology used about kingship would be reasonable in the arenga, but if we find more concrete expressions in the latter, they are probably related to the more matter-of-fact terms of the narration, and so they may be very useful.

On the basis of this digression, I refrain from deciding in the case of every example whether the term in question is mainly a narration-like part of the arenga or an arenga-like part of the narration.

This study deals with the royal diplomas in the period from 1140, when the first arenga appears, until 1223. Of the 69 royal diplomas,<sup>40</sup> 48 are provided with an arenga,<sup>41</sup> and only nine of these have been preserved in

<sup>40</sup> This number does not include mandates and acts and it includes only diplomas of which the text has been preserved to such an extent that it is possible to judge whether it was provided with an arenga or not.

<sup>41</sup> The diplomas mentioned are dated as follows:

Erik III (1137–1146)	2 diplomas,	1 with arenga	
Svend Grathe (1146–1157)	4 –	1 –	–
Knud Magnussen (1146–1157)	1 –	1 –	–
Valdemar I (1157–1182)	21 –	11 –	–
Knud VI (1182–1202)	12 –	8 –	–
Valdemar II (1202–(1223))	29 –	26 –	–

(Included 1 diploma with arenga issued by Valdemar III (the Younger)).

the original. As already mentioned, it is characteristic that the majority of the extant Danish material are charters addressed to churches and monasteries; the arengas of these diplomas must be supposed, then, to underline a special aspect of the king's duties, viz. his duties towards the clergy.

In this context a classification of the arengas would be of no avail. The arengas have been analyzed, in order to discern their notion of kingship, and the oblivio-memoria arengas, useless for this purpose, are used only to point out where and when kingship is not mentioned. In order to throw more light on the statements of the arengas, other contemporary sources are occasionally drawn upon.

### *Analysis*

The king is king by the grace of God, and God has transferred power to the king:

Valdemar I to Veng Abbey (1157–1164).<sup>42</sup>

Quoniam Deo disponente . . . totius regni monarchiam suscepimus etc.

Valdemar I to the Cathedral of Odense 1180, 6 February.<sup>43</sup>

Quoniam rex regum omnium. in cuius dispositione uniuersitas nostra consistit sceptrigeram regni Danorum censuram nostro regimine. gubernari complacuit etc.

Knud Valdemarsen to Valdemar, Bishop of Slesvig 1187, 20 November.<sup>44</sup>

Cum tocius regni prouisoires a cunctipotente creatore simus instituti . . . qui nobis ceptum regie concessit magestatis uirgam commisit regni etc.

Knud Valdemarsen to Æbelholt Abbey (1192–1201).<sup>45</sup>

Ad hec in populis diuina nobis clemencia. contulit principatum ut . . .

Valdemar II to Vitskøl Abbey (1202–1214).<sup>46</sup>

. . . nos, quos miseratio diuina in solium gloriæ sublimauit et magnificis regnandi titulis extulit, etc.

The terms used for God and for the tranference of power are richly varied. God is the acting and deciding factor, to him belongs the power, which he

<sup>42</sup> Dipl. Dan. 1. ser. II, no. 123.

<sup>43</sup> Text according to MS at the DSL (cf. note 6). Ed. Dipl. AM I, p. 261.

<sup>44</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 355.

<sup>45</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>46</sup> Dipl. Dan. 1. ser. IV, no. 58.

chooses to transfer graciously to somebody else. The king is installed as *prouisor* of the whole *regnum*. To him the *principatus* is transferred, and by him the *regnum* of the Danes shall be governed according to the pleasure of God. The king is passive and submits to God's will. The only act referred to is his taking on the *tocius regni monarchiam*.

As to the terms used for the forms of government, *monarchia* and *principatus* are most informative, both of them representing government by one man. The kingdom is called *regnum*, once *regnum Danorum*, and twice it is amplified with "totum". The king's sway over the realm is also phrased metaphorically by a common medieval topos, life conceived as a voyage, here with the king holding the rudder. Besides *regnum*, the terms used for the sphere in which the king governs are *regimen* in Valdemar I's charter for Esrom Abbey (1158–1160)<sup>47</sup> and *dominium* in Valdemar II's charter for Lübeck (1202–1214).<sup>48</sup> *Patria* is used once, but only referring to the country where the king will meet the other *principes* after his death.<sup>49</sup> The description of the transference of power applies the symbols of royal dignity, throne, sceptre etc.

The above mentioned terms for God, kingship, etc. seem to be employed in a similar way in other formulas of the diplomas and in contemporary literary sources. In the devotional formula *Dei gratia*, which is used for the first time by a Danish king in Niels's charter to the Cathedral of Odense (1104–1117),<sup>50</sup> we find the same reference to God as the source of royal power. From this time the formula becomes a permanent part of the royal title, sometimes in a varied form, as in Erik Emune's donation to the Cathedral of Lund 1135, 6 January,<sup>51</sup> where it is termed "*diuina fauente clemencia*".

*Principatus* is used to describe the kingship of Erik Emune in the *Liber Daticus* from Lund.<sup>52</sup> Saxo uses *princeps* of the king,<sup>53</sup> but not *principatus*. The *annales Colbazenses* have under the year 1157: "*Waldimarum suscepit regnum*".<sup>54</sup> In the amplified devotional formula of Knud Valdemarsen's confirmation for the church of Lund 1186<sup>55</sup> we meet *monarchia*: "*Ego Kanutus*."

<sup>47</sup> *Ibid.* 1. ser. II, no. 128.

<sup>48</sup> *Ibid.* 1. ser. IV, no. 53.

<sup>49</sup> Thus in Valdemar I to Esrom Abbey 1176, 6 July. Ed. Dipl. AM I, p. 40.

<sup>50</sup> Dipl. Dan. 1. ser. II, no. 32.

<sup>51</sup> *Ibid.* 1. ser. II, no. 63.

<sup>52</sup> Lunds Domkapitels Gavebøger, ed. C. Weeke, Cph. 1884–89, p. 239.

<sup>53</sup> *Saxonis Gesta Danorum* I, ed. J. Olrik and Ræder, Cph. 1931, e.g. book 6, I, cf. *op. cit.* vol. II, index by F. Blatt, Cph. 1935 sub. v. "princeps".

<sup>54</sup> *Annales Danici medii ævi*, ed. Ellen Jørgensen, Cph. 1920, p. 43.

<sup>55</sup> *Diplomatarium Suecanum*, ed. J. G. Liljegren, Holmiae 1829, vol. I, p. 121.



regis Waldemari filius. per dei gratiam et disposicionem. regni danorum monarchiam tenens”.

In the narration of Knud Valdemarsen's privilege for Æbelholt Abbey,<sup>56</sup> the topos, reflecting life as a voyage, reappears: “Nobis igitur, ut prediximus, qui gubernacula regni suscepimus, etc.” Saxo uses *gubernaculum* about the kingdom several times, a. o. 8. liber IX: “regni gubernacula gestare non sustinens”.

From the king's titles we might probably conclude that we are in the transitional period between the early Germanic period where a personal relationship between king and people existed and the period of the medieval territorial state. The king is called *rex danorum*, which represents the personal relationship, but at the same time it is stressed, that he is the ruler *totius regni*. This is evident in the devotional formula from 1186 quoted above according to which Knud relinquishes the usual title of king of the Danes and describes himself as master of the Danish territory, directly under God.<sup>57</sup>

The most important fact is that, in spite of the great variance of terms, it is maintained that the king is installed by God, according to the latter's will and decision, without anyone's participation or intervention. In this context it is, however, necessary also to take into consideration what is not said. There is no mention of the king's being elected by the people or by the magnates, nor is any dynastic right of inheritance mentioned. The basis of the legitimacy is divine installation. The authors of the arengas must have wished to launch this as something quite usual.

Not much is said about coronation, anointing, enthronement, etc. The crown is mentioned, but only as a symbol of the royal power without any reference to the crown as a material symbol:

Knud Valdemarsen to Æbelholt Abbey (1192–1201).<sup>58</sup>

... corone regali proueniet ...

Valdemar II to the Cathedral of Lund 1213, 13 May.<sup>59</sup>

... ad nostrum spectet officium coroneque proficit ...

From the context it appears that the crown is used as a synonym for kingship. From the metaphorical use of the term *corona* P. E. Schramm infers that a change took place in the interpretation of kingship in twelfth-century

<sup>56</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>57</sup> Aksel E. Christensen, *Kongemagt og aristokrati*, Cph. 1945, p. 58.

<sup>58</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>59</sup> Dipl. Dan. 1. ser. V, no. 34.

England and France. From being the centre of the world order the king is gradually reduced to the mere holder of an office. Slowly the word *corona* took over the meaning which was to be covered by the word "state" in the late Middle Ages.<sup>60</sup> The use of *corona* in the two arengas just mentioned shows that we might be at such a transitional stage. In the charter of 1213, 13 May, we find the term in close connection with *officium*, the royal office: "It belongs to our official duties and benefits the crown . . ."

Nothing is said about anointing. The throne is mentioned once:

Valdemar to Vitskøl Abbey (1202–1214).<sup>61</sup>

. . . nos, quos miseratio diuina in solium gloriæ sublimauit . . .

but this is only a metaphorical representation and does not refer to the enthronement itself.

Sceptre and rod are mentioned in the following arengas:

Valdemar I to the Cathedral of Odense 1180, 6 February.<sup>62</sup>

Quoniam rex regum . . . sceptrigeram regni danorum censuram . . .

