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[REVIEW]: MAGDALENA BINIAŚ-SZKOPEK, *MARRIAGE IN MEDIEVAL POLAND. A STUDY OF EVIDENCE FROM THE POZNAŃ CONSISTORY COURT, 1404–1428*, EAST CENTRAL AND EASTERN EUROPE IN THE MIDDLE AGES, 450–1450, 94, BRILL, LEIDEN – BOSTON 2024, PP. IX + 293.

Marriage has been one of the most important social institutions in different civilizations and cultures through history. Therefore, it is not surprising that it has long aroused the interest of historians, including medievalists, although it has never been a particularly fashionable topic of study. This also applies to Polish medieval studies. Many issues related to medieval marriage are still poorly researched, and Polish sources and the results of research conducted on them are usually overlooked by Western historiography. It is good, therefore, that the new work of Magdalena Biniaś-Szkopek, a Poznań historian, fills one of the gaps in our knowledge on the subject under discussion, and at the same time gives a chance to “break through” with this knowledge to wider circles of researchers from other countries.

M. Biniaś-Szkopek analyzes matrimonial cases pending before the Poznań consistory court in the first three decades of the fifteenth century. The starting point for the monograph in question was her habilitation dissertation published in 2018. The current version is not a simple translation, although it uses a number of elements of the earlier book. The Author expanded some parts of the book and adapted it to the needs of readers less familiar with Polish realities. The book structure has been reorganized: instead of three parts divided into subsections, it now consists of nine

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independent chapters, preceded by an introduction and ending with a brief conclusion.

The monograph begins with a general introduction, including an overview of historiography and a characterization of the scope of the work, as well as an explanation of some issues related to the spelling and pronunciation of Polish names and proper names, which is important for foreign readers. The Author then discusses approaches to marriage in, as she puts it, 'selected Church documents', which in practice means mainly pre-Tridentine Canon law. The next two chapters deal with the establishment and functioning of consistory courts in Poland, while the remaining six are devoted to selected marriage-related issues: the validity of the marital vow, sexual abuse, impediments to creating a valid marriage, marital violence, extramarital sexual relations and the role of children in matrimonial cases.

The earliest surviving records of the Poznań Consistory Court from the years 1404–1411 and 1417–1428 (records from 1412–1416 have not survived) form the source basis. The choice of end date is completely arbitrary and was not justified by the Author. Nevertheless, the collected material proved to be sufficient to the Author to demonstrate both certain constant features and the dynamics of the changes taking place in the issues under study. Medieval ecclesiastical court records constitute a valuable category of sources, because since the High Middle Ages the principle was established that all matrimonial cases (with the exception of property matters) were subject to ecclesiastical jurisdiction, regardless of the estate affiliation of the litigants. This makes them useful for the study of Canon law and its application in practice, the role of the Church in society, daily life, mentality and imaginations, sexuality, and so on. Moreover, they provide a unique insight into the life of members of the lower strata of medieval society, including not only men, but also women and children too. The work of M. Biniś-Szkopek is a good example of using the potential of the discussed category of sources in this regard. The Author addressed all the issues mentioned above. Given that the monograph is devoted to the practical functioning of ecclesiastical law, the lack of greater concentration on how this law was applied in specific cases is somewhat disappointing. It would have been interesting and relevant to our understanding of the matter, if the Author had tried to link the judgments, issued by officials in individual cases, with specific provisions

of general and particular Canon law, discussed in the initial part of the study.

One of the main advantages this study has over previous historical research, is the Author's use of the acts of the Poznań consistory court in the original. Poor accessibility is a key problem faced by historians wishing to study medieval Church court records. For the most part, they have not yet been published or even digitized. The Author's predecessors almost always used the editions of Bolesław Ulanowski, who at the beginning of the twentieth century published selected records from fifteenth-century Poznań books. However, he made a subjective choice, not based on substantive criteria, covering only 900 of the approximately 48,000 records, or less than one percent of the total, and, in addition, he did not always include all records pertaining to a given case. The Author is to be highly commended for the effort she has made to read the sometimes poorly legible, voluminous books of the Consistory Court in Poznań, which have probably already discouraged many a researcher. The quality of the readings cannot be verified without repeating the entirety of her scrupulous work, and all that remains here is to trust the Author.

From the period selected by the Author, only the *acta causarum* (also not always complete) have survived from the Poznań Consistory court. They describe mainly the subsequent legal actions, while some of the witness testimonies are missing, and we do not always know the final verdict in the case. As a result, the collected source material often makes it impossible to get a complete picture of cases. The author is aware of these limitations, which, by the way, she could have avoided if she had analyzed later records from periods for which a complete set of volumes with witness testimonies and verdicts had survived. However, since she chose the incomplete earliest books, she rightly abandoned attempts at a quantitative approach and instead adopted a method of discussing and analyzing individual cases, divided into categories relating to the main types of question. This seems to be the most adequate approach in this situation, which allows us to obtain as much knowledge as possible, without succumbing to the temptation of overinterpretation and unwarranted generalizations. It is worth noting in this context that the diagrams included in the work, showing the distribution of the number of cases per year, mislead the reader because they give the impression of quantitative leaps in some years, while in

fact this is the result of incomplete preservation of the records. Minor inaccuracies and errors also occur in the tables.

In conclusion, it should be said that M. Biniaś-Szkopek's monograph is one of the more important achievements of contemporary Polish medieval studies. It is valuable from the point of view of many areas of research: the history of ecclesiastical institutions, the history of ecclesiastical law, the history of Christianization understood as the assimilation of Church teaching by society, social history, the history of everyday life, the history of women, and so forth. In some instances, it brings new findings, while in others the Author's conclusions confirm the research results of earlier medievalists. The study under discussion is certainly not the definitive voice in the study of the functioning of marriage law in late-medieval Poland, but it significantly expands our knowledge on the subject. It should also inspire further analysis, concerning both the activities of the Poznań Consistory court and comparisons with similar court cases from other dioceses. Providing comparative material for further research, it is also significant from the point of view of general medieval history, although it refers specifically to the regional history of Greater Poland. It is good, therefore, that the book was published in English. Besides, which is equally important, the book is not boring. It should be an interesting and inspiring read for both professional researchers and a wide range of persons interested in history alike.