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Nicolaus Copernicus in the service of law and politics

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Copernicus's broad education and multitude of interests are a hallmark of the great scholars of the Renaissance; not only was he an astronomer, but an erudite scholar in various areas of culture, an expert in the literature he translated, a physician, economist, civil servant, and diplomat. In his works on the subject of astronomy, he made groundbreaking revisions in the field of physics, which also had a bearing on his philosophical views. He created maps of Warmia and Prussia and took an interest in military strategy. The astonishing power of Copernicus's mind eludes our contemporary habits and standards. After all, the scientist received a formally documented education in a single subject – law – earning the title of Doctor of Canon Law. The legal history of Copernicus's life has been the subject of several scholarly studies. New findings have been made in recent years; hence, the idea of systematizing the issue seems justified. The formulation of the topic of this article is based on the assumption that his legal education and skills were used primarily in the performance of his official and diplomatic functions under the Bishop of Warmia.

In an attempt to provide an insight into the legal and political activities of the Great Astronomer, a few words should be said

about his father, who bore the same name. Nicolaus Copernicus senior was a wealthy merchant engaged in wholesale business in cities such as Gdańsk, Wrocław, and Toruń. One of the archival traces of his activities at the time are the records from a lawsuit over an amount due for the delivery of 38 copper cents – the trial took place in 1448 in Gdańsk. While doing business in Gdańsk and Toruń, he had a taste of politics; he established contacts with the Prussian Union, a secret organization of burghers and nobles of the Teutonic State, who in February 1454 declared obedience to their rulers and turned to King Casimir Jagiellon for help. On 6 March 1454, King Casimir declared the incorporation of these lands into Poland, thus beginning the war against the Order, which went down in our history as the Thirteen Years' War.¹

As noted by Krzysztof Mikulski, in 1454, Nicolaus Copernicus senior mediated the repayment by the cities of Gdańsk and Toruń of a loan of 2,000 Hungarian zlotys contracted with the merchants of Kraków for compensation paid to Cardinal Zbigniew Oleśnicki in return for supporting the interests of the Prussian Union at the court of the Polish king. Having obtained repayment of part of the debt from the Gdańsk merchants, Nicolaus Copernicus senior moved to Toruń to pursue repayment of the rest of the amount, which required repayment in instalments (the first dated repayments indicate that repayments began in 1456 and were not completed until 1474). In 1455, the Astronomer's father was listed in the tax register of the city of Toruń. He was accepted as one of the local merchants, and a document naming him a citizen of Toruń dates from 1458. In 1459 or 1460, he married Barbara Watzenrode, aged about 20 (being himself about the age of 35). The aforementioned Krzysztof Mikulski emphasizes that this was a marriage resembling a commercial transaction, a common occurrence at the time. As a result, Nicolaus Copernicus senior gained full acceptance in Toruń's merchant community and was able to develop his independent business activities.²

¹ E. Rybka, P. Rybka, *Kopernik. Człowiek i myśl*, Warszawa 1972, p. 78.

² K. Mikulski, *Mikołaj Kopernik. Środowisko społeczne, pochodzenie i młodość*, Toruń 2015, pp. 304–306.

Nicolaus Copernicus junior was born on 19 February 1473. The dates of birth of many well-known people of the time are not certain; often not much attention was paid to them, they were not written down, and they were often forgotten. In this case, we know not only the date of the day but also the time of young Nicolaus's birth – it was 16:48.³ Presumably, this data was recorded for the purpose of compiling an astrological horoscope.⁴ He was one of four children of Nicolaus Copernicus senior and Barbara Watzenrode, who came from one of the wealthiest and most influential families in Toruń. The position of the Copernicus family was cemented by the appointment of Nicolaus Copernicus senior as a city juror. The only reason he did not become a member of the city council was that his brother-in-law, Tiedemann von Allen, married to Krystyna Watzenrode and later mayor of the city, was already serving there. The law prohibited more than one member of a given family from sitting on the council.⁵ In any case, the future great astronomer stood a chance of continuing the family tradition in terms of a career in politics and law.

Nicolaus Copernicus's father died prematurely in 1483. From then on, the upbringing and education of Nicolas junior and his brother Andrew were entrusted to Lucas Watzenrode, his mother's brother.⁶ He studied at the Kraków Academy and then in Bologna, Italy, where he obtained his doctorate in law in 1473. This paved the way for a brilliant career in church administration, culminating in his heading the bishopric of Warmia in 1489. How-

³ We learn about the exact day and time from the oldest surviving biography of Nicolaus Copernicus. Its author corrected erroneous data in this regard that had been published earlier. B. Biliński, *Najstarszy życiorys Mikołaja Kopernika z roku 1588 pióra Bernardina Baldiego*, Wrocław-Warszawa-Kraków-Gdańsk 1973, p. 34.

⁴ S. Grzybowski, *Mikołaj Kopernik*, Warszawa 1973, p. 37.

⁵ E. Rybka, P. Rybka, op.cit., p. 81.