Knud Valdemarsen to Bishop Valdemar 1187, 20 November.<sup>63</sup>

. . . qui nobis ceptrum regie concessit magestatis uirgam commisit regni uirgam discretionis ad uindictam . . .

In his *Gesta Danorum* Saxo describes the coronation at the assembly of Ringsted in 1170 as follows: ". . . ubi Lundensis pontificis ministerio, cuius id exsequendi officium erat, et patris eius ossa aræ traduntur et filius, septem annos natus, regia in sella purpura venustatur".<sup>64</sup> In an earlier passage the text runs: "alterum corona donasset, ut et huius infantia regnum reciperet".<sup>65</sup> The continuator of the *Chronicon Roskildense* describes the coronation of Valdemar I, but this can only be a reflection of the coronation of Valdemar II<sup>66</sup>: "Post hec gloriosus Valdemarus, filius sancti Kanuti et martyris filii Herici regis Boni, a cunctis optimatibus Danie in regnum assumptus

<sup>60</sup> P. E. Schramm, Schluss in "Herrschaftszeichen und Staatssymbolik", MGH Schriften, Stuttgart 1956, III, p. 1083.

<sup>61</sup> Dipl. Dan. 1. ser. IV, no. 58.

<sup>62</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 261.

<sup>63</sup> *Ibid.* p. 59.

<sup>64</sup> Saxonis Gesta Danorum I, p. 480<sub>22</sub>.

<sup>65</sup> *Op. cit.* p. 477<sub>17</sub>.

<sup>66</sup> Den ældste Danmarkskrønike (Roskildekrøniken) transl. by Jørgen Olrik, Cph. 1898, p. 42, note 1.

atque ab Eskillo archipresule in regem unctus et purpuratus et diademate gloriosissime coronatus atque in regni solio honorifice collocatus est".<sup>67</sup>

Seals showing the rulers fitted out with the royal insignia have been handed down to us from the following kings: St. Knud is depicted sitting on a chair with eagle's feet, bearing a crown and an orb, Erik III, Knud VI, and Valdemar II are all depicted sitting crowned, holding sceptre and orb.<sup>68</sup> It seems likely that a real throne existed. Saxo uses the term *solium* of the royal throne three times, but only about the throne as the symbol of royal power. He also applies *sella* to the royal seat.<sup>69</sup> In the passage quoted above the *Chronicon Roskildense* has "in regni solio".

The throne in the arena is used only as a symbol of the king's assumption of power, and this is further supported by the fact that the passage seems to be a quotation from the Bible.<sup>70</sup>

None of the above-mentioned seals show more than crown, orb, throne and sceptre, that is, we have no picture showing the king with sceptre and rod, and so we need an explanation of the two sceptres in the arena of 1187. The terms *virga et sceptrum* or *virga et baculus* often occur in the Bible.<sup>71</sup> In connection with the West Franconian coronation ordines P. E. Schramm calls attention to the fact that the doubling of the ancient sceptre probably took place as a result of the influence of the Church.<sup>72</sup> These symbols could be interpreted in two ways. One interpretation states that the sceptre was the symbol of the king's secular dignity, while the staff was "sacri regiminis signum", an interpretation not popular with the Church. The other interpretation makes *baculus* symbol of the reign and the sceptre "insigne regnantis", which should teach the ruler to do justice and hate injustice. According to the latter interpretation the sceptre is a sort of judge's staff. In the West Franconian coronation order, sceptre and *baculus* were termed *sceptrum et virga* at and after the coronation of Louis VI in 1108.<sup>73</sup> In England the two staff symbols were replaced in the twelfth century by a cross for the sceptre, a dove for the staff. In France *virga* finally came to symbolize the judicial aspect of kingship.

No Scandinavian coronation order has been preserved, but it seems likely

<sup>67</sup> *Scriptores minores historiae Danicae medii ævi I–II*, rec. M. Cl. Gertz, Cph. 1917, p. 33.

<sup>68</sup> *Danske kongelige Sigiller 1085–1559*, coll. by H. Pedersen, ed. by A. Thiset, Cph. 1917. The seal of St. Knud has been preserved only in a late drawing.

<sup>69</sup> *Saxonis Gesta Danorum II* s.v. "sella" and "solium".

<sup>70</sup> Cf. *Dipl. Dan.* 1. ser. IV, no. 58, the commentaries.

<sup>71</sup> e.g. *Ezech.* 19, 11.

<sup>72</sup> P. E. Schramm, *Der König von Frankreich*, Weimar 1960, p. 58 f.

<sup>73</sup> *Ibid.* p. 211.

that the rite originally composed for the coronation of Otto II in Aachen in 961 was used.<sup>74</sup> This ordo from Mainz was partly modelled on the West Franconian ordo just mentioned.<sup>75</sup> The question is whether this doubling of the staff was copied by the German ordo. The ordo from Mainz at one time had both *sceptrum* and *virga*, and one of its sources has *virga*,<sup>76</sup> but it is unknown what the wording of the ordo from Mainz was when borrowed in Denmark. O. Källström mentions the possibility of the use of two staffs in Norway from about 1247 and in Sweden from about 1340.<sup>77</sup>

Saxo has *sceptrum* as well as *virga*, but not in the same context. *Virga* appears twice meaning the bishop's staff,<sup>78</sup> and it is used for the rod of the German emperor,<sup>79</sup> but not as royal insignia. *Virga* in the arenga is "uirgam discretionis ad uindictam malefactorum laudem uero bonorum iusti ut ea protegantur ne iniustis succumbant oppressionibus" etc. This means that the king shall judge and punish like God. He appears as *imago Dei*.

In the *Policraticus*<sup>80</sup> written by John of Salisbury<sup>81</sup> in 1159 the prince also appears as *imago Dei*.<sup>82</sup> This work is not exactly a theory of the state, but a collection of reflections, i. a. on the nature of the state and of kingship.<sup>83</sup> John conceives the king as installed by God, the kingdom as divine. The king is *diuina maiestatis imago*. It lies with God to choose the king, whether through election, heritage or in other ways. John distinguishes between the just prince, called *princeps*, and the tyrant, *tyrannus*. The *princeps* rules according to law. The criterion for a just prince is that his interpretation of the law is in harmony with *lex Dei*. The latter is the natural law, which

<sup>74</sup> P. Beskow, "Kröning" in Kulturhistorisk leksikon for nordisk middelalder, vol. 9, Cph. 1964.

<sup>75</sup> H. M. Decker-Hauff (coll. P. E. Schramm), Die Reichskrone angefertigt für Kaiser Otto I, Schramm, Herrschaftszeichen, p. 617, n. 1.

<sup>76</sup> C. Erdmann, Königs- und Kaiserkrönung im ottonischen Pontifikale, Forschungen zur politischen Ideenwelt des Frühmittelalters, p. 86 ff.

<sup>77</sup> O. Källström, "Über das Szepter in Skandinavien" in Schramm, Herrschaftszeichen und Staatssymbolik, p. 790 ff.

<sup>78</sup> Saxonis Gesta Danorum I, p. 312<sub>1</sub> and 514<sub>12</sub>.

<sup>79</sup> *Op. cit.* p. 532<sub>36</sub>.

<sup>80</sup> Ioannis Saresberiensis Episcopi Carnotensis Policratici sive de nugis curialium et vestigiis philosophorum libri VIII ed. by Clemens C. I. Webb, Oxford 1909.

<sup>81</sup> Aksel E. Christensen in Kongemagt og Aristokrati, Cph. 1945 and Hal Koch in Den Danske Kirkes Historie vol. I, Cph. 1950 have called attention to the harmony between the concept of kingship in the work of John of Salisbury and the ideology reflected in the Danish arengas.

<sup>82</sup> *Policraticus* (note 80), lib. IV, cap. 1.

<sup>83</sup> J. Dickinson, Kingship in the *Policraticus* of John of Salisbury, *Speculum* vol. 1, 1926, p. 336. J. D. points out how diverging opinions exist side by side in the *Policraticus*.

to John is represented by canon law.<sup>84</sup> At the same time as the prince is above the law, “*legis nexibus absolutus*”, he is also bound by it, since he is only considered just, if he interprets it in the right way.

It is the king's task to punish the wicked and reward the good, that is to say he has an ethical function, namely the maintenance of divine justice in the world. The following quotation from the *Policraticus* presents the prince in this function, wielding *virga et baculus*. It is evident that the passage is influenced by the Bible.<sup>85</sup>

Publicae ergo utilitatis minister et aequitatis seruus est princeps, et in eo personam publicam gerit, quod omnium iniurias et dampna sed et crimina omnia aequitate media punit. Virga quoque eius et baculus, adhibita moderatione sapientiae, contractus omnium et errores ad uiam reducit aequitatis, ut merito potestati spiritus congratuletur, dicens: Virga tua et baculus tuus ipsa me consolata sunt.<sup>86</sup>

The question is whether the *virga* of the Danish arenga has any connection with the abovementioned French sceptre. Perhaps, it cannot be decided, but the most probable explanation is that *virga* in the arenga is used under the influence of the quotation from the Bible, which stresses the almost divine dignity of the king.

We may conclude that no special part of the coronation ceremony is stressed in the arengas.

The kingship has been bestowed on the king through the grace of God, and not because of the king's personal merits.

Valdemar I to Veng Abbey (1157–1164).<sup>87</sup>

Quoniam Deo disponente. quamuis meritis nostris minime exigentibus. totius regni monarchiam suscepimus; etc.

