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THE CHURCH IN ROYAL AND TEUTONIC PRUSSIA
AFTER THE SECOND PEACE OF TORUŃ:
THE TIME OF CONTINUATION AND CHANGE

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In this paper I shall discuss direct and indirect consequences of the Second Peace of Toruń referring to the situation of the Church in the Monastic State of the Teutonic Knights in Prussia until the Reformation period. I shall present the elements of continuation and change, which resulted both from the new political system of the subordination of dioceses and from the gradually changing legal position of individual bishoprics and their superiors¹.

The decisions of the Second Peace of Toruń of 19 October 1466 brought about not only the significant political-territorial changes in the relations between Poland and the Teutonic Order, but also led to serious territorial-judicial alterations in the church structures situated earlier on the territory of the Monastic State². After 1466 there also took place a gradual change in the legal

¹ The syntheses of the history of the Teutonic Order published so far lack a deeper reflection concerning the situation of the Church in Prussia after the Second Treaty of Toruń. See for example: Hartmut BOOCKMANN, *Zakon Krzyżacki. Dwanaście rozdziałów jego historii*, Warszawa 1998, pp. 231–257; Marian BISKUP, Gerard LABUDA, *Dzieje zakonu krzyżackiego w Prusach*, Gdańsk 1986, pp. 415–417; the issue was treated more thoroughly in the most recent collective synthesis of the history of the Teutonic Order titled: *Państwo zakonu krzyżackiego w Prusach. Władza i społeczeństwo*, ed. Marian BISKUP, Roman CZAJA, Warszawa 2008 (see Andrzej RADZIMIŃSKI, *Kościół w państwie krzyżackim w Prusach 1409–1525*, pp. 384–401).

² The decisions of the Treaty of Toruń have been discussed in Polish historiography by Wojciech HEJNOSZ, *Traktat toruński z 1466 r. i jego prawnopolityczne znaczenie*, *Zapiski Historyczne*, vol. 31: 1966, no. 3, pp. 383–400. However, the issues regulating the changes in the church organization were presented there cursorily and erroneously; about the subject matter comp. Karol GÓRSKI, *Pokój toruński 1466 i jego znaczenie dla Polski*, Toruń 1960; Marian BISKUP, *Zagadnienie ważności i interpretacji traktatu toruńskiego 1466 r.*, *Kwartalnik Historyczny*,

position of Sambian and Pomesanian bishops, whose dioceses were completely or partly located in the territory of the Duchy of Prussia. Another thing that had changed was the role and importance of bishops of Ermland (Warmia) and Chełmno Land, whose dioceses were situated completely or partly in the Duchy of Prussia³. It should be reminded that until 1466 the territory of the Monastic State of the Teutonic Knights embraced four Prussian dioceses: the dioceses of Chełmno, Pomesania, Ermland and Sambia along with two dioceses which were part of the Gniezno metropolis – the Włocławek diocese (the Pomeranian archdeaconry) and the Gniezno diocese (the territory of the deaconry of Kamień set up in 1512)⁴. After the Second Peace of Toruń was signed, within the borders of the newly created Teutonic Prussia there were: part of the diocese of Pomesania without Powiśle, Malbork and Elbląg, part of the diocese of Ermland, but without the Ermland dominium, and the whole diocese of Sambia. Royal Prussia included the archdeaconry of Pomerania, the territory of the future archdeaconry of Kamień Krajeński, the diocese of Chełmno, part of the diocese of Pomesania (the above mentioned Powiśle) along with part of the diocese of Ermland (the Ermland dominion)⁵. To start with, I would like to show that in the Treaty of Toruń there were recorded changes referring to the new political situation in the context of the political subordination of four Prussian dioceses, and to present their possible interpretation. In reference to the diocese of Chełmno appropriate decisions appeared in point seven of the Treaty. They concerned the following issues:

vol. 69: 1962, pp. 295–332; Maksymilian GRZEGORZ, *Analiza dyplomatyczno-sfragistyczna traktatu toruńskiego z 1466 r.*, Toruń 1970; comp. the study by Maksymilian GRZEGORZ, *Pomorze Gdańskie pod rządami zakonu krzyżackiego w latach 1308–1466*, Bydgoszcz 1997, pp. 308–312; Lothar DRALLE, *Der Staat des Deutschen Ordens in Preussen nach dem II. Thorner Frieden. Untersuchungen zur ökonomischen und ständepolitischen Geschichte Altpreussens zwischen 1466 und 1497*, Wiesbaden 1975, p. 87. In the most recent historiography Marian BISKUP, *Realizacja traktatu toruńskiego*, [in:] *Państwo zakonu krzyżackiego w Prusach. Władza i społeczeństwo*, pp. 275–278.

³ The Treaty of Toruń of 1466 was published in: *Die Staatsverträge des Deutschen Ordens im 15. Jahrhundert* (further: SDO), hrsg v. Erich WEISE, Bd. 2, Marburg 1966, no. 403; about the regulations of the Treaty see the study in fn. 2.