⁶ Lucas Watzenrode also lost his father at a young age – at 15 years old. He was then taken care of by his brother-in-law. Owing to his young age, his lack of professional skills, and the partitioning of his father's capital after his death, Lucas was unable to continue his parent's merchant activities. His only option was to obtain an education and pursue a clerical career. He used his experience to plan the lives of his nephews, Nicolaus and Andrew. S. Grzybowski, op.cit., pp. 43–44.

ever, this brought about a sharp conflict with the royal court, as Casimir Jagiellon sought to have his son Frederick established in Warmia. A real threat of armed intervention by Polish troops in Prussia became apparent, but the unexpected death of the king in June 1492 changed the situation radically. Lucas Watzenrode gained the support of Jan Olbracht and soon became his trusted adviser.⁷ He retained this status throughout the reigns of the next Polish rulers, Alexander Jagiellon and Sigismund the Old.

The two young Copernicus brothers, having obtained their first stages of education – in this respect it is uncertain whether it was at the well-known school in Chełmno run by the Brethren of the Common Life, a religious confraternity specializing, *inter alia*, in education, not bound by monastic vows, or at the school at the parish church of St John⁸ – followed in the footsteps of a wealthy uncle and were added to the students of the Kraków Academy – a university founded in 1364 by King Casimir the Great and renewed in 1400 by the monarchical couple, Hedwig and Jogaila.⁹ Teresa Borawska, a proponent of the idea that the brothers' early education took place in Toruń, points out that their teacher at the time was probably a bachelor of canon law, Johannes Graudencz. He is said to have accompanied them to the University of Cracow, where Graudencz was also a professor. He is believed to have been

⁷ K. Mikulski, *op.cit.*, pp. 123–128.

⁸ Janusz Małek's assumption that the young Copernicus received his first education at Toruń's parish school and later continued it outside Toruń is reasonable. Apart from the school in Chełmno, consideration could also be given to the cathedral school in Włocławek, where Lucas's uncle held a canonry and often stayed. It was in fact a branch of the Kraków Academy, with a good standard of teaching, where children were sent, not only by the Kuyavian nobility, but also by the Prussian nobility and rich burghers from Gdańsk. J. Małek, *Mikołaj Kopernik – uczony, torunianin, człowiek epoki renesansu*, in: J. Małek, *Mikołaj Kopernik. Szkice do portretu*, Toruń 2015, pp. 54–55. S. Grzybowski, *op.cit.*, pp. 46–48. On the controversy among scholars about the early education of the Copernicus brothers see K. Górski, *Dom i środowisko rodzinne Mikołaja Kopernika*, in: *Mikołaj Kopernik i jego czas*, A. Markuszewska (ed.), Toruń 2013, pp. 160–164.

⁹ E. Rybka, P. Rybka, *op.cit.*, pp. 83, 85.

the second most important jurist in the lives of the two Copernicus brothers, after their uncle Lucas.¹⁰

On entering Kraków University, Nicolaus Copernicus was 18 years of age. Various publications devoted to him frequently mention an entry from a book listing those admitted to the Academy – *Nicolaus Nicolai de Thorunia solvit totum* or “Nicolaus, son of Nicolaus of Toruń paid in the full amount” – referring to the full amount of the admission fee. This line was later underlined by someone, and the addition “Copernicus” was made. Nicolaus studied at the Faculty of Liberal Arts,¹¹ which prepared him for his later exploration of three sciences that were considered fundamental at the time: law, theology, and medicine. Among the disciplines studied were the humanities (philosophy, grammar, poetics, rhetoric), but also the sciences (mathematics, astrology, and astronomy), which were to become the passions for which he is best remembered. Copernicus completed his Kraków education in 1495.

Lucas Watzenrode, then already an influential adviser to the ruler, John Albert, planned to install them at his side in the Warmia Chapter as canons. He had already brought Nicolaus there in 1496, albeit initially provoking some controversy (the prerequisite for taking up the canonry included a degree).¹² An appointment, however, was fully accepted a short while later. In order to raise the educational level of both brothers, Watzenrode sent them for further studies to the city where he himself had earlier arrived, gaining a doctorate in law in Bologna, Italy.

¹⁰ T. Borawska, *Prawnicy w otoczeniu Mikołaja Kopernika*, in: T. Borawska, H. Rietz, *Mikołaj Kopernik i jego świat. Środowisko. Przyjaciele. Echa wielkiego odkrycia*, Toruń 2014, p. 289.

¹¹ Wojciech Hejnosz emphasized that the studies at the Faculty of Liberal Arts were then of a general nature, somewhat replacing secondary school. Completing them did not prepare one for a practical profession, except as a teacher in the educational system. However, his studies in Krakow must have stimulated young Nicolaus's interest in the sciences. Authentic knowledge of law was explored in law faculties. W. Hejnosz, *Mikołaj Kopernik jako prawnik*, in: *Księga Pamiątkowa 75-lecia Towarzystwa Naukowego w Toruniu*, Toruń 1952, pp. 148–149.

¹² S. Grzybowski, *op.cit.*, pp. 78–80.