In this arenga the king succeeds in demonstrating his Christian outlook and also in emphasizing that the royal office is a domain, inaccessible to ordinary mortals. The exalted office of the king is also illuminated by the use of the term *maiestas*.

Valdemar I to Esrom Abbey (1158–1160).<sup>88</sup>

Quia regie maiestati non solum honorificum sed et etc.

<sup>84</sup> Cf. H. Liebeschütz, *Medieval Humanism in the Life and Writings of John of Salisbury*, 1950.

<sup>85</sup> *I Petr.* 2, 14.

<sup>86</sup> *Policraticus*, lib. IV, cap. 2.

<sup>87</sup> *Dipl. Dan.* 1. ser. II, no. 123.

<sup>88</sup> *Ibid.* 1. ser. II, no. 128.

Knud Valdemarsen to Bishop Valdemar 1187, 20 November.<sup>89</sup>

... qui nobis ceptrum regie concessit magestatis etc.

This term is also applied to the ancestors of the king.

Valdemar I to the Cathedral of Odense (1174).<sup>90</sup>

Quod antiqua predecessorum nostrorum maiestas firmauit etc.

It is evident that the arengas are dominated by Christian ideas and reflect a Christian outlook on the world. The underlying idea of the following arenga must be that every man has his place in the world order.

Valdemar I to the Gotland merchants (1170–1182).<sup>91</sup>

... Sed quia deus cunctorum gubernator sicut uni capiti diuersorum officiorum distinxit membra, sic uaritate rerum ac temporum determinauit negotia gentium, igitur, siue mercimoniarum negotiis laborantibus, siue agriculturis desudantibus uel militiæ cingulo fulgentibus, æqua lance iuris omnibus paterno tenemur affectu.

The metaphor is reminiscent of the conception of the state as a corpus, whose limbs function like the limbs of a healthy body. The metaphor can be found in the *Policraticus*, lib. V, cap. 2. Here the prince is the head, the *sacerdotium* the soul of the body, etc. In the Danish arenga it is not quite clear, who represents the head of the *membra* mentioned.

The following arengas show that the king's role is an office.

Knud Valdemarsen's ordinance concerning homicide, 1200, 28 December.<sup>92</sup>

Ministerium nobis diuina gracia traditum attendentes. etc.

Valdemar II to the city of Ribe (1202–1214).<sup>93</sup>

... ex iniuncto nobis diuinitus officio ...

Valdemar II to the Cathedral of Ratzeburg 1205.<sup>94</sup>

... cum igitur ex iniuncto nobis diuina permissione officio etc.

<sup>89</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 355.

<sup>90</sup> Text according to MS at the DSL. Ed. W. Holtzmann, *Urkunden zur Geschichte des Domklosters von Odense*, Schriften des Vereins für schleswig-holsteinische Kirchengeschichte vol. 9, p. 63.

<sup>91</sup> Text according to MS at the DSL. Ed. C. Nyrop, *Danmarks Gilde- og Lavsskråer I*, p. 3.

<sup>92</sup> Dipl. Dan. 1. ser. IV, no. 24.

<sup>93</sup> *Ibid.* 1. ser. IV, no. 54.

<sup>94</sup> *Ibid.* 1. ser. IV, no. 102.

Valdemar II to the Cathedral of Lund 1213, 13 May.<sup>95</sup>

... igitur cum ad nostrum spectet officium coroneque proficit etc.

The idea of office also seems to underlie the following passage:

Valdemar I to the Cathedral of Odense 1180, 6 February.<sup>96</sup>

Quoniam rex regum omnium ... sceptrigeram regni Danorum censuram nostro regimine. gubernari complacuit etc.

*Censura regia* can be found meaning royal dignity in an English source from about 1115.<sup>97</sup> The censorship was the most exalted of the old Roman offices, and in the time of the empire it was taken over by the emperor. In this arenga it seems to be synonymous with office, perhaps meaning an exalted office, without any reference to the original sense like the other Roman term *principatus*.

These arengas reflect the general medieval idea, that God maintains the world-order through his "officers",<sup>98</sup> and that the king becomes one of them through his ordination. It is important to note that the office cannot be attained through any effort or by any right.

The most frequent term for office is *officium*. *Ministerium* is used once about the king's office, viz. in the ordinance of 1200. What, then, is the difference between these two terms for office?

A study of the contents of the words in their various contexts leads to the result that *ministerium* implies that the king "uniuersis uobis iusticiam diligentibus. nos cognoscimus debitores. profectum singulariter. et omnium generaliter affectantes."<sup>99</sup> But it is not enough to look at the arenga, we must consider the central part of the ordinance to which the arenga forms the introduction. In the diploma in question the king presents his decision to promulgate an ordinance by virtue of the royal authority and it is stated that it is within the power of the king to give and alter laws. So it seems to be consonant with *ministerium* that the king acts as sovereign legislator by virtue of his royal authority.

An investigation into the use of *officium* gives the following result. According to the charter of Valdemar II to Ribe (1200–14) the *officium*

<sup>95</sup> *Ibid.* 1. ser. V, no. 34.

<sup>96</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 261.

<sup>97</sup> Revised Medieval Latin Word-list from British and Irish Sources, London 1965, s. v. "censura".

<sup>98</sup> On "office" as one of the principal ideas at the time of the investiture contest, see Jakob Balling, *Investiturstidsperiodens embedstænkning*, Cph. 1963.

<sup>99</sup> Dipl. Dan. 1. ser. IV, no. 24.

requires that the king is merciful to everybody in his realm and comes to their rescue. However, he is under a special obligation towards those who have been obliging to him.<sup>100</sup> According to the privilege for the church of Ratzeburg of 1205, the *officium* obliges the king to help anybody seeking refuge with him, if his cause is just, but in particular those who had given themselves up to a religious life.<sup>101</sup> In the confirmation for the Cathedral of Lund the *officium* states the reason for a confirmation and corroboration augmenting the liberty of the church.<sup>102</sup>

*Officium* seems to be the usual term for the office of the pope and the bishops – Danish bishops included – though *ministerium* may be found. In the letter of 1164<sup>103</sup> from Alexander III to Archbishop Stefan of Uppsala both terms are used in their most characteristic sense, viz. *officium* about office in general, *ministerium* meaning the ecclesiastical office:

... et sicut in humano corpore pro uarietate officiorum/diuersa ordinata sunt membra. ita in structura ecclesie ad diuersa ministeria exhibenda/diuerse persone ...

The term *minister* used about the king can be found in the *Policraticus*. Here the relation between the prince and the Church is reflected in the statement that the prince is the minister of the *sacerdotium*: "Est ergo princeps sacerdotii quidem minister et qui sacrorum officiorum ..." <sup>104</sup> The prince is also minister of the common weal: "Publicae ergo utilitatis minister et aequitatis seruus est princeps ..." <sup>105</sup> The last statement is the more remarkable, in as much as this conception of the king may be the first beginnings of the modern conception of the state.<sup>106</sup> But John still keeps the state within the framework of the universal church, maintaining that the king is not responsible for the people, but only to God.<sup>107</sup>

If we return to the arenga in which the Danish king terms his office *ministerium*, it seems to reflect the same ideology as represented in the *Policraticus*. Now it remains to explain why *ministerium* is used, that is to say why the ecclesiastical aspect of the office is stressed.

The ordinance is of the greatest importance, because of the king's attempt to usurp legislative power. The identity of the author of the diploma has been the subject of discussion. The theory proposing the chancellor, Anders

<sup>100</sup> *Ibid.* 1. ser. IV, no. 54.

<sup>101</sup> *Ibid.* 1. ser. IV, no. 102.

<sup>102</sup> *Ibid.* 1. ser. V, no. 34.

<sup>103</sup> *Ibid.* 1. ser. II, no. 153.

<sup>104</sup> *Policraticus*, lib. IV, cap. 3.

<sup>105</sup> *Ibid.* lib. IV, cap. 2.

<sup>106</sup> Gaines Post, *Studies in Medieval legal thought*, Princeton 1964, p. 260.

<sup>107</sup> Dickinson, *op. cit.* p. 314.



Sunesen, seems to be rejected. P. J. Jørgensen<sup>108</sup> emphasizes the influence of the Church on the opening phrases of the diploma, and finds that the dictator deliberately tries to justify the king's usurpation of legislative power by asserting that he acts in the service of a supreme power. Thus he need not obtain the consent of the regular legislative organ. Stig Iuul<sup>109</sup> suggests, that Archbishop Absalon is behind the ordinance; if the ambitious aspirations towards conferring the legislative power on the king were interpreted as manifestations of Absalon's ideas, this would offer a natural explanation. I agree with P. J. Jørgensen, but I want to add that the king's action is deliberately justified through the term *ministerium*, which raises the action to a higher level and, further, the choice of the term *ministerium* would suggest that the Church – perhaps Absalon – was involved in the drawing up of the diploma. The king is in the service of the Church.

As far as I can see, the ordinance proves that the kingdom is at a transitional stage. The king declares his right to legislate, but at the same time he stresses that the law is in fact an old one now brought to light. The king is the creator of law, but pleads that he is the custodian of law. Kantorowicz maintains<sup>110</sup> that the process in which the preservation of law yields to the creation of law is reflected in the language when *rex justus*, with its religious connotation, yields to *rex legislator*.