⁴ The issues are addressed by Andrzej RADZIWIŃSKI, *Church Divisions in Prussia*, [in:] *The Teutonic Order in Prussia and Livonia*, ed. Roman CZAJA, Andrzej RADZIWIŃSKI, Toruń 2015, pp. 109–144; see also: Tadeusz SILNICKI, *Organizacja archidjakońatu w Polsce*, Lwów 1927, pp. 94–96; Andrzej MIETZ, *Archidjakońat kamieński archidiecezji gnieźnieńskiej*, Włocławek 2005, pp. 21–31; Radosław BISKUP, *Powstanie, ustrój i organizacja diecezji*, [in:] *Dzieje diecezji włocławskiej*, vol. 1: *Średniowiecze*, Włocławek 2008, pp. 26–28.

⁵ Janusz TANDECKI, *Administrative Divisions of the State of the Teutonic Order in Prussia*, [in:] *The Teutonic Order in Prussia and Livonia*, pp. 51–54; Alojzy SZORC, *Dominium warmińskie 1243–1772*, Olsztyn 1990, p. 81.

1. the conversion of the bishopric of Chełmno from a monastic institution into a secular body, and its subordination under the Gniezno metropolis⁶;

2. the transfer of the diocese of Chełmno under the rule of the Polish king along with all the fortresses, cities and towns situated in the territorial dominion of bishops of Chełmno in Chełmża, Lubawa, Wąbrzeźno and Kurzętnik, which was located on the territory of the Chełmno chapter; the transfer was to take place along with all the rights, noblemen, vassals, villages and any properties⁷.

The territorial and judicial changes in the diocese of Ermland were included in point eight of the Treaty of Toruń:

1. Grand Master Ludwik von Erlichshausen transferred the bishopric of Ermland to the Polish king, which consisted of fortresses, cities, towns and bishops' residences situated on the territory of the bishop's dominion in Lidzbark, Braniewo, Orneta, Jeziorany, Barczewo, Reszel, Bisztynek, Dobre Miasto, and also within the borders of the territorial dominium of the chapter of Ermland – in Olsztyn and Pieniężno⁸;

2. Ludwik von Erlichshausen declared that he renounced and transferred all the rights which belonged to him in the bishopric of Ermland to the benefit of the Polish king and his successors⁹.

⁶ SDO, Bd. 2, no. 403, p. 276 („[...] cum prefato serenissimo domino Kazimiri rege et regno suo Polonie pro bona pacis devenimus et illud inter nos concordavimus, quod episcopatus et ecclesia Culmensis ad Gneznensem ecclesiam redeat ad ammodo et deinceps prefate Polonice et Gneznensi ecclesie, ut et tamquam primaciali sit in omnibus obediens et subiecta de regulari in seculari favore et auctoritate Summi Pontificis [...] transferenda”); see Antoni LIEDTKE, *Zarys dziejów diecezji chełmińskiej do 1945 roku*, Pelplin 1994, p. 40.

⁷ SDO, Bd. 2, no. 403, p. 276 („[...] cum omnibus castris, civitatibus, opidis et monicionibus videlicet Chelmsza alias Culmenzeh, Lubowa alias Lobau, Kurzantnyk alias Kuwernik, Wambrzesno alias Fredek, et omnibus districtibus, nobilibus, vasallis, villis et pertinenciis universis sub prefati domini Kazimiri regis et regni sui Polonie consistet perpetua dicione, patrocinio et defensione”); about the mansions see Marc JARZEBOWSKI, *Die Residenzen der preussischen Bischöfe bis 1525* (Prussia Sacra, Bd. 3), Toruń 2007, pp. 21–36.

⁸ SDO, Bd. 2, no. 403, pp. 266–267 („Item concordavimus, quod Warmiensis ecclesia [...] cum omnibus suis castris, civitatibus, opidis et municionibus videlicet Heilsberg, Brunsberg, Wormedith, Seeburg, Wartemberg, Resel, Bisschofissteyn, Allensteyn, Guttestadt, Melzak, Frauenburg, et Bisschofisburg, cum omnibus districtibus, nobilibus et vasallis, pertinenciis, villis et attinenciis suis in prefati domini regis Kazimiri et successorum suorum regum et regni Polonie dicione, subiectione et protectione, consistant”); M. JARZEBOWSKI, op.cit., pp. 69–132.

⁹ SDO, Bd. 2, no. 403, p. 277 („[...] et omne ius, quod nobis in predicta ecclesia, episcopatu et capitulo quomodolibet hactenus competebat, in prefatum serenissimum dominum Kazimirum regem successores suos et regnum Polonie plenarie transfundimus et transferimus per presentes”).