The importance of legal studies at the time is emphasized by Teresa Borawska: "In medieval society, knowledge of the law served to regulate nearly all spheres of human life. Knowledge of the law likewise facilitated the understanding of social order and the functioning of the state, as well as various economic phenomena. [...] The growing demand for well-educated jurists employed to conduct disputes and trials and to serve the administration generated an increasing interest in the study of law also amongst young people in Prussia. In fact, law degrees enabled many scholars to advance socially, while they facilitated others to gain lucrative ecclesiastical prebends and offices. For many students, scholarly peregrinations were not only an opportunity to acquire certain skills, but also a time of making acquaintances and friendships that often later paved the way for further careers."¹³

The University of Bologna was founded in 1088. It is traditionally referred to as the oldest in medieval Western Europe, which is not accurate. While similar schools had already been founded in this era, it was the Bologna institution that came to be referred to as the first university. It should be added that schools that rose above the average level of education in their time had been in existence long before the birth of Christ, in Ancient Greece and Rome, headed by Plato's Athenian Academy (founded in Athens around 387 BC by Plato and in existence until the Roman leader Sulla plundered Athens), and in China and India. The traditions and level of culture inherited from the Greeks and Romans were sought to be continued in the early Middle Ages in the Eastern Roman Empire, i.e., Byzantium, and in the Arab states of the time, known as caliphates. The situation was different in the areas left over from the shattered Western Roman Empire, where Germanic states were established by the chieftains of the victorious barbarian tribes, thus giving rise to the countries and peoples of Western Europe. There was a progressive regression, even a decline, in culture and particularly in education. This changed

¹³ T. Borawska, *Prawnicy w otoczeniu Mikołaja Kopernika*, p. 292.

to some degree during the reign of Emperor Charlemagne, King of the Franks, who succeeded in conquering and uniting large areas of Western Europe and then crowned himself as the new Roman Emperor on Christmas Day in the year 800. The period of his reign was known as the Carolingian Renaissance. The ruler surrounded himself with intellectuals, and under his reign, schools were established and the spoken and written Latin language was renewed. Until the 11th century, most schools were organized at monasteries, taught and attended in principle exclusively by members of the clergy. As a result of the process of urban regeneration and the emergence of new agglomerations, which commenced at the turn of the 11th and 12th centuries and were stimulated by the intensive development of trade in Europe, more schools began to be established at cathedrals and collegiate churches, increasingly accommodating lay pupils. Such municipal schools gradually became independent of the local ecclesiastical authorities, organizing themselves in a similar way to the guilds of the time – i.e., professional craftsmen organizations, grouping students and masters (teachers). The highest levels were achieved in France and in the city-states of Italy, where those willing to study and teach (students and masters) were drawn from other countries on the continent. The best schools were granted special privileges by the German emperors and popes, granting them independence from the municipal authorities and the right to confer academic titles. That was how universities were born. The name university (*universitas magistrorum et scholarium*) appears in the oldest known sources from 1221.

The Academy of Bologna soon became the most prestigious university in Western Europe, bringing together the most eminent minds of the era. The teaching of Roman civil and canon law became the university's specialty. It was here that the teaching of canon law as an independent academic discipline separate from Roman law originated. It was here that the famous jurisprudential schools of glossators and post-glossators were born, to whom Europe owed the modern and in-depth study of Roman law and its adaptation to the needs of the Middle Ages, by which the law

in the Middle Ages, notably in Italy and the German states, was improved.

The studies were costly, and in the case of both the Copernicus brothers, they were most likely paid for by their rich uncle, the Bishop of Warmia, Lucas Watzenrode, although formally Nicolaus was sent to study by the Warmian chapter, and it is uncertain whether this involved the chapter financing the future astronomer's studies in Italy. In any case, payment for Nicolaus's studies must have been delayed: in 1499, the brothers were forced to take out a loan from a Roman bank – 100 ducats for 4 months. The debt was to be repaid by Lucas Watzenrode.¹⁴

At the time of Copernicus, 50 professors taught at the University of Bologna. The university had a separate law college and a 'liberal arts' college, offering astronomy and mathematics, among other subjects. The brothers were enrolled in a German college to study law.¹⁵ At the time, it was less a matter of nationality in our modern sense but rather of being able to speak German. In any case, this entry, which is often repeated in historiography, reads: "Mr. Nicolaus Copernicus of Toruń nine groszy," provided evidence for German nationalists in their dispute with the Poles about the actual nationality of the great scholar.¹⁶ The book of the German nation existed at the University of Bologna only at the University of Jurists; German students of liberal arts and medicine were enrolled in the ultramontane nation. All students from Prussia were enrolled in the German nation, both before and after the Peace of Toruń of 1466. Occasionally, though rarely, there were students with Polish surnames. In Bologna, records of the Polish nationality were kept, however, these have not survived to the present day.¹⁷

¹⁴ M. Chachaj, *Mikołaj Kopernik. Czasy studenckie. Kraków, Bolonia, Rzym, Padwa i Ferrara (1491–1503). Miejsca – ludzie – książki*, Toruń 2023, pp. 153–154.

¹⁵ It is believed that in fact Nicolaus also studied at the University of Bologna of the 'liberal arts,' probably obtaining a master's degree there. W. Hejnosz, *op.cit.*, p. 151.

¹⁶ E. Rybka, P. Rybka, *op.cit.*, pp. 96–97.

¹⁷ M. Chachaj, *op.cit.*, pp. 111–114.