The arengas are dominated by statements about the duties of the king, and this gives support to the concept of kingship as an office with duties and rights. Besides the examples already mentioned, in which the official duties of the king are explicitly established, we find several other arengas stating royal duties. It is striking that the most important duty is the king's function as protector and benefactor of the Church. The Church means in this connection all confessors of the Christian faith and especially the brethren and sisters of the monasteries and convents.

What could the king do for the Church? In the arengas the *utilitas* and the *libertas* of the Church are mentioned:

Knud Valdemarsen to Bishop Valdemar 1187, 20 November.<sup>111</sup>

... si sancte ecclesie utilitatibus dominique ministrorum proteccionibus  
... non intendissemus ...

<sup>108</sup> P. J. Jørgensen, Manddrabsforbrydelsen i den skånske Ret fra Valdemarstiden, Københavns Universitets Festskrift, November 1922.

<sup>109</sup> S. Iuul, Anders Sunesen som lovgiver og juridisk forfatter, Svensk juristtidning 33. årg. 1948, p. 18.

<sup>110</sup> E. H. Kantorowicz, Kingship and scientific jurisprudence, M. Clagett *et al.*: Twelfth Century Europe and the Foundations of Modern Society, 1961, p. 99.

<sup>111</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 355.

Valdemar II to the Cathedral of Lund 1213, 13 May.<sup>112</sup>

... ad nostrum spectet officium ... ad augmentum ecclesiastice libertatis confirmacio et corroboracio ...

The king's duties seem to be to enrich the Church either through presents in form of land or other sources of income or through augmenting the liberty of the Church by exempting it from taxes, duties etc. Naturally, the definite implications of the king's action are not stated in the arenga, but we are given the general motivation.

The conveyance of property to a monastery is motivated as follows:

Valdemar I to Esrom Abbey (1157–1160).<sup>113</sup>

Quoniam nostrum est providere. quomodo hii qui in regno nostro sunt. in pace et quiete uiuant. et maxime illi qui in communi uita religiose uiuunt. et pro nostra salute. et regni stabilitate Deum orant. etc.

Valdemar I to the monastery of Odense 1175, 25 June.<sup>114</sup>

Æquitas et iustitia suadet seruare ecclesiæ rerum suam firmitatem et inconcussi uigoris munimenta serurare. Non enim deo gratus aliquando famulus impenditur, nisi ex caritatis radice procedens ramos dilectionis longius sed maxime ad eos, qui in domo dei non cessant quotidie clamare, extendat. Oportet ergo omnes christianæ fidei amatores religionem diligere et loca uenerabilia cum ipsis personis diuino seruitio mancipatis attentius confouere, ut nullis prauorum hominum inquietentur molestiis seu importunis angariis fatigentur. etc.

The following arengas motivate the exemption from various duties:

Valdemar II to the monastery of Odense (1202–1214).<sup>115</sup>

... illis tamen specialius nos recognoscimus debitores. qui relictis huius mundi illecebris nudi ab huius seculi naufragio euaserunt. diuino se incessanter seruicio mancipantes.

Valdemar II to the Cathedral of Ratzeburg 1205.<sup>115a</sup>

Cum igitur ex iniuncto nobis diuina permissione officio teneamur omni-

<sup>112</sup> Dipl. Dan. 1. ser. V, no. 34.

<sup>113</sup> *Ibid.* 1. ser. II, no. 122.

<sup>114</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 255.

<sup>115</sup> Dipl. Dan. 1. ser. IV, no. 56.

<sup>115a</sup> Dipl. Dan. 1. ser. IV, no. 102.

bus in iustis causis ad nos confugientibus subuenire; precipue tamen et quadam speciali prerogatiua. eos qui diuino sunt seruicio mancipati tene-mur in iusticia confouere. et ab iniuriis omnium eis malignari uolentium; protectionis munimine defensare.

The following arengas are examples of motivations for the king's protec-tion of various persons:

Knud Valdemarsen to Bishop Valdemar 1187, 20 November.<sup>116</sup>

Cum tocius regni prouisoires a cunctipotente creatore simus instituti me-rito ingrati nomen incurrissemus si sancte ecclesie utilitatibus dominique ministrorum proteccionibus a quo omnia possidemus per quem uiuimus. et sumus. sumopere ceterisque negociis diligencius non intendissemus etc.

Valdemar II to Løgum Abbey (1202–1214).<sup>117</sup>

... stabiliuimus, domino propositum confirmante, ecclesie dei facultates pro posse nostro ab iniuriis alienas manutegere et defensare et, prout nobis dominus inspirare dignatur, facultate suppetente, religiosorum libertates ampliare celestem nobis post huius uitae compendia preparare cupientes mansionem.

Usually the king's duty to protect the Church arises from his office. In a single arenga the king lets the dignity of his name motivate his action.

Valdemar I to Esrom Abbey 1176, 6 July.<sup>118</sup>

Ad nostri nominis pertinet dignitatem ueri dei cultoribus ueris. et precipue nobis regiminis ratione commissis paternam impendere prouidentiam etc.

In Valdemar II's confirmation for Esrom Abbey (1202–14),<sup>119</sup> the king acts "secundum mandatum dei eiusque beneplacitum". His actions on behalf of the institution are motivated by being advantageous to the Crown, as e. g. in the mediatory letter from Knud Valdemarsen to Æbelholt Abbey (1192–1201):<sup>120</sup> "corone regali proueniet", and in Valdemar II's confir-mation for the Cathedral of Lund 1213, 13 May:<sup>121</sup> "coroneque proficit".

<sup>116</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 59.

<sup>117</sup> Dipl. Dan. 1. ser. IV, no. 57.

<sup>118</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 40.

<sup>119</sup> Dipl. Dan. 1. ser. IV, no. 55.

<sup>120</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>121</sup> Dipl. Dan. 1. ser. V. no. 34.

In Knud Valdemarsen's letter there seems to be a secondary motive, namely that the enriching of the church will earn him remuneration and give him *gloria*.

However, we find several motivations of protection proving that the king acts as a private person as well as the keeper of an institution. His wish to save his own soul and prepare himself a place in the next world was a strong motive and is found repeatedly, i. a. in the following arenga:

Valdemar II to Løgum Abbey (1202–1214).<sup>122</sup>

Considerantes id solum homini de uniuerso labore suo, quo laborat sub huius carnis ergastulo positus, in fructum uerum cedere et in posterum utiliter reseruari, quod diuini amoris intuitu et pro regni coelestis desiderio studuerit erogare, igitur stabiliuimus, domino propositum confirmante . . .

Consideration for the king's soul is mentioned before consideration for the *stabilitas* of the *regnum*:

Valdemar II to the brethren of Esrom Abbey (1157–1160).<sup>123</sup>

Quoniam nostrum est prouidere. quomodo hii qui in regno nostro sunt. in pace et quiete uiuant. et maxime illi qui in communi uita religiose uiuunt. et pro nostra salute. et regni stabilitate Deum orant.

In the following arenga the king's feeling of debt towards the monks motivates his action.<sup>124</sup>

Valdemar II to the monastery of Odense (1202–1214).<sup>125</sup>

. . . illis tamen specialius nos recognoscimus debitores. qui relictis huius mundi illecebris nudi ab huius seculi naufragio euaserunt. diuino se incessanter seruicio mancipantes.

The last motive given for the protection of the church is that it is required by *aequitas et iustitia*. This appears from the following example:

Knud Valdemarsen to the Cathedral of Odense 1183, 21 March.<sup>126</sup>

Inter cetera regni nostri negocia et sollicitudines quibus occupamur. ec-

<sup>122</sup> *Ibid.* 1. ser. IV, no. 57.

<sup>123</sup> *Ibid.* 1. ser. II, no. 122.

<sup>124</sup> According to Fichtenau, Arenga, p. 80, the idea that the king may be indebted to his subjects crops up in the arengas of the central middle ages.

<sup>125</sup> Dipl. Dan. 1. ser. IV, no. 56. See also in the same vol. no. 24, 53, 54.

<sup>126</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 269. See also Valdemar I's privilege of 1175, Dipl. AM I, p. 255.

clesiarum dignitates ampliare, cenobiorum proficuo intendere sancteque religionis amatores attentius confouere salutari suggestu consulimur, iusticie et equitatis ratione hortamur diuineque auctoritatis monitu instruamur.

As for the last three categories of motive they might refer to the king as the keeper of an institution as well as a private person. This fusion of the kingship and the person can also be found in Valdemar II's confirmation for Esrom Abbey (1202–1214)<sup>127</sup> in which the royal power is likened to a talent entrusted to his charge.

As already mentioned, the king's duties towards the Church are undoubtedly the main theme of the arengas. This can be explained by the circumstances under which the material has been handed down to us, but another explanation may be added. It is important to keep in view the central position occupied by the Church and the monasteries in medieval society.<sup>128</sup> The monks, "pauperes Christi", put into practice the ideal, upheld by the remainder of the population, of how life ought to be led on this earth to the glory of God. The monks were not only the true ornament of the Church, but performed important functions and were helpful to all by virtue of their way of life. Their intercession, whether for the king, his subjects, or the stability of the kingdom, was of great importance. The following arengas express this view of the monks and their activities:

Valdemar I to Esrom Abbey (1158–1160).<sup>129</sup>

Quia regie maiestati non solum honorificum sed et omnibus regimini nostro subiectis saluberrimum fore credimus quomodo hii qui in regno nostro diuinis mancipati sunt obsequiis. et pace nostra tueantur. et regie liberalitatis presidio fulciantur. ne egeant. et maxime hii qui artam uitam professi panem in sudore uultus sui comedunt. quia in orationibus salus nostra protegitur. et regni nostri stabilitas firmatur.