As far as the diocese of Pomesania is concerned, the agreement said that

1. Wincenty Kielbasa, the bishop of Chełmno, King Casimir IV Jagiellon's counselor and secretary, was to receive the monastic bishopric of Pomesania *in commendam* for his lifetime¹⁰;

2. In all the remaining elements the bishopric of Pomesania was to maintain its monastic character¹¹;

3. Wincenty Kielbasa received the bishopric with all the fortresses, cities and bishop's residences in Prabuty, Kwidzyn, Biskupiec, Kisielice, Gardeja and Susz¹²;

4. After the death of the bishop Wincenty Kielbasa his successor was to be a monk from the Teutonic Order¹³.

The diocese of Sambia was the only unit of the church administration, which was totally subjected to the Teutonic Order. The treaty in point 4 stipulated that all the castles, cities and towns, in particular: Rybaki, Thierenberg (Thierenberg), Laptau, Powunden, Georgenburg, Saalau and Neuhausen with their vassals, villages and other properties would remain under the rule of the Teutonic Order¹⁴. Such were the purely formal decisions of the Second Treaty of Toruń of 1466, which regulated the questions of the political belonging of individual dioceses, their being subordinated to the metropolis and their or-

¹⁰ Ibid., p. 277 („Item concordatum et ordinatum est de speciali nostra, Ludowici magistri, commendatorum et conventus nostri comprobacione et consensu, quod venerabilis dominus Vincencius Kyelbasza consiliarius et secretarius prefati serenissimi domini regis Kazimiri, ad ecclesiam prefatam Culmensensem per ipsum dominum Kazimirum regem nominatus et ad eandem sua intercessione dante Domino promovendus, ecclesiam et sedem Pomezaniensis episcopatus dicionis nostre quamvis hactenus in capite et in membris apogalem, in commendam, ad vite dimtaxat sue tempora, per dispositionem et ordinationem Apostolicam habeat [...]”). About Wincenty Kielbasa see Karol GÓRSKI, *Kielbasa Wincenty h. Nałęcz (ok. 1425–78)*, [in:] *Pol-ski słownik biograficzny*, vol. 12, Kraków 1966, pp. 404–406; Jan WIŚNIEWSKI, *Poczet biskupów pomezzańskich (1243–1525)*, Olsztyn–Elbląg 2014, pp. 77–80 (the most recent literature to be found there).

¹¹ SDO, Bd. 2, no. 403, p. 277 („[...] ecclesia predicta Pomezaniensi remanente nichilominus in suis membris interim regulari”).

¹² Ibid., („[...] et illam cum suis castris, civitatibus, fortaliciis, videlicet Prayboth alias Resemburg, Quedzin alias Marienwerder, Biskopiczze alias Bisschofswerder, Kyeszelicz alias Freyenstad, Schonenberg, Gardzey et Rozenberg ceterisque eius districtibus et pertinenciis obtineat et ipsamque in spiritualibus et temporalibus administret [...]”); M. JARZEBOWSKI, op.cit., pp. 36–69.

¹³ SDO, Bd. 2, no. 403, p. 277 („Prefato autem Vincencio Kyelbasza morte absumpto, ad prefatam ecclesiam Pomezaniensem regularis persona nostri ordinis in pontificem eligitur et substituetur [...]”).

¹⁴ Ibid., p. 273 („Episcopatus insuper et ecclesia Sambiensis cum suis castris, civitatibus, opidis, videlicet Fischhauzen, Tyremberg, Lobedau, Powonden, Jorgenburg, Zalau et Nuwenhus, cum omnibus vasallis, villis et pertinenciis suis universis sub dicione nostra et ordinis nostri perpetue consistet et remanebit”); M. JARZEBOWSKI, op.cit., pp. 132–185.

ganizational structure. However, it must be noted that the regulations of the Treaty of Toruń concerning the transfer of concrete estates are quite concise. All the decisions list towns and villages which were centres of the territorial rule of bishops and chapters in the four Prussian dioceses. The entries were accompanied by similar formulas such as the one included in reference to the diocese of Chełmno: „et omnibus districtibus, nobilibus, vasallis, villis et pertinentiis universis”¹⁵. Analysing the literal interpretation of the entries concerning the above mentioned four dioceses in the context of the political subordination it must be stated that they were not very precise. The supremacy of the Grand Master and the Polish king over the dioceses of Sambia and Chełmno was frequently defined in the treaties with such terms as: „dicio”, „patrocinium” and „defense”. Such legal terms defined the supremacy obtained by Casimir IV Jagiellon in the context of the diocese of Chełmno, and Ludwik von Erlichshausen in the context of the diocese of Sambia¹⁶. The situation in the dioceses of Pomesania and Ermland was somewhat more complicated. In the case of those two bishoprics the political divisions overlapped with the divisions of the dioceses. The north-west part of the diocese of Pomesania was situated within the borders of Royal Prussia¹⁷. The dominium of Ermland was also exclusively part of Royal Prussia, while the remaining part of the diocese of Ermland belonged to Teutonic Prussia¹⁸. In the case of the diocese of Pomesania divided between the Duchy of Prussia and Royal Prussia, the supremacy of the Polish king was defined as „protectio”, whilst the supremacy of the Grand Master was referred to with the term „dicio”. It goes beyond doubt that the whole diocese of Pomesania was to remain totally under the monastic rule, for it was a bishopric which had been incorporated into the Teutonic Order. However, the entry saying that the diocese was to remain under the protection of the Polish king (in relation to Royal Prussia) being subordinated to the Teutonic Order (in the Duchy of Prussia) is not clear¹⁹. From the point of view of the creators of the Treaty of Toruń, the terms „dictio” and „protectio” referred to the same legal condition. It may be possibly confirmed by the entry concerning the diocese of Ermland saying that the

¹⁵ SDO, Bd. 2, no. 403, p. 277.