Teresa Borawska notes that the reason for the desire to obtain a thorough legal education for the relatively large group of students arriving in Bologna from Prussia was the multitude of disputes that occurred between the Teutonic Order and Poland and the Prussian states. Meanwhile, from the year 1479, a dispute took place between the bishop and the Warmian chapter and the Polish king over the right to elect an ordinary. When Nicolaus Copernicus began his studies in Bologna, he was accompanied by twenty other students registered in the German nation, and in the following four years there were as many as 110 more applicants.¹⁸

However, the University of Bologna had not previously been particularly popular among Torunians. In the second half of the 15th century, only five representatives of the city studied there, their enrollment being in the German nation. The first of these was George of Toruń, who arrived there in 1452, obtaining his doctorate in canon law in 1466. The second was Lucas Watzenrode (1470). The third was Nicolaus Jode. The next were Nicolaus (1496) and Andrew (1498) Copernicus.¹⁹

As mentioned earlier, Nicolaus Copernicus, although formally listed as a law student,²⁰ at the same time explored his greatest scientific passion at this university, that is, of course, astronomy, of which the university had plenty of excellent professors. In 1500, the two brothers travelled to Rome, where, under the auspices of Pope Alexander VI, the Jubilee Year was being celebrated in reference to the birth of Christ and the beginning of our era. The Torunians took part in church ceremonies and, at the same time, as was customary for law students, probably served their apprenticeships in the papal curia. By then, Nicolaus was devoting much of his time to observing the celestial sphere – the stars, the Moon, and the Sun – and he did not cease to do so in the See of Peter, during his professional legal training. On occasion, he gave lec-

¹⁸ T. Borawska, *Prawnicy w otoczeniu Mikołaja Kopernika*, pp. 293, 299.

¹⁹ M. Chachaj, *op.cit.*, pp. 110–112.

²⁰ Nicolaus Copernicus studied both canon law and Roman law in Bologna. This is evidenced by a document issued in 1499 concerning a certain legal act witnessed by the two brothers from Toruń. Nicolaus and Andrew were described there as students of “both laws.” W. Hejnosz, *op.cit.*, p. 151.

tures on astronomy in Rome and met eminent representatives of this science. In 1501, the Copernicus brothers returned to Poland, to Warmia, for a few months, and then headed back to Italy. With the chapter's permission, Nicolaus went to Padua to undertake additional studies – medicine (it took him 3 years), while Andrew continued his legal studies in Rome. Nicolaus's medical studies most probably did not result in a doctor's degree but rather in the acquisition of practical skills, as the chapter hoped that he "could be a valuable medical adviser to the reverend superior and the lords of the chapter in the future."²¹

The only university diploma that Copernicus is known to have obtained, and probably the only one at all, is a doctorate in canon law²² from the University of Ferrara in Italy, crowning his legal studies, during which he also became thoroughly familiar with Roman law. The fact that he was able to complete his doctorate in Ferrara was probably due to the slightly lower costs that he had to pay for the procedure compared to the universities of Bologna and Padua. This was, in fact, a frequent phenomenon at the time. M. Chachaj records that of the 40 foreigners graduating in canon law at the University of Ferrara between 1497 and 1505, only eight studied exclusively in Ferrara; the others had previously studied at other universities. For the same reason, he opted only for a doctorate in canon law and not in both laws. For a doctorate in canon law and civil law, the fee was 45 ducats. For a doctorate in canon law or civil law, 25 ducats. 25 ducats at the time converted to the sum of 28 Polish zlotys and 10 groszy, for which one could then purchase at least 16 oxen. The procedure comprised a two-stage examination: first, a mock examination before two supervisors, one of whom had to be a professor. Successful

²¹ M. Biskup, J. Dobrzycki, *Mikołaj Kopernik. Uczony i obywatel*, Warszawa 1972, pp. 42–43.

²² Some of the researchers of Nicolaus Copernicus's biography, however, allowed for the idea that he also obtained other academic degrees, e.g., Franz Hipler assumed that these were doctorates in philosophy and medicine. However, no convincing archival evidence has been found in this regard. S.L. Janikowski, *Miscellanea Copernicana. Przyczyńki do biografii*, Toruń 2011, pp. 92–100.

completion of this condition was followed by a proper examination before a wider commission. Nicolaus Copernicus fulfilled all these requirements in the spring of 1503, at the age of 30.²³ He thereby fulfilled Bishop Lucas Watzenrode's hopes to further climb the ladder of the ecclesiastical hierarchy in Poland.