Valdemar II to Esrom Abbey (1202–1214).<sup>130</sup>

... hoc solum michi intueor fructuosum. si secundum mandatum dei eiusque beneplacitum in hac breui uita uixero. et pacem ac quietem regno michi commisso preuidero. et precipue religiosiis. deo. die noctuque famulantibus. et pro nobis contra arias potestates armis spiritualibus pugnantibus.

<sup>127</sup> Dipl. Dan. 1. ser. IV, no. 55.

<sup>128</sup> Hal Koch, "De ældste danske klostres stilling i kirke og samfund indtil 1221", *Historisk Tidsskrift* 10. ser. III, p. 581 f.

<sup>129</sup> Dipl. Dan. 1. ser. II, no. 128.

<sup>130</sup> *Ibid.* 1. ser. IV, no. 55.

Valdemar II to Esrom Abbey (1211–1214).<sup>131</sup>

Religiosam uitam eligentibus. regale conuenit adesse presidium. propter multiplices prauorum incursus. ne forte cuiuslibet temeritatis acerbitas. aut eos a sancto proposito reuocet / aut robur quod absit sacre religionis infringat . . .

Statements about the king's relation to other institutions and to his subjects are on the whole scanty. He must provide for all the inhabitants of his kingdom, which is termed *regnum*<sup>132</sup> or *dominium*,<sup>133</sup> and maintain peace and order.

Valdemar I to Esrom Abbey (1157–1160).<sup>134</sup>

Quoniam nostrum est prouidere. quomodo hii qui in regno nostro sunt. in pace et quiete uiuant. etc.

Also in the abovementioned privilege for Esrom Abbey<sup>135</sup> the royal peace, protecting the monks, is mentioned.

This *stabilitas* of the *regnum* is very important. According to the arengas it may be achieved indirectly be the king's protection of the monks, who work for it through their intercession. The abovementioned arenga<sup>136</sup> continues in this way: "et maxime illi qui in communi uita religiose uiuunt. et pro nostra salute. et regni stabilitate Deo orant."

In several arengas the king's will to provide justice is stated:

Valdemar II to the city of Lübeck (1202–1214).<sup>137</sup>

Cum uniuersos cuiuscumque professionis aut sexus homines nostro dominio mancipatos in sua uelimus iusticia confouere. etc.

Valdemar II to the monastery of Odense (1202–1214).<sup>138</sup>

. . . cum uniuersis in nostro dominio constitutis tenemur in iusticia non deesse . . .

<sup>131</sup> *Ibid.* 1. ser. V, no. 8.

<sup>132</sup> *Ibid.* 1. ser. IV, no. 54 and 55.

<sup>133</sup> *Ibid.* 1. ser. IV, no. 53 and 56. The possible feudal aspect of this term cannot be determined on the basis of its occurrence in the arengas.

<sup>134</sup> *Ibid.* 1. ser. II, no. 122, cf. no. 130, and *ibid.* 1. ser. IV, no. 55.

<sup>135</sup> *Ibid.* 1. ser. II, no. 128.

<sup>136</sup> Cf. note 134.

<sup>137</sup> Dipl. Dan. 1. ser. IV, no. 53.

<sup>138</sup> *Ibid.* 1. ser. IV, no. 56.

Valdemar II to the Cathedral of Ratzeburg 1205.<sup>139</sup>

... Cum igitur ... teneamur omnibus in iustis causis ad nos confugientibus subuenire ...

The king's function as mediator is much emphasized in the following arenga:

Knud Valdemarsen to Æbelholt Abbey etc. (1192–1201).<sup>140</sup>

Ad hec in populis diuina nobis clemencia contulit principatum ut quicquid fuerit in eis dyabolo suadente discordie per errorem inductum per studium nostrum sit falce iudici mediante purgatum.

A very special duty is mentioned in the letter from Knud Valdemarsen to Bishop Valdemar 1187, 20 November<sup>141</sup> in which the king takes the bishop under his protection. From the arenga of this letter it appears that the king is to punish the wicked and reward the good. The king seems to have a divine function, that is he becomes *imago Dei*. In Valdemar II's charter for the Cathedral of Lübeck 1215, 29 July<sup>142</sup> the king compares himself to God, and it is obvious that God is the ideal, but the king is not *imago Dei*.

A single arenga reflects a father-child relationship between the king and his subjects, here the monks:

Valdemar I to Esrom Abbey 1176, 6 July.<sup>143</sup>

Ad nostri nominis pertinet dignitatem ... paternam impendere prouidentiam ...

Various expressions are used to describe the royal power, and information about it is scarce. An analysis of the sanction formulas of the diplomas may give a better result as to the definition of the king's power and authority. In Valdemar II's charter for Vitskøl Abbey (1202–1214),<sup>144</sup> the royal power is termed *regia potestas*, and with this, the king is to defend the church. *Auctoritas* is not used of the royal power,<sup>145</sup> but only of divine authority as in Knud Valdemarsen's privilege for the church of Odense 1183,

<sup>139</sup> *Ibid.* 1. ser. IV, no. 102.

<sup>140</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>141</sup> Dipl. AM I, p. 355.

<sup>142</sup> Dipl. Dan. 1. ser. V, no. 57.

<sup>143</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 40.

<sup>144</sup> Dipl. Dan. 1. ser. IV, no. 58.

<sup>145</sup> "Auctoritate ... regia" occurs in the *dispositio*-formula of Dipl. Dan. 1. ser. IV, no. 54.

21 March.<sup>146</sup> In a single arenga we find mention of the royal *voluntas*, in Valdemar II's privilege for Ribe, (1202–1214).<sup>147</sup>

According to the arengas the main virtues seem to be: *justitia*, *aequitas*, *liberalitas*, *benignitas*, *largicio*, *clemencia*, *misericordia*, *humanitas*, *pietas*. For practical reasons these may be grouped round the concepts: *justitia*, *liberalitas*, *clemencia* and *pietas*. The king's obligation to provide justice in his kingdom has already been included among his duties. Of course it might also be considered a virtue to be just, to love justice, "*uniuersis uobis iusticiam diligentibus*",<sup>148</sup> and to struggle against the devil, termed *oppug-nator iusticie*.<sup>149</sup> In Knud Magnussen's letter to Friederich Barbarossa<sup>150</sup> the latter is referred to as *pater iusticie*, whose duty is *iusticiam corroborare*. This somehow echoes the concept *rex iustus* and even seems to indicate that the emperor is the fountain-head of justice. Further, a king who is directed by concepts such as *iustitia et aequitas*<sup>151</sup> must be considered upright and virtuous. In three cases *justitia* and *aequitas* occur together,<sup>152</sup> but as *aequitas* does not occur alone, it is impossible to distinguish between these two concepts. *Aequitas* originally meant something higher than justice, and it may still do so, but it cannot be proved by the context. Fichtenau, writing about the "European" arenga,<sup>153</sup> says that by and large the distinction has disappeared from the medieval arengas. There is at least no philosophizing about it. The same seems to be true of the Danish arengas, in which the juxtaposition of *aequitas* and *justitia* seems very formula-like.

Among the virtues first and foremost appreciated by the recipients of the diplomas were the ruler's *liberalitas*, *benignitas*, *largitio*, and *munificentia*. It is characteristic that the idea behind the arengas in which the king proves that he possesses one of these virtues seems to be one of measure for measure.<sup>154</sup> In return for God's generosity, the king ought to further the worship of God.<sup>155</sup> The pope's immense grace and benevolence urge the king to act according to the pope's pleasure,<sup>156</sup> and the king readily aids

<sup>146</sup> Ed. Dipl. AM I, p. 269.

<sup>147</sup> Dipl. Dan. 1. ser. IV, no. 54.

<sup>148</sup> *Ibid.* 1. ser. IV, no. 24.

<sup>149</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

<sup>150</sup> Dipl. Dan. 1. ser. II, no. 104.

<sup>151</sup> Ed. Dipl. AM I, pp. 255, 269, *Scriptores Rerum Danicarum* V, p. 242.

<sup>152</sup> Cf. note 151.

<sup>153</sup> Fichtenau, *Arenga* p. 53.

<sup>154</sup> Cf. Fichtenau, *op. cit.* p. 58.

<sup>155</sup> Dipl. Dan. 1. ser. V, no. 57.

<sup>156</sup> *Ibid.* 1. ser. IV, no. 101.



his subjects with royal generosity, because they pray for the salvation of his soul and the stability of the kingdom.<sup>157</sup> Of the four terms used for generosity, *benignitas* is applied to God and the pope, and *largitio* to God, but both terms are also applied to the king. Only the king's generosity is termed *munificentia*. On the basis of the context it is not possible to make any further distinction between the four concepts.

*Clementia* and the medieval paraphrases of it, *misericordia* and *misericordia*,<sup>158</sup> can only be found applied to God and the divine mercy.<sup>159</sup> However, there is an example of *humanitas*, a concept of the same category as *clementia*, in Valdemar I's privilege for Esrom Abbey 1176, 6 July.<sup>160</sup> The arenga mentions the *humanitas* of the princes of former days and presents it to the king as a pattern of paternal care for the church.