¹⁶ In reference to the diocese of Chełmno *ibid.*, p. 276 („sub prefati domini Kazimiri regis et regni sui Polonie consistet perpetua dicione, patrocinio et defensa”; in reference to the diocese of Sambia *ibid.*, p. 273 („sub dicione nostra et ordinis nostri perpetue consistet et remanebit”); comp. Erich WEISE, *Das Widerstandsrecht im Ordenslande Preussen und das mittelalterliche Europa*, Göttingen 1955, p. 283.

¹⁷ Jan WIŚNIEWSKI, *Pomezania. Z dziejów kościelnych*, Elbląg 1966, p. 140.

¹⁸ Jan OBŁĄK, Andrzej KOPICZKO, *Historia diecezji i archidiecezji warmińskiej*, Olsztyn 2010, pp. 29–30.

¹⁹ SDO, Bd. 2, no. 403, p. 277 („[...] gaudebitque domini regis proteccione, consistens sub nostra et ordinis nostri tam religione quam dicione”).

Church of Ermland „in prefati domini regis Kazimiri [...] dicione, subieccione et proteccione consistant”²⁰. Naturally, this did not refer to the whole Church of Ermland, but only to the dominion of bishops and the chapter of Ermland. In this situation, the remaining part of this regulation saying that the Grand Master and the Teutonic Order transferred all the rights they enjoyed in the Church of Ermland (the dominion of Ermland) on the Polish king is quite curious. The question arises what rights this entry referred to, considering the fact that the whole dominion of Ermland constituted a separate territorial religious rule²¹. For the time being I leave this issue without an answer. Recapitulating this part of my argumentation I can say that the fundamental character of the above mentioned changes in the church structure resulted predominantly from the fact that some dioceses or their parts had changed their territorial rulers. Let me remind once again that such a situation occurred in the diocese of Chełmno, the archdeaconry of Pomerania (in part of the diocese of Włocławek, part of the diocese of Ermland and part of the diocese of Pomesania). The territorial ruler in those areas became the Polish king. At the same time, the church jurisdiction did not change in Pomerania, which remained under the supremacy of Włocławek’s bishops (the archdeaconry of Pomerania) and Gniezno’s archbishops (territories of the future archdeaconry of Kamień). The biggest modifications took place in the diocese of Chełmno, which after 1466 lost its monastic character. In the years 1471–1479 the bishop Wincenty Kielbasa, upon the consent of Pope Sixtus IV, made the cathedral chapter of Chełmno regain its secular character and created four canonries²². From this time onwards bishops of Chełmno and members of the cathedral chapter were Polish clergymen, while the bishopric along with its properties fell under the supremacy of the Polish Church. The cathedral chapter in Chełmno in the second half of the 15th century and at the beginning of the 16th century was a small corporation consisting of a few canons²³. In this context it must be reminded that in July 1454 the bishops of Chełmno, Sambia and Pomesania along with their cathedral chapters vowed to King Casimir IV Jagiellon in Elbląg that they should leave the Order and exchange the Teutonic rule for the rule of St. Augustine²⁴. As the Treaty of Toruń was not approved of by the Pope, one of the Treaty’s regulations – that the diocese of Chełmno should return to the Gniezno metropolis – was not enforced. It continued to

²⁰ Ibid., pp. 276–277; comp. E. WEISE, op.cit., p. 283.

²¹ Ibid., p. 277.

²² *Urkundenbuch des Bisthums Culm* (further: UBC), Bd. 1–2, hrsg. v. Carl P. WOELKY, Danzig 1885–1887, no. 1217, pp. 1121–1123; see e.g. no. 753, 761.

²³ Alfons MAŃKOWSKI, *Kapituła katedralna chełmińska od roku 1466 do 1821*, Zapiski Towarzystwa Naukowego w Toruniu, vol. 5: 1920, pp. 75–76.

²⁴ UBC, Bd.1, suplement to no. 614, p. 499.

be part of the Riga metropolis until the archbishopric of Riga had been secularized in 1566. It was not until 1589 at the provincial synod of Piotrków that the diocese of Chełmno went back to the Gniezno metropolis²⁵. A serious legal change also occurred in the diocese of Ermland, which after the collapse of the Riga metropolis in 1566 did not become part of the Gniezno metropolis, but it was subordinated directly to the Holy See as the diocese „exempta”²⁶.