Warmia constituted a very specific part of Royal Prussia, an area torn away from the Teutonic State in the Thirteen Years' War and incorporated into the Polish state. The area of Royal Prussia was about 23,900 km², while that of Warmia was about 4,250 km². The Bishop of Warmia wielded not only clerical but also secular authority over his diocese. Even under the Teutonic Knights, the bishops of Warmia enjoyed a certain degree of independence vis-à-vis the authorities of the Order, maintaining close and direct links with the papacy in Rome. This position was maintained and strengthened under the Polish sceptre. Royal Prussia itself enjoyed wide autonomy with, for instance, its own national seal, a separate national archive with its seat in Toruń, its own treasury and coinage, and the management of the district was largely subordinated to the will of the Prussian states, which included wealthy landed gentry and representatives of the cities. However, there is also talk of an additionally autonomous Duchy of Warmia, with separate public and private law systems, and a separate judiciary and administration. The local bishops were called the dukes of Warmia. They ruled together with a 16-member chapter composed of canons. At their disposal, they had a tremendous income of around 15,000 *grzywnas* annually, which put them on a par in material status with the bishops of Kraków and the archbishops of Gniezno. In their rule, they had to contend with the revisionism of the Teutonic Knights, who sought to regain lost Royal Prussia. Bishop Lucas Watzenrode expressed a decidedly anti-Teutonic stance, basing his policy on the alliance and union with Poland, firmly opposing the Order's repeated aggressive actions.²⁴

²³ M. Chachaj, op.cit., pp. 215–216.

²⁴ M. Biskup, *Działalność publiczna Mikołaja Kopernika*, in: *Mikołaj Kopernik i jego czasy*, A. Markuszewska (ed.), Toruń 2013, pp. 179, 183–186.

Like any politician and ruler, Watzenrode was in need of trusted colleagues and advisers. Lawyers were needed to regulate legal relations and resolve disputes with the Teutonic Knights and, later, the secular Duchy of Prussia. The young Nicolaus and Andrew Copernicus,²⁵ thoroughly educated and familiar with the Western world, had an additional advantage whereby an even greater measure of loyalty was to be expected from them – they were members of the close family of the Bishop of Warmia. The young lawyers became involved in helping their uncle settle disputes with the Teutonic Knights. In 1502, Andrew was working on drafting complaints and preparing lawsuits to be decided by a special commission judge appointed by the Pope. Nicolaus, on the other hand, became even more strongly associated with his uncle, remaining with him permanently as a deputy canon. He assisted him in the meetings of the Council of Royal Prussia, consisting of Prussian dignitaries, and in the conventions of the Prussian states, i.e., assemblies of the nobility of Royal Prussia, where the most important local issues were decided, such as the problem of coin counterfeiting by the Teutonic Knights and by certain towns. This issue was one of the subjects of the convention of Prussian states in Malbork, the first occasion at which Nicolaus Copernicus spoke (1 January 1504). The issue concerning monetary matters preoccupied him to such an extent that he later dedicated an in-depth study to it and formulated the famous economic law on the displacement of better money by worse.²⁶ He prepared a project for a monetary reform, to which he devoted a treatise written at the request of King Sigismund I, entitled “On

J. Mańtek, *Autonomia Prus Królewskich (administracja i samorząd)*, in: J. Mańtek, *Mikołaj Kopernik. Szkice do portretu*, Toruń 2015, pp. 32–36. E. Rybka, P. Rybka, op.cit., pp. 109, 112.

²⁵ Thanks to his studies in Italy, Andrew Copernicus also obtained a doctorate in canon law. T. Borawska, H. Rietz, *Z Kaszub do wiecznego miasta. Bernard Sculteti (ca 1450-1518). Kurialista i przyjaciel Mikołaja Kopernika*, Toruń 2019, p. 169.

²⁶ E. Rybka, P. Rybka, op.cit., p. 114. M. Biskup, J. Dobrzycki, op.cit., p. 47.

the Minting of Coin,” which he presented at the Congress of Prussian States in Grudziądz in 1522.²⁷

The knowledge of law enabled Nicolaus Copernicus to participate as an expert in the resolution of legal disputes. And so, as early as 1505, he took part in the examination of a conflict between the bishoprics of Warmia and Gdańsk over the Szkarpawa district, donated to the bishop by King Alexander. An important action Nicolaus undertook in this case was to translate the feudal documentation from Latin into German.²⁸ Among the lawsuits he litigated on behalf of the chapter was a case against John Graeble, a Teutonic subject (1513). Researchers found an autograph of a letter from Nicolaus Copernicus concerning the scheduling of a court hearing in this case.²⁹

His legal education also helped Nicolaus make important political and diplomatic journeys on his uncle's commission – to the royal court, the court of the Grand Master of the Teutonic Knights in Königsberg, or to the general assembly of the Polish nobility. He most likely attended, together with Lucas Watzenrode, the coronation of Sigismund I the Old in Kraków on 24 January 1507.³⁰ The years spent by his uncle's side in Warmia (1503–1510) marked a time during which he gained invaluable experience in public activity. As François Longchamps de Bériet points out, Nicolaus Copernicus was then actually acting as secretary to the Bishop of Warmia, the greatest dignitary of Royal Prussia: “Copernicus therefore had the chance to take part in socio-political life in his very capacity as a lawyer: taking up challenges and trying to rem-

²⁷ The monetary reform project proposed by Nicolaus Copernicus, however, was not recognised by the Prussian states. It was too radical, infringing on the interests of the great cities, while at the same time limiting revenue to the royal treasury. In 1528, a moderate reform by Decius was adopted, envisaging a monetary union of the Crown with Royal and Ducal Prussia. J. Mańtek, *Działalność publiczna Mikołaja Kopernika*, in: J. Mańtek, *Mikołaj Kopernik. Szkice do portretu*, Toruń 2015, p. 97.