The concept of *pietas* has two principal meanings. One is historical, meaning veneration for the past, since *pietas* was originally connected with the cult of ancestors. In Christian times *pious* acquired a Christian connotation, but it often appears side by side with *religiosus* and there is no question of tautology.<sup>161</sup> In the Danish arengas only God's *pietas* and not the king's occur.<sup>162</sup> Belonging to *pietas* in its historical sense is the ancestors' *exempla*, which the medieval ruler was to keep in mind. This idea of taking one's ancestors as a pattern recurs frequently in the Danish arengas. The best example of an *exemplum*-arenga, in which we moreover find the adjective corresponding to *pietas*, is the privilege of Valdemar II for the monastery of Odense (1202–1214).<sup>163</sup> Here the king expresses his desire to follow in the pious steps of his predecessors, "*piis vestigiis incedere*", and not to deviate from their deeds, which are called "*virtutis et caritatis operibus*". This makes sense, as the diploma in question is one out of five privileges for the Cathedral and monastery of Odense.<sup>164</sup> *Caritas* is not applied to the king, but occurs only in the passage quoted above.

It is obvious that it was considered virtuous to follow in the steps of one's ancestors, but the true purpose was probably the king's wish to demonstrate his legitimacy. At this point the concept of the kingdom given by the grace of God is revealed, so to speak, because it becomes apparent that it is not everybody who has a chance of being chosen by God to be

<sup>157</sup> *Ibid.* 1. ser. II, no. 128.

<sup>158</sup> Cf. Fichtenau, *op. cit.* p. 42.

<sup>159</sup> Dipl. Dan. 1. ser. IV, no. 58, and V, no. 8, 57, 164.

<sup>160</sup> Dipl. AM I, p. 40.

<sup>161</sup> Fichtenau, *op. cit.* p. 48 f.

<sup>162</sup> Dipl. Dan. 1. ser. II, no. 98.

<sup>163</sup> *Ibid.* 1. ser. IV, no. 56.

<sup>164</sup> Dipl. AM I, pp. 261 f., 269, Dipl. Dan. 1. ser. IV, no. 52.

made a king. The *exemplum*-arenga demonstrates how the king tries to form a link with the past. This attempt is not manifest in the arengas only; the narration often follows the line taken by the arenga and gives concrete examples of, e. g., a predecessor taken as a pattern, and the *dispositio*-formula shows that action is suited to words.

The statements of royal virtues in the Danish arengas seem to correspond fairly well with the European tradition according to which the main virtues of the medieval arenga are: *clementia*, *justitia* and *pietas*.<sup>165</sup> A comparison with Nordic literary tradition gives another result.<sup>166</sup> The description in Saxo, of young Knud, later St Knud, shows the Nordic tradition in full bloom.<sup>166a</sup> Even if the statements of the arengas do not clash with this they are very meagre and tame in comparison. In Saxo we hear about courage and proficiency in war, virtues by which fame can be won. We are told of the physical vigour of the king and meet the concept *fortuna*, the king's good fortune. Generosity, *liberalitas*, is the ornament of the king. Saxo lets the spirit of Knud the Great relive in St Knud. Of all these qualities we find only generosity and, to a certain degree, the desire to imitate one's ancestors in the arengas. There might be a trace of the king's wish to win fame in Knud Valdemarsen's letter for Æbelholt Abbey (1192-1201):<sup>167</sup>

"... et corone regali proueniet bonorum excellencior gloria meritum."

The natural explanation of the colourless arengas is first and foremost that they reflect a Christian outlook on life and so only stress the virtues common to the old Germanic and Christian idea of kingship, as, e. g. *liberalitas*. The *gloria* mentioned must evidently be won through Christian deeds and not on the battlefield. The comparison makes obvious the dependence of Danish arengas on the European tradition, and, further, the extent to which European arengas were influenced by Christian ideas.

### Summary

By definition the statements of the arengas express general ideas and, accordingly, their statements on kingship offer a general idea of kingship, and do not give special information about the authority and power of Danish kings. A more detailed description of the latter is more likely to be found in the narration.

Still, since the arengas form part of Royal Danish diplomas, their con-

<sup>165</sup> Fichtenau, *op. cit.* p. 39.

<sup>166</sup> Saxo represents a classical as well as a medieval Latin tradition, but combines these with other elements.

<sup>166a</sup> Saxoni's *Gesta Danorum* I, p. 315<sub>5-20</sub>.

<sup>167</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 54.

tents must lay claim to relevance to Danish kingship, whether reflecting actual or past conditions, royal pretensions or merely ideal standards.

An attempt to synthesize the statements about kingship is foredoomed to failure. Now one, now another of the king's duties is accentuated as being the essential one. This discrepancy is due to the function of the arenga as the preamble of the diploma, motivating a certain factual action. Still, bearing this in mind, it is useful to sum up what seems to be the idea common to all the arengas, explicitly as well as implicitly:

The king has been installed in his royal dignity, conceived as an office, directly by God. There is no mention of election, hereditary right, or of anyone acting as intermediary. Only God's grace and will are decisive. The king has received the office quite undeservedly. We are not told how he has been installed. One of the duties of the king is the protection of the church and especially of those who have chosen the monastic life. The motives for this protection seem to be not only a sense of duty included in the office, but also consideration for the king's own person and the idea that the monks' prayers serve to consolidate the kingdom. The king's obligations towards the kingdom as a whole seem to be to supply provisions for peace and order and to see that justice is done. His main virtues are Christian.

Even this "neutral" description is naturally insufficient, seeing that the idea of kingship in our period is dynamic and not static. It might prove more fruitful, then, to register the bearing and frequency of such key-concepts as e. g. divine kingship, the notion of the royal *officium*, than to piece together those conceptions into a rather colourless picture.

Divine installation is mentioned for the first time in an arenga during the reign of Valdemar I in the privilege for Veng Abbey (1157–1164)<sup>168</sup> and, as proved in the analysis above, it may be found stated throughout the period. The divine character of kingship seems to culminate during the reign of Knud Valdemarsen, who in an arenga appears as *imago Dei*.<sup>169</sup> The official character of the kingdom is possibly suggested for the first time by the term *censura*, used in the privilege of the Cathedral of Odense 1180.<sup>170</sup> In 1200 kingship is represented as an ecclesiastical office, *ministerium*.<sup>171</sup> The term *officium* occurs for the first time between 1202 and 1205,<sup>172</sup> and for the last time between 1213 and 1214.<sup>173</sup> In 1200 the king is represented

<sup>168</sup> Dipl. Dan. 1. ser. II, no. 123.

<sup>169</sup> Ed. Dipl. AM I, p. 59.

<sup>170</sup> Ed. Dipl. AM I, p. 261.

<sup>171</sup> Dipl. Dan. 1. ser. IV, no. 24.

<sup>172</sup> *Ibid.* 1. ser. IV, nos. 54 and 102.

<sup>173</sup> *Ibid.* 1. ser. IV, no. 54 or V, no. 34.

as indebted to his subjects.<sup>174</sup> This relation is stated several times between 1202 and 1214.<sup>175</sup> The king's duty to protect the church is stated repeatedly throughout the period. During the first part of the reign of Valdemar II (1202 till about 1215) more comments are made in the arengas on the king's duty to provide for the welfare of all his subjects, not only the monks, than during the reigns of his predecessors. After 1215 the general theme of the arengas is that the written word is an aid to memory.

Are we allowed then, to assume that the statements of the arengas reflect a certain ideology of kingship? Perhaps; but not with absolute safety, seeing that the materials provided by the arengas do not suffice for the reconstruction of such an ideology. The problem lies in the scarcity of material for a comparison with this "diplomatical" ideology. A royal ideology might be deduced from the works of the royal historiographers, Svend Aggesen<sup>176</sup> and Saxo, but this has not been done so far.

Why do the arengas stress the divine character of kingship? The idea of divine kingship is probably used as an instrument at the theoretical, ideological level, a means by which the king consolidates his position. And what are the advantages of the arenga in this connection? First and foremost, what occurs in this formula is presented as something which is universally accepted. That the king has been installed by God is as much a matter of fact as the statement that human memory is weak. Divine kingship is not launched in *dispositio*-formulas, but crops up at a less conspicuous but even more ambitious place, namely the arenga.

It is important to realize that the basis of strong royal power at this time was a well-organized central administration; the chancery and its functions were essential parts of it. The building up of a chancery seems to have taken place in the same period as that in which the Danish kings tried to consolidate their positions in various ways.<sup>177</sup> This fact does not make it easier to determine the character of kingship at various stages in our period.

It has been demonstrated that different aspects of the kings' duties are stressed, dependent on the recipients of the diploma. This raises the question of the influence of the recipients. In several cases their influence has been substantiated by the mere fact that they drew up the whole diploma themselves, but in other cases it is more difficult to prove.

It is a question to what degree the recipient and his status influenced the emphasis put on the divine character of kingship. Let us finally consider

<sup>174</sup> Cf. note 171.

<sup>175</sup> Cf. analysis above.

<sup>176</sup> *Brevis historia regum Dacie, Scriptores minores historiae Danicae medii aevi*, rec. M. Cl. Gertz I, Cph. 1917, pp. 55-143.