At this point we should discuss the scope of the bishop's jurisdiction over the dioceses, which were partly under the Polish rule and partly under the Teutonic rule. The preserved sources from the period 1466–1525 clearly show that bishops of Ermland exercised the church jurisdiction not only in the territory of the dominion of Ermland, but also in the areas belonging to the Duchy of Prussia. The evidence for this are numerous documents issued by the bishop of Ermland Lucas Watzenrode, which have survived both in the so called *Formula of Uppsala* and in *Memorial actorum curie Warmiensis* – the source coming from the period of the rule of this bishop²⁷. The documents included in those collections demonstrate that bishops of Ermland exercised jurisdiction also over priests of parish churches and the population of the Duchy of Prussia. The bishop of Ermland, a suffragan bishop subordinated to him or a cardinal vicar dealt with cases of inhabitants of the Duchy of Prussia in the consistory court. A similar situation took place in the diocese of Pomesania, which covered only a minor part of Royal Prussia²⁸. While the diocese of Pomesania was ruled by Johannes IV Christiani von Lessen (1480–1501), the starost of Malbork Zbigniew Tyczyński refused to permit the Pomesanian bishop to visit the parishes situated within the borders of Royal Prussia (the Malbork Province and Żuławy) until the settlement was signed in 1488²⁹. It must be reminded that after 1466 it was royal starosts who got the right to present parish priests

²⁵ Alfons MAŃKOWSKI, *Dwa dokumenty do historii związku metropolitalnego rysko-chełmińskiego i gnieźnieńsko chełmińskiego*, Miesięcznik Diecezji Chełmińskiej, 1938, no. 4–5, p. 300; A. LIEDTKE, op.cit., p. 40.

²⁶ E. WEISE, op.cit., p. 283; Jerzy SIKORSKI, *Monarchia polska i Warmia u schyłku XV w.*, Olsztyn 1978, pp. 13–32; see Alojzy SZORC, *Dzieje diecezji warmińskiej 1243–1991*, Olsztyn 1991, p. 97.

²⁷ „Formularz z Uppsali”. *Późnośredniowieczna księga formularzowa biskupstw pruskich*, ed. Radosław BISKUP (Fontes Towarzystwa Naukowego w Toruniu, 109), Toruń 2016; *Memoriale domini Lucae, episcopi Warmiensis*, [in:] *Scriptores rerum Warmiensium*, hrsg. v. Carl P. WOELKY, Bd. 2, Braunsberg 1889, pp. 1–171.

²⁸ See e.g. the economic activity of bishops of Pomesania Hermann CRAMER, *Geschichte des vormaligen Bisthums Pomesanien*, Marienwerder 1884, pp. 183–216.

²⁹ Hans-Jürgen KARP, *Lessen, Johannes Kerstani von (OT) (um 1440–1501)*, [in:] *Die Bischöfe des Heiligen Römischen Reiches 1448–1646*, hrsg. v. Erwin GATZ, Clemens BRODKORB, Berlin 1996, pp. 418–419; Jan WIŚNIEWSKI, *Poczet biskupów pomezańskich*, pp. 81–84 (the most recent literature to be found there).

to Pomesanian bishops, which sometimes led to conflicts³⁰. The above mentioned bishop of Pomesania, irrespective of his conflict with the royal official described above, in his correspondence used the following words in the reference to the Polish king: „dominus meus” and „dominus noster Polonie Rex”³¹. It is the evidence of the Pomesanian bishop’s awareness of his diocese being subordinated to two territorial rulers: the Teutonic Order and the Polish king. The decision of Grand Master Ludwik von Erlichshausen referring to the diocese of Ermland generated similar consequences. It is known that the transfer of the supreme rights on Casimir IV Jagiellon concerned exclusively the dominion of Ermland which was part of Royal Prussia. On the other hand, the territory of the whole diocese of Ermland, like the diocese of Pomesania, was subordinated to two territorial rulers. Yet, the church jurisdiction on the whole territory of the dioceses belonged to bishop of Ermland.

The Treaty of Toruń of 1466 caused that from now on bishops of Ermland belonged to the same group as Polish bishops sitting in the royal council and holding the rank of senator. Paweł Legendorf, the bishop of Ermland, mentioned on the list of the witnesses of the Treaty of Toruń, appeared with other Polish bishops supporting the Polish king³². However, the first two bishops of Ermland – Mikołaj Tungen and Łukasz Watzenrode – attempted to obtain independence vacillating between the Polish king Casimir IV Jagiellon and the Teutonic Order³³. Mikołaj Tungen’s clashes with the Polish king ended when he paid homage to the Polish sovereign and after the first Treaty of Piotrków was signed on 15 July 1479. The treaty defined the conditions of electing the bishop of Ermland, the time when he was to pay homage to the Polish king and the time when newly elected cathedral canons were to vow loyalty to the Polish king. On 7 December 1512 a new treaty of Piotrków was concluded, which referred to the election of the bishop. According to it, the Ermland chapter was to present to the Polish king a list of canons along with their biographic data and information about their qualifications. The king, on his part, was to present to the chapter four candidates for the bishop’s office – they had to be canons of Ermland and of Prussian origin. The bishop elect was next presented to the Pope by the king³⁴. Nevertheless, the chapter decided to protect themselves

³⁰ Karol GÓRSKI, *Starostowie malborscy w latach 1457–1510*, Toruń 1960, pp. 77–78.