²⁸ F. Longchamps de Bériet, *Być prawnikiem. Trzy medytacje*, Warszawa 2023, p. 28.

²⁹ J. Śliwowski, A. Marek, *Rola prawa w życiu Mikołaja Kopernika*, “Prawo i Życie” 1973, No. 18, p. 3.

³⁰ M. Biskup, *op.cit.*, p. 194.

edy current problems. Dealing with the most important issues that preoccupied his contemporaries, he circled among the most prominent figures of his time.”³¹ He is believed to have been in charge of public affairs for a number of years, holding a variety of responsible official positions³² at the Warmia Chapter.

From 1510, Nicolaus Copernicus assumed additional official functions commissioned to him by the Bishop of Warmia, in which his legal skills must also have proved valuable. In the years 1510–1513, he was chancellor at the Warmia Chapter, and from November 1510 to November 1511, he was one of the two visitors who carried out visits to and inspections of the chapter’s estates and their administrators.³³

On 29 March 1512, on his way back from the royal wedding of Sigismund the Old and Barbara, Nicolaus Copernicus’s benefactor, mentor, and superior, the Bishop of Warmia, the great Lucas Watzenrode, an eminent politician and statesman whom the Teutonic Knights called ‘the devil incarnate,’ passed away. He was succeeded by Fabian Luzjański, formerly one of the canons of Warmia.³⁴

After the death of his uncle, Nicolaus Copernicus settled permanently as a canon in Frombork. For a time, his brother Andrew returned from Rome, where he had previously litigated on behalf of the Warmia Chapter against Bishop Erazm Ciołek of Płock. Gravely ill and in conflict with the chapter, he left again for Rome, where he died in 1518. Earlier, in the autumn of 1516, Nicolaus Copernicus had been appointed administrator of the Warmian chapter estates based in Olsztyn. All the inhabitants of these

³¹ F. Longchamps de Bérier, *op.cit.*, p. 27.

³² It is worth quoting the words of Jerzy Centkowski here, albeit with the reservation that Nicolaus Copernicus’s legal knowledge also included secular law, which he had acquired while studying Roman law in Bologna: “The developing parliamentarism of the nobility in Poland required a considerable knowledge of the law, the principles of administration, and the powers of the offices and the methods of settling affairs. Legal expertise in ecclesiastical law, however, was undoubtedly useful, not only in ecclesiastical, but also in secular activities.” J. Centkowski, *Fromborski samotnik*, Warszawa 1973, p. 92.

³³ M. Biskup, *op.cit.*, p. 199.

³⁴ E. Rybka, P. Rybka, *op.cit.*, pp. 120–121.

estates, from the nobility and officials to the peasantry, were under his authority. He supervised the transfer of parcels of agricultural land into possession, the location of new settlers, and the assignment of rents and serfdoms.³⁵ Moreover, he supervised the acts of sale of certain plots of chapter land. He also took care of the fortification of castles and towns, ensuring their armament and supplies.³⁶ The functions of the administrator of the Warmia chapter estate were the most responsible and demanding among the known chapter dignities up to that time. Nicolaus Copernicus held this office in the years 1516–1521.³⁷

At the turn of 1519 and 1520, another war broke out with the Teutonic Knights. It was then that Nicolaus Copernicus was appointed for the fourth time to the post of chancellor at the Warmia chapter, and in the autumn of 1520, he was additionally reinstated to the office of administrator of the chapter estates, which he had resigned a year earlier. As a result, preparation for the defence of Olsztyn rested on his shoulders. He did not personally command the defence, as is sometimes repeated, but the defence preparations he provided prevented the Teutonic Knights from seizing the castle and the town. The war concluded with an armistice on 7 April 1521 in Toruń, although the Teutonic Knights continued to plunder and cause destruction in Warmia for some time afterward. This was the subject of the famous “Chapter’s Complaint against Master Albrecht and the Order,” the writing of which Copernicus supervised and read out himself at a convention of Prussian states in Grudziądz. On 10 April 1525, the Prussian homage took place. The Grand Master of the Order con-

³⁵ In particular, Copernicus was surveying farms that had been destroyed by war, abandoned, and neglected. To this end, he travelled to the locations of such holdings, carrying out the operations in the presence of interested peasants and witnesses. For this purpose, between 1516 and 1519, he visited a total of 41 rural settlements, mainly in the Olsztyn borough. This activity was documented by him in a register entitled *Books of Locational Abandoned Farms*, where he placed 66 entries. 34 entries concerned changes in the users of plots, while the others confirmed transactions earlier concluded by peasants (exchanges, purchases). M. Biskup, J. Dobrzycki, *op.cit.*, pp. 64–65.

³⁶ E. Rybka, P. Rybka, *op.cit.*, pp. 123–125.