<sup>177</sup> Cf. Poul Johs. Jørgensen, *Dansk Retshistorie*, Cph. 1947, p. 336.

two diplomas of which the arengas seem deliberately used to stress the main contents by emphasizing that special aspect of kingship. One is the letter from Knud Valdemarsen to Bishop Valdemar of Slesvig, 1187,<sup>178</sup> in which the king appears as *imago Dei*. Bishop Valdemar, son of King Knud Magnussen, murdered in 1157, was originally designed for an ecclesiastical career in order to prevent his laying claim to the throne. After the death of Bishop Frederik in 1179, Valdemar was appointed Bishop of Slesvig, and, in addition, the administration of the Duchy of South Jutland was entrusted to him during the minority of Duke Valdemar, later Valdemar II. At Christmas 1187 the young duke took over his duchy. The letter is dated 1187, 20 November, that is a short time before Bishop Valdemar had to resign his authority to the Duke. This may be the explanation of the arenga's forceful assertion of the royal power and of the warning about forsaking the right path. Another example is the ordinance of 1200<sup>179</sup> in which King Knud terms his office *ministerium*. As already suggested, this was probably done as a foundation for the ordinance itself in which the king usurps legislative power.

The use of the arenga seems to culminate during the reigns of the Valdemars, and in this period the arenga is at its most original and richest in words.<sup>180</sup> After 1250 the use of the arenga decreases and its contents become less and less important. It is a question of how this development is to be interpreted. Is the arenga omitted as the number of diplomas increases in order to save time and parchment or has its function, e. g. as a vehicle of propaganda, become superfluous? Does the Danish Chancery follow a European trend? An exhaustive answer cannot be given solely on the basis of this analysis of the arengas. A more comprehensive examination of the Danish diplomas is needed.

### Foreign Influence

In the introduction proof of the interdependence of the Danish and the "European" diplomas is given. As these relations seem decisive for Danish diplomas, they must be dealt with in a little more detail. In the following pages I wish to show how some arengas of papal, episcopal, and royal diplomas depend on each other in literal identity, parallel composition and similarity of contents.

It is characteristic of the papal diplomas<sup>181</sup> in comparison with the Danish

<sup>178</sup> Dipl. AM I, p. 355. On Bishop Valdemar, see Hans Olrik (C. A. Christensen) in Dansk biografisk Leksikon, ed. by P. Engelstoft, XXV, 1943, pp. 41 ff.

<sup>179</sup> Dipl. Dan. 1. ser. IV, no. 24.

<sup>180</sup> Herluf Nielsen, "arenga" (note 9).

<sup>181</sup> M. Tangl, Die päpstlichen Kanzleiordnungen von 1200–1500, Innsbruck 1894.

ones that they were issued in enormous numbers of which a great many are preserved. Another characteristic feature of the papal diplomas is their uniformity, caused by the regular use of collections of formulas in the Papal Chancery, e. g. the *Liber Diurnus*. This uniformity is found not only within the period of a certain pope, for the continuity at the curial office meant that the same formula might be used again after an interval of two hundred years. This fact would justify a comparison of the Danish arengas with papal ones of a much older date. As almost identical diplomas were often dispatched at the same time to recipients in various countries, it must also be possible to compare the Danish material with papal diplomas addressed to persons in other countries.

Papal influence on the royal Danish charters has been proved by Hugo Hennings,<sup>182</sup> but not with special reference to the arengas, and further by the editors of the *Diplomatarium Danicum* in the case of several individual diplomas.<sup>183</sup> Papal influence may be traced in the following arenga, which is part of Knud Valdemarsen's privilege for the Cathedral of Odense 1183, 21 March:<sup>184</sup>

Inter cetera regni nostri negocia et sollicitudines quibus occupamur. ecclesiarum dignitates ampliare, cenobiorum proficuo intendere sancteque religionis amatores attentius confouere salutari suggestu consulimur, iusticie et equitatis ratione hortamur, diuineque auctoritatis monitu instruamur.

The introductory words of this arenga are frequently used by the Papal Chancery,<sup>185</sup> e. g. in a diploma issued between 1163 and 1174:<sup>186</sup> "Inter cætera sollicitudines tuæ curæ commissa." The passage "sancteque religionis amatores attentius confouere" resembles "fidei amatores religionem . . . attentius confouere" in the privilege for the monastery of Odense 1175<sup>187</sup> quoted above.

The passage "iusticie et equitatis ratione hortamur" may be compared with the introductory part of the arenga in the above-mentioned privilege issued by Valdemar I:<sup>188</sup> "Aequitas et iustitia suadet seruare" and with the introductory words of the arenga in Knud Valdemarsen's letter for the royal

<sup>182</sup> H. Hennings, Studien über die ältere dänische Königsurkunde, p. 6.

<sup>183</sup> Dipl. Dan. 1. ser. II, nos. 63, 65 and 98.

<sup>184</sup> Text according to MS at the DSL. Ed. Dipl. AM I, p. 269.

<sup>185</sup> Regesta Pontificum Romanorum, ed. Jaffé-Loewenfeld, 1885-1888, index initiorum.

<sup>186</sup> Migne, P. L. vol. 200, p. 930.

<sup>187</sup> V. supra p. 68.

<sup>188</sup> V. *ibid.*

chaplain Emerus (1187–1202):<sup>189</sup> “*Equitatis et iusticie ratio persuadet*”. The three arengas may finally be compared with the arenga of a papal diploma from 1141:<sup>190</sup> “*Æquitatis et iustitiæ ratio persuadet nos Ecclesiæ perpetuam rerum suarum firmitatem et vigoris inconcussi monimenta conferre*”. The arenga of the privilege issued by Valdemar I is obviously most like the papal one quoted, but all the passages mentioned above have a certain resemblance to it. Like the passage “*Inter cetera*”, the introduction “*Æquitatis et iustitiæ*” occurs frequently in papal diplomas. Though it is impossible to trace and produce a papal pattern from Denmark, the influence of the papal formulas seems beyond doubt.

Probably the above-mentioned arengas did not each have a papal model but were written in the Chancery, some of them by the chaplain Emerus. H. Hennings calls attention to the use of “*proficuo*” in the arengas of the privileges for the monastery and church of Odense issued by Valdemar I and Knud Valdemarsen, 1180, 6 February<sup>191</sup> and 1183, 21 March,<sup>192</sup> respectively. He concludes, chiefly on account of this that the diplomas must have been issued by the same person, namely Emerus. In order to prove that the diplomas were not written by the recipients, that is the brethren in Odense, Hennings includes another diploma, signed by Omerus, according to Hennings identical with Emerus, and addressed to the diocese of Slesvig.<sup>193</sup> As the latter is much like the other two and addressed to a third party, Hennings concludes that the three arengas were produced by the Chancery.<sup>194</sup>

Hennings might have included the arenga of Knud Valdemarsen’s confirmation for Øm Abbey (1183, 27 August or soon after).<sup>195</sup> In this diploma we find not only “*proficuo*” but also the passage “*pauperum Christi proficuo noscuntur intendere*”, which recalls “*cenobiorum proficuo intendere . . . consulimur*” in the privilege issued by Knud for Odense 1183, 21 March. Also the arenga of the confirmation issued by Knud for Øm, “*Iusta petentium uotis effectu prosequente tenemur annuere*” shows traces of influence from the papal arenga, very often beginning with “*Iusta petentium*”. This opening phrase is very common in papal arengas before 1183,<sup>196</sup> but cannot be traced in Denmark until 1216, from which year

<sup>189</sup> Text according to MS at the DSL. Ed. *Scriptores Rerum Danicarum* V, p. 242.

<sup>190</sup> Migne, P. L. vol. 179, p. 556.

<sup>191</sup> Dipl. AM I, p. 261.

<sup>192</sup> Dipl. AM I, p. 269.

<sup>193</sup> Schleswig-Holstein-Lauenburgische Regesten und Urkunden, ed. by P. Hasse, Hamburg und Leipzig 1885–86, p. 69 f.

<sup>194</sup> H. Hennings, *Studien* p. 33 f.

<sup>195</sup> Text according to MS at the DSL. Ed. *Scriptores Rerum Danicarum* V, p. 251.

<sup>196</sup> Jaffé, *index initiorum* sub. v. “*iusta petentium*”.

two diplomas issued by Pope Innocent III have been preserved. The arenga of one of these has: "Iustis petentium desideriis dignum est nos facilem præbere consensum et uota, quæ a rationis tramite non discordant, effectum prosequente complere."<sup>197</sup>

The interdependence of a number of royal diplomas from the period 1194 to 1214 has been demonstrated above.<sup>198</sup> This series of arengas shows traces of papal influence. Among several papal arengas which open with the phrase "Cum universis", I quote the following, which is part of a letter from Pope Alexander II (1061–1073):<sup>199</sup>

Cum universis per orbem terrarum Ecclesiis ex consideratione apostolicæ sedis, cui Deo auctore praesidemus nos conveniat providere, praecepit tamen illis quæ nobis speciali et peculiari amore devinctæ sunt.

Of course, this arenga cannot have been the direct model for the Danish ones, but there must have been a connection of some kind between an arenga of this type and the Danish ones. The arenga in question is not only frequently used in papal diplomas, but the following arenga, which is very much like it, can be found in the *Liber provincialis*, a sort of collection of formulas, drawn up in the thirteenth century, but containing older formulas.<sup>200</sup> This collection was in use at the Papal Chancery. The arenga appears under the heading: Venerabili fratri . . . archiepiscopo . . . eiusque successoribus canonice substituendis imperpetuum.

Cum universis sancte ecclesie filiis debitores ex iniuncto nobis a deo apostolatus officio existamus, illis tamen locis atque personis propensiori nos convenit caritatis studio imminere, quæ ad sedem apostolicam noscuntur specialiter pertinere.