³¹ *Ibid.*, pp. 77, 94.

³² *Ibid.*, p. 286; see *Poczet biskupów warmińskich*, ed. Stanisław ACHREMCZYK, Olsztyn 2008, p. 78.

³³ Marek PLEWCZYŃSKI, *Wojna księża na Warmii 1470–1479*, *Studia i Materiały do Historii Wojskowości*, vol. 38: 1996, p. 128; Karol GÓRSKI, *Łukasz Watzenrode. Życie i działalność polityczna (1447–1512)*, Wrocław 1973, pp. 156–157.

³⁴ The issues are discussed by Alojzy SZORC, *Dominium warmińskie 1243–1772: przywilej i prawo chełmińskie na tle ustroju Warmii*, Olsztyn 1990, pp. 83–84 (the earlier literature to be found there).

against such solutions and as early as 29 December 1512 they issued a statement that the regulations of the Treaty of Piotrków should achieve the force of law once they had been approved of by the Holy See³⁵. Pope Leon X approved of both treaties of Piotrków on 25 November 1513. Still, the reality did not reflect the decisions stipulated in the treaties of Piotrków. The Polish king appointed his own candidate and bishops appointed by him normally were not members of the Ermland chapter. For purely formal reasons, the king's candidate received one of the canonries prior to the election time. In this way, a significant change in the election of bishops took place in the dioceses of Ermland and Chełmno after 1466. It was no longer a free canonic election (like it had been done earlier in Prussia by the cathedral chapters), but an appointment upon the decision of the Polish king. In the Treaty of Toruń it reads that Casimir IV Jagiellon appointed Wincenty Kielbasa to be the bishop of Chełmno³⁶. It must be underlined that it was normal for Polish sovereigns to have such an enormous influence on the election of bishops in the Catholic Church of the time³⁷. Contrary to the decisions included in the treaties of Piotrków, most bishops of Ermland appointed by the Polish king did not come from Prussia³⁸. The reason was the fact that bishops of Ermland played a significant political role in Royal Prussia. It must be reminded that from 1508 they were heads of the Prussian council and ran the general dietine of Royal Prussia³⁹.

As I have mentioned above, the Church in Teutonic Prussia started to change in legal-social aspects due to new political and territorial conditions. It concerned fundamental changes of the social and legal position of the bishops of Sambia and Pomesania – the bishoprics which were partly (the diocese of Pomesania) or completely (the diocese of Sambia) situated within the borders of Teutonic Prussia. It should be noted that the organization of Prussian bishoprics invariably followed the German model, in which it was bishops and chapters that had their territorial dominions⁴⁰. It differed from the or-

³⁵ *Protokoły posiedzeń warmińskiej kapituły katedralnej z czasów Mikołaja Kopernika (1499–1543)*, comp. Alojzy SZORC, publ. Irena MAKARCZYK, Olsztyn 2015, no. 58.

³⁶ SDO, Bd. 2, no. 403, p. 277 („quod venerabilis dominus Vincencius Kyelbasza, consiliarius et secretarius prefati serenissimi domini regis Kazimiri, ad ecclesiam prefatam Culmensem per ipsum dominum Kazimirum regem nominatus [...]”); comp. Hans SCHMAUCH, *Das Bisthum Culm und das Nominationsrecht der polnischen Könige*, Zeitschrift des Westpreussischen Geschichtsvereins, H. 71: 1934, pp. 122–123; E. WEISE, op.cit., p. 283.

³⁷ Jacek WIESIOŁOWSKI, *Episkopat polski XV w. jako grupa społeczna*, [in:] *Spółczesność Polski średniowiecznej*, vol. 4, Warszawa 1990, pp. 236–256.

³⁸ *Ibid.*, pp. 251–252.

³⁹ A. SZORC, *Dzieje diecezji warmińskiej*, pp. 118–119.

⁴⁰ See e.g. Michael BORGOLTE, *Die mittelalterliche Kirche*, [in:] *Enzyklopädie deutscher Geschichte*, Bd. 17, München 1992, pp. 45, 136, 138; Wilhelm JANSSEN, *Der Bischof, Reichsfürst und Landesherr (14. und 15. Jahrhundert)*, [in:] *Der Bischof in seiner Zeit. Bischofstypus und Bischofsideal im Spiegel der Kölner Kirche*, hrsg. v. Peter BERGLAR, Odilo ENGELS, Köln 1986, pp. 185–244.

ganization of the Church in Poland, where bishops did not have territorial dominions⁴¹. At the same time in the church structure of Prussia as early as the 13th century four territorial dominions were formed along with another four dominions of cathedral chapters⁴². The territorial rule of the Church in Prussia resulted from the bestowal by the Holy See, which the dean of Erm-land Johannes Plastwich rightfully reminded in the 15th century⁴³. The situation in Teutonic Prussia after the decisions of the Treaty of Toruń of 1466 had been implemented led to vital social and legal changes. According to the sources, it became visible quickly in Sambia, where at the assembly of the Prussian estates in Heiligenbeil on 6 June 1476, Johann von Rehwinkel, the bishop of Sambia, spoke for the first time as the representative of the Prussian estates⁴⁴. A few years earlier, in 1467 and 1468, the bishop of Sambia Nicolas von Schöneck appeared in the files of the Prussian estates as an independent territorial ruler⁴⁵. In later periods, the phenomenon of incorporating bishops and cathedral chapters (in the sources referred to as „Prälaten”) into the estates of the Duchy of Prussia occurred, which was the attempt to deprive them of some privileges resulting from their rights as territorial rulers. In a letter to the Polish king of 1485, apart from dignitaries, knights and burghers the Prussian estates also included bishops and prelates⁴⁶. The Grand Master was then treated as the only real territorial ruler; bishops and prelates as members of the Teutonic Order, representatives of their own territories and representatives of the Prussian estates were obliged to advise and help him⁴⁷. Still, it must be underlined that the legal position of bishops and chapters did not change. It altered only in the context of the evolving structure of the estates and in relations with the Grand Master. However, the question arises whether bishops owning their territorial dominions in Teutonic Prussia accepted such a change in their social-legal position. The best example of the refusal to accept the change and its causes is the conflict between Dietrich von Cuba, the bishop of Sambia, and Grand Master Heinrich von Richtenberg in the years 1470–1474. The bishop of Sambia did not accept the decision of the Grand Master and the

⁴¹ Józef SZYMAŃSKI, *Biskupstwa polskie w wiekach średnich. Organizacja i funkcje*, [in:] *Kościół w Polsce*, vol. 1: *Średniowiecze*, Kraków 1966, pp. 178–199.

⁴² Andrzej RADZIWIŃSKI, *Die Kirche im Deutschordenstaat in Preussen (1243–1525)* (Prussia Sacra, Bd. 4), Toruń 2014, pp. 39–56.

⁴³ Brigitte POSCHMANN, *Bistümer und Deutscher Orden in Preußen 1243–1525*, Münster 1962, pp. 106–108.

⁴⁴ *Acten der Ständetagen Preussen unter der Herrschaft des Deutschen Ordens* (further: ASP), Bd. 1–5, hrsg. v. Max TOEPPEN, Leipzig 1861–1874, here: Bd. 5, p. 289.

⁴⁵ *Ibid.*, Bd. 5, p. 233 (June 1467), p. 245 (September 1467), pp. 248–249 (October 1468).

⁴⁶ *Ibid.*, Bd. 5, p. 394: „Allergnedigster konig, die erwidigen in got veter und hern bischoffe, prelaten, gebietigern, ritterschafft, lande und stete [...]”.

⁴⁷ L. DRALLE, *op.cit.*, pp. 87–88.

Prussian estates concerning the increase in taxation, which was to apply also to his territorial dominion. The bishop considered raising taxes as the sign of the territorial supremacy, which – according to him – the Grand Master did not have in the area of his bishopric. He justified it in the following comment: „Was eyne gewonheit ist, das ist kein recht nicht”⁴⁸. Dietrich Cuba also persisted in refusing to announce indulgences without his consent as the territorial ruler. He argued that as the general procurator in Rome, he was the Grand Master’s subject, but he is not subordinated to the Grand Master as a bishop and territorial ruler⁴⁹. A serious change in the legal condition took place when Grand Master Friedrich von Sachsen set up the court in Königsberg in 1506. It became the highest home court in Teutonic Prussia and the central court of appeal from all sentences of lower courts. Despite the fact that Hiob Doben- eck, the bishop of Pomesania, and Gunter von Büнау, the bishop of Sambia, regarded the court as merely the court of appeal, its creation *de facto* and *de iure* caused that the bishops ceased to be territorial rulers⁵⁰.

The decisions of the Treaty of Toruń of 1466 concerning the political subordination of separate dioceses affected significantly the magnitude and structure of the network of parishes as against the condition prior to the Thir- teen Years’ War. About one hundred out of 260 Pomesanian dioceses found themselves within the borders of Royal Prussia. As I mentioned earlier, they continued to fall under the church jurisdiction of Pomesanian bishops. One of the consequences of such decisions was a gradual change in how patronage was executed⁵¹. Nine parishes situated in the north-west part of the diocese of Ermland and about 150 situated on the territory of the dominion of Ermland became part of Teutonic Prussia. Despite various conflicts, the parishes were also subordinated to the church jurisdiction of the bishops of Ermland. In the diocese of Sambia in the years 1466–1525 the number and structure of the parish network did not change since the whole diocese remained within the borders of the Duchy of Prussia⁵².

⁴⁸ ASP, Bd. 5, p. 263; see L. DRALLE, *op.cit.*, p. 99.

⁴⁹ ASP, Bd. 5, p. 264 („Ich bin in den hoff zcu Rom geczogen adder gefertiget als eyn pro- curator unde ouch als eyn bisschoff. Ich hoffe als eyn procurator habe ich mich recht gehalten, sunder als eyn byschoff habe ich meyner kirche dy gnoden irworben, das ich meyne wol billich ist, her welde is ..., dy bullen weren uff den orden gemacht, her kunde sy nich ausbrenge[n]”); see L. DRALLE, *op.cit.*, p. 99.

⁵⁰ B. POSCHMANN, *op.cit.*, pp. 28–31.

⁵¹ See e.g. UBC, no. 662 (on 30 December 1471 Casimir IV the Jagiellon granted two par- ishes located in Wielka Żuława to Ścibor Bażyński, the voivode of Malbork).

⁵² Marian BISKUP, *Parafie w państwie krzyżackim*, [in:] *Zakon krzyżacki w Prusach i In- flantach. Podziały administracyjne i kościelne w XIII–XVI w.*, ed. Roman CZAJA, Andrzej RADZIWIŃSKI, Toruń 2013, pp. 146–147.

To sum up, it must be stressed that all the political, legal, organizational and social changes which took place in the Church in Prussia after the Second Treaty of Toruń of 1466 became only a prelude to the Reformation, which was to occur several dozens of years later. In fact, it was political divisions and the changes in the church organization that determined the shape of the future organization of the Church in Prussia – continuation in case of Catholic dioceses situated in Royal Prussia, and change connected with the Protestant reform and the creation of the structures of the Evangelic Church in the Duchy of Prussia.

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KOŚCIÓŁ W PRUSACH KRÓLEWSKICH I PAŃSTWIE ZAKONU
KRZYŻACKIEGO PO DRUGIM POKOJU TORUŃSKIM:
CIĄGŁOŚĆ I ZMIANA

Streszczenie

Słowa kluczowe: diecezja chełmińska, diecezja pomezkańska, diecezja sambijska, diecezja warmińska, władztwa terytorialne biskupów pruskich, kapituły katedralne, archidiakoniat pomorski, parafie

W artykule zostały omówione bezpośrednie oraz pośrednie konsekwencje drugiego pokoju toruńskiego odnoszące się do sytuacji Kościoła w państwie zakonu krzyżackiego w Prusach do czasów reformacji. Zaprezentowane zostały zaobserwowane w tym zakresie elementy kontynuacji oraz zmian, które wynikały zarówno z ukształtowania się nowego politycznego podporządkowania poszczególnych diecezji, jak i stopniowo zmieniającej się pozycji prawnej tamtejszych biskupstw i ich zwierzchników. Z przeprowadzonych badań wynika, że wszystkie zmiany polityczne, prawne, organizacyjne i społeczne zachodzące w Kościele w Prusach po drugim pokoju toruńskim z 1466 r. stały się jedynie wstępem do mającej nastąpić za kilkadziesiąt lat reformacji. Podziały polityczne, a tym samym zmiany w organizacji kościelnej, zdecydowały o kształcie przyszłej organizacji Kościoła w Prusach – kontynuacji w przypad-

ku katolickich diecezji wchodzących w skład Prus Królewskich i zmianie, związanej z reformą protestancką i powstaniem struktur Kościoła ewangelickiego na terytorium Kościoła w Prusach Książęcych.

KIRCHE IN KÖNIGLICHEN UND DEUTSCHORDENS-PREUSSEN
NACH DEM ZWEITEN THORNER FRIEDEN
– DIE ZEIT DER KONTINUITÄT UND DER VERÄNDERUNGEN

Zusammenfassung

Schlüsselwörter: Bistümer: Kulm, Pomesanien, Samland, Ermland, Territorialherrschaft der preußischen Bischöfe, Kathedralkapitel, pommerscher Archidiakonats, Pfarreien

In dem Artikel geht es um die mittelbaren und unmittelbaren Folgen des Zweiten Thorner Friedens im Hinblick auf die Lage der Kirche im preußischen Deutschordensstaat bis zur Zeit der Reformation. Vorgestellt werden die in diesem Zeitraum beobachteten Elemente der Kontinuität sowie der Veränderung, die ihren Grund sowohl in der Herausbildung einer neuen politischen Unterordnung der einzelnen Diözesen als auch in der sich stufenweise verändernden rechtlichen Position der dortigen Bischöfe und ihrer Obrigkeiten hatten. Aus den angestellten Untersuchungen geht hervor, dass alle politischen, juristischen, organisatorischen und sozialen Veränderungen, die nach dem Zweiten Thorner Frieden von 1466 in der preußischen Kirche stattfanden, nur den Auftakt zu der einige Jahrzehnte später stattfindenden Reformation bildeten. Politische Trennlinien und damit auch Veränderungen in der kirchlichen Organisation entschieden über die Gestalt der künftigen Kirchenorganisation in Preußen – eine Kontinuität im Fall der katholischen Bistümer im Königlichen Preußen und ein Wandel im Zusammenhang mit der protestantischen Reformation und der Entstehung einer evangelischen Kirchenstruktur auf dem Gebiet der Kirche im Herzoglichen Preußen.