³⁷ M. Biskup, *op.cit.*, p. 200.

verted to Lutheranism, and the secular duchy of Prussia was established as a fief of the Kingdom of Poland.³⁸

The pinnacle of Nicolaus Copernicus's administrative career can be seen in his appointment as Commissioner of Warmia in 1521, in which capacity he then became administrator of the chapter estates. This was a function previously unknown, even more honorable and responsible, though temporary. It was instituted in order to pacify the exceptionally difficult internal situation caused by warfare and the occupation of part of the district's territory by the Teutonic Knights. On the other hand, following the death of Bishop Fabian Luzjański (30 January 1523), the chapter entrusted Copernicus with the administration of the entire diocese and dominion of Warmia. Over the next eight months, until the election of the new bishop, Maurycy Ferber, Nicolaus acted as general administrator of the Warmian bishopric.³⁹

An occasion for Nicolaus Copernicus to put his legal knowledge to use was when he participated in the drafting of an ordination for the Warmian bishopric – a set of laws regulating various areas of life. He first participated in the work of a dedicated team of experts (including, among others, Ferber and Giese) on such an ordination at the assembly of Warmian states in Lidzbark, 22 September 1526. He prepared a second ordination in the same team for the needs of the bishopric of Warmia and Ducal Prussia at the assembly in Bartoszyce on 6 July 1528.⁴⁰

After 1530, his administrative activities at the Warmian chapter became less frequent. Until 1532, he was the administrator of the so-called treasury of the chapter table, periodically worked as a chapter visitor to monitor the economy and finances, supervised the wills of the canons, and attended to the state of Frombork's fortifications. In 1537, for the last time, he participated in the election of a new bishop, following the death of Maurycy Ferber. At that time, the chapter put forward the candidacy of Nicolaus Copernicus, but only as a gesture of courtesy. The obvious

³⁸ E. Rybka, P. Rybka, *op.cit.*, pp. 127–134.

³⁹ M. Biskup, *op.cit.*, pp. 229–230.

⁴⁰ J. Śliwowski, A. Marek, *op.cit.*, p. 3.

candidate, supported by the King, was Jan Dantyszek, the former Bishop of Chełmno.⁴¹

Law was not Nicolaus Copernicus's greatest passion. As Janusz Małek underscores in his studies, his personal collection of books did not contain a single legal item, nor did he leave behind any manuscripts testifying to his legal interests.⁴² Other researchers, however, have pointed to two indisputably legal items from Nicolaus Copernicus's library: Petrucius's *Treatises, Problems, and Legal Advice* and Pomponius's *Books on Roman Officials, Priests, Lawyers, and Laws*.⁴³ Wiesław Mossakowski, on the other hand, examined Copernicus's annotations on the books he read in various fields. He evidenced Copernicus's interest in the history of Roman public law, especially clerical law. On the other hand, his research into Copernicus's works on economics shows an excellent knowledge of Roman civil law, such as the definition of price in the contract *emptio-venditio*, authored by Paulus.⁴⁴ In more recent times, Teresa Borawska found in the libraries of Uppsala and Olsztyn a number of law books previously unknown in the literature, which Copernicus had bought and studied. These include five codes forming part of a monumental compilation of Roman law from the times of Justinian – *Corpus Iuris Civilis*, published between 1489 and 1494, works by Ubaldus de Baldus, a great jurist from 14th-century Italy, representative of the post-glossator (commentator) school and an outstanding expert in Roman, canon, and fief law – *Lectura super I-IX Codicis* from 1490, and *Super usibus feudorum et commentatum super pace Constantinae* from 1500. In addition, there is a work by Jacopo Alvarotti – *Super feudis* of 1498, *Consilia* by Antoni de Butrio of 1472, and *Disputationes, questiones et Consilia* by Frederick Petrucci of 1472. The

⁴¹ M. Biskup, J. Dobrzycki, op.cit., p. 79.

⁴² J. Małek, *Kopernik jako lekarz i prawnik*, in: J. Małek, *Mikołaj Kopernik. Szkice do portretu*, Toruń 2015, p. 130.

⁴³ J. Śliwowski, A. Marek, op.cit., p. 3.

⁴⁴ W. Mossakowski, *Mikołaj Kopernik i prawo rzymskie*, in: *Historia Integra. Księga Pamiątkowa ofiarowana Prof. Stanisławowi Salmonowiczowi w siedemdziesięciolecie urodzin*, D. Janicka, R. Łaszewski (ed.), Toruń 2001, pp. 414–423.

scant number of legal publications in Nicolaus Copernicus's book collection is explained by Teresa Borawska by their probable disappearance.⁴⁵

However, one cannot fail to notice that his thorough education in law, outstanding for the time, aided Copernicus considerably in fulfilling the expectations of his wealthy patron, Lucas Watzenrode, which involved carrying out diplomatic missions and holding high, responsible posts in the Warmian Bishopric during his uncle's lifetime as well as after his death. Some historians believe that Watzenrode saw Copernicus as his successor to the episcopal throne. Still, after 1525, Nicolaus did not refrain from clerical duties, reassuming previously held and new offices.

The aforementioned Janusz Małek emphasizes that legal skills in particular were instrumental in the placement under Chełmno law of peasants on plots of land in the Olsztyn bailiwick, while Copernicus's surviving manuscript from 1520 with a list of documents kept in the treasury at Olsztyn Castle "was drawn up with a precision befitting a notary."⁴⁶ Teresa Borawska also highlights, after Wojciech Hejnosz and Hans Thieme, that the study of law cultivated in Copernicus the logical thinking skills that came in handy both in his clerical career and also ensured "the uninhibited, clear and concise expression of his thoughts in the treatise *De revolutionibus*." According to Teresa Borawska, during his 40 years in Warmia, Copernicus's entourage was dominated by well-educated lawyers, some of whom he knew from his student days in Kraków, while others he had met at Prussian state sessions or during diplomatic negotiations.⁴⁷

Evidence of Copernicus's practical use of legal knowledge can be found in further research by Teresa Borawska and Henryk Rietz. Their subject was a previously undiscovered piece of legal advice that Nicolaus Copernicus dispensed in 1535. The one-

⁴⁵ T. Borawska, *Księgozbiór Mikołaja Kopernika*, in: T. Borawska, H. Rietz, *Mikołaj Kopernik i jego świat. Środowisko. Przyjaciele. Echa wielkiego odkrycia*, Toruń 2014, pp. 334–335. T. Borawska, *Prawnicy w otoczeniu Mikołaja Kopernika*, pp. 291–292.

⁴⁶ J. Małek, *Kopernik jako lekarz i prawnik*, pp. 131–132.

⁴⁷ T. Borawska, *Prawnicy w otoczeniu Mikołaja Kopernika*, pp. 291, 305.

page manuscript was found in the Archives of the Prussian State Foundation for Cultural Heritage in Berlin. The opinion concerned a dispute over a border meadow between the Bishop of Warmia, Maurycy Ferber, and two owners of the village of Nerwiki, lying on the territory of Ducal Prussia. The meadow bore the same name as the village in question, but unlike that settlement, it formally belonged to the Warmian bishopric, which was regulated by an agreement between the bishopric and the Teutonic Knights of 28 July 1374. Despite this, the meadow had been long used by the owners of the village, who were subjects of Prince Albrecht Hohenzollern. The owners of the village of Nerwiki had been harvesting hay from the meadow for a long time and refused to stop this practice, citing the former privileges of the Order, the former handing over of the meadow by the burgrave of Lidzbark, and the acquisition of the meadow as a result of the right of ownership of the property by way of seigniorage.⁴⁸

Nicolaus Copernicus drafted the opinion in November 1535, presumably at the request of his friend Tiedemann Giese, also a canon, who held a number of posts at the Warmian chapter, including custodian of the chapter from 1523 to 1538 (he later became Bishop of Chełmno, and towards the end of his life, took over the Warmian bishopric, holding it until his death, from 1549 to 1550). Giese was in ongoing contact with Ferber, Bishop of Warmia, regarding this dispute and sought expert legal support from *Doctor Nicolaus*. In his opinion, Copernicus invoked both Roman civil law and canon law. He concluded that the subjects of the Prussian ruler had breached the boundary by deception and therefore in bad faith, which ruled out the existence of the good faith requisite for the acquisition of ownership of the meadow by right of prescription. On 24 April 1536, the commissioners of the bishop and the duke reached a settlement which confirmed the rights of the Ordinary of Lidzbark to the property and mandated its return. However, the conflict resurfaced twenty years later

⁴⁸ T. Borawska, H. Rietz, *Nieznana porada prawna Mikołaja Kopernika z 1535 roku*, in: T. Borawska, H. Rietz, *Mikołaj Kopernik i jego świat. Środowisko. Przyjaciele. Echa wielkiego odkrycia*, Toruń 2014, pp. 321–322.

and ultimately ended in 1559 with the success of the bishop at the time, Stanisław Hozjusz.⁴⁹

On ceremonial or other occasions requiring a full signature, Nicolaus Copernicus added beside his name *derectorum doctor*, i.e., doctor of canon law.⁵⁰ He accentuated the importance of his education, which formally opened the gateway to the intellectual elite of the world of the time. His legal education considerably assisted him in his public activities, while at the same time positioning him as an expert in handling disputes and supervising legal actions on behalf of the Bishopric of Warmia. He was able to combine these activities with his greatest passion – astronomy, on which, however, he gradually concentrated his attention. Finally, it is once again worth quoting Janusz Małek: “In fulfilling his duties as a member of the Warmia Chapter, he was marked by versatility in the functions he performed, conscientiousness, but also disinterestedness. In his public activities, Copernicus was loyal to Warmia, Royal Prussia and the Polish Crown.”⁵¹

SUMMARY

Nicolaus Copernicus in the service of law and politics

The article presents the activity of Nicolaus Copernicus, in which he applied his highest formal education, which he obtained through legal studies in Italy, crowned by a doctoral degree from the University of Ferrara. His legal education was of considerable assistance to him in a number of responsible positions at the Warmian Chapter, placing him in a position of authority in handling disputes and supervising legal actions on behalf of the Warmian Bishopric. He found it possible to combine these activities with his greatest passion – astronomy, on which he focused with increasing interest over time.

Keywords: Nicolaus Copernicus; lawyer; Warmia; law; politics; Renaissance

⁴⁹ Ibidem, pp. 323–325.

⁵⁰ W. Hejnosz, *op.cit.*, p. 147.

⁵¹ J. Małek, *Działalność publiczna Mikołaja Kopernika*, p