The introductory words of the arenga in Knud Valdemarsen's letter to Æbelholt Abbey (1192–1201):<sup>201</sup> "Ad hec", and the introductory word of the arenga in Valdemar II's privilege for Næstved Abbey 1209,<sup>202</sup> "Attendens", must be pointed out, for they recall the introductions of papal arengas in very frequent use.<sup>203</sup>

<sup>197</sup> Dipl. Dan. 1. ser. V, no. 80.

<sup>198</sup> Pp. 72–75.

<sup>199</sup> Jaffé, no. 4680. Migne, P. L. vol. 146, p. 1360.

<sup>200</sup> M. Tangl, Die päpstlichen Kanzleiordnungen von 1200–1500, p. 251.

<sup>201</sup> Dipl. AM I, p. 54.

<sup>202</sup> Dipl. Dan. 1. ser. IV, no. 160.

<sup>203</sup> Jaffé, index initiorum.



From Esrom Abbey a number of diplomas, among these a royal one, has been preserved.<sup>204</sup> That this series of diplomas was drawn up by the recipients, viz. the brethren, and was influenced by papal arengas is proved by N. Skyum-Nielsen in the commentaries of the *Diplomatarium Danicum*.

A closer investigation into the passages which have slipped into the royal arengas from the papal ones shows that they express the following ideas. Superior concepts as *aequitas* and *justitia* may demand a royal act. The pope and the king respectively regard their dignity as an office given to them by God with all the obligations attendant upon it, especially the protection of those entrusted to them. The pope's obligations towards the clergy are easily transformed and expanded in the royal arengas into the king's obligations towards the monks and his subjects in a wider sense. Also the idea of indebtedness—the king regarding himself as indebted to the people—passes into the royal arengas from the papal ones. In brief, the idea of office seems to be emphasized.

In the case of several diplomas issued by Danish bishops the arengas are obviously influenced by papal ones, too.<sup>205</sup> Their main contents are as follows. The bishop has received his office from God, not according to his merits, but by the grace of God.<sup>206</sup> It is his duty to provide for the monks,<sup>207</sup> to whom he feels indebted.<sup>208</sup> The most obvious difference between the arengas in the episcopal and the royal diplomas is that the episcopal arengas are broad, elaborate, full of quotations from the Bible, and, on the whole, based on general Christian reflections. The question of the dependence of the royal arengas on the episcopal ones needs to be examined more closely. It must suffice to say that both the episcopal and the royal Danish arengas have been influenced by papal arengas.

It would be natural also to compare the Danish royal arengas with foreign royal, princely, and imperial arengas. The following is the result of a preliminary examination of the material relevant in this connection, viz. the arengas of German, Flemish,<sup>209</sup> and French diplomas. The arengas selected for this purpose all deal with the prince's installation and his duties as a prince.

<sup>204</sup> Dipl. Dan. 1. ser. V, nos. 5, 6, 7, 8.

<sup>205</sup> E. g. Archbishop Eskil to Kalvø Abbey (1167), Dipl. Dan. 1. ser. II, no. 176. Archbishop Absalon to Abbot Vilhelm (1177–1178), Dipl. AM I, p. 41. Archbishop Absalon to the Cathedral of Odense, 1180, Dipl. AM I, p. 263.

<sup>206</sup> E. g. diplomas issued by Absalon, Dipl. AM I, p. 21 and p. 42.

<sup>207</sup> *Ibid.* p. 276.

<sup>208</sup> See note 205, first example.

<sup>209</sup> The Flemish diplomas from the period 1128–1191 have not been edited.

Arengas commenting on the prince's installation:

Heinrich III, German king, 1039:<sup>210</sup>

Quoniam divinae dispositionis providentia ad regendam totius rei publicae monarchiam sue immense pietatis . . . nos provexit.

Friedrich I, German emperor, 1171:<sup>211</sup>

Ad hoc divina ordinante clementia Romani imperii gubernacula suscepimus. . .

Robert I, Flemish count, 1089:<sup>212</sup>

Quoniam, Dei disponente clementia ad hoc in terris principamus ut que justa sunt decernamus, injusta comprimamus, que recta regamus, que prava pro posse corrigamus . . .

Charles le Bon, Flemish count, 1120:<sup>213</sup>

Cum divina providentia, in cuius manu sunt omnium potestates et jura regnorum . . . in principatum me sublimasset . . .

Louis VII, French king, 1137:<sup>214</sup>

Iustum et rationabile esse dignoscitur ut nos qui, Domino annuente, regni gubernacula regenda suscepimus, loca sancta ac venerabilia diligamus et ab omni injuria potestate regia deffendamus, ac beneficia ibidem collata approbare, amplificare et confirmare curemus.

Philippe Auguste, French king, 1183:<sup>215</sup>

Quoniam ad tutelam ecclesiarum regni gubernacula nos a Deo suscepisse cognovimus, oportet ut, que tempore nostro ad quietem ecclesie peregrimus . . .

Arengas commenting on the prince's duties:

Friedrich I, German emperor, 1187:<sup>216</sup>

Ex credito nobis divinitus imperatorie maiestatis officio omnium Dei ecclesiarum defensores existere debemus.

<sup>210</sup> Die Kaiserurkunden der Provinz Westfalen, ed. R. Wilmanns, Münster 1881, vol. II, no. 192. The German examples are quoted from the selection by A. Jost, *Der Kaisergedanke in den Arengen der Urkunden Friedrichs I*, Köln 1930.

<sup>211</sup> Osnabrücker Urkundenbuch I, ed. F. Philippi, Osnabrück 1892, no. 328.

<sup>212</sup> *Actes des comtes de Flandre 1071–1128*, ed. by F. Vercauteren, Académie Royale de Belgique, Bruxelles 1938, no. 8.

<sup>213</sup> *Ibid.* no. 97.

<sup>214</sup> A. Luchaire, *Études sur les Actes de Louis VII*, Paris 1885, no. 3.

<sup>215</sup> *Recueil des Actes de Philippe Auguste*, ed. by M. H.-F. Delaborde, Paris 1916–43, no. 80.

<sup>216</sup> Die Kaiserurkunden (note 210), vol. II, no. 241.

Balduin VII, Flemish count, 1115:<sup>217</sup>

Justi rectoris est tam . . . maxime eorum qui ad portum religionis enataverunt, paci et digne utilitatis tranquillitati sapienter providere.

Charles le Bon, Flemish count, 1122:<sup>218</sup>

Quia justitia de celo prospexit ut justicie serviamus, debemus secundum preceptum dominicum inter virum et virum, justum et injustum eque judicare, quatenus post pericula hujus vite misericordiam et veritatem obviantes . . .

Louis VII, French king, 1169–1170:<sup>219</sup>

Regie dignitatis exigit officium et christiane religionis nos hortatur devotio, ut ecclesiis Dei, que in regno nostro site sunt, jura sua conservemus.

Philippe Auguste, French king, 1190:<sup>220</sup>

Officium regium est subjectorum commodis modis omnibus providere et sue utilitati private publicam anteferre.

The contents and the terminology seem to be very uniform. Even if no direct copying of arengas—apart from the example mentioned above<sup>221</sup>—can be proved, it is obvious that there are great similarities between passages in the various arengas. Further, there can be no doubt that these “foreign” arengas were also influenced by the papal tradition.<sup>222</sup> It is possible, then, that the Danish arengas have received some of their papal elements via foreign, e. g. German, arengas, though it seems more probable that direct papal influence on the Danish diplomas was dominant. From the accession of Friedrich I the German arengas change character<sup>223</sup> as they come to reflect the revival of the Holy Roman Empire, superior to all other states with the emperor as ruler of the temporal *civitas* and wearing the *corona Urbis et Orbis*, as God’s representative on earth. This particular “sanctity” does not seem to have influenced the Danish arengas. There is no *sacer* or *divus*, only *divinitus* used once about the office.<sup>224</sup>

<sup>217</sup> Vercauteren, *op. cit.* no. 71.

<sup>218</sup> Vercauteren, *op. cit.* no. 106.

<sup>219</sup> Luchaire, *op. cit.* no. 582.

<sup>220</sup> Recueil des Actes (note 215), no. 345.

<sup>221</sup> See p. 66f. Being a memoria-oblivio arenga it is of less interest in this connection.

<sup>222</sup> For the German diplomas, see Karl Helleiner, *Der Einfluss der Papsturkunden auf die Diplome der deutschen Könige im 12. Jahrhundert*, Mitteilungen des Instituts für Österreichische Geschichtsforschung XLIV, 1930. Cf. also G. Tessier, *Diplomatique royale française*, Paris 1962.

<sup>223</sup> Antonie Jost, *Der Kaisergedanke in den Arengen der Urkunden Friedrichs I.* Köln 1930.

<sup>224</sup> Valdemar II to the city of Ribe (1202–14), Dipl. Dan. 1. ser. IV, no. 54.

*Conclusion*

The main result of this analysis and these comparisons appears to be a demonstration of the fact that the Danish arengas are deeply rooted in the European tradition. They are—if not copied slavishly as sometimes happens—built up of words and phrases with a long history of their own. Out of this emerges a new entity, full of significance, always in harmony with the rest of the diploma. This entity cannot be dissected in order to separate form from spirit, for they are too closely interwoven. The historian's duty must be to listen to its statements in their new context. The fact that we may trace a formula back to France, to the Curia, or somewhere else may inform us of connections of a cultural or political nature between the countries in question. The mixture in an arenga of temporal and spiritual elements may tell us something about these two spheres and their interrelations. Nevertheless, the arenga must always be interpreted primarily as part of the diploma in which it occurs, i. e. as part of the historical context in which it belongs.

*University of Copenhagen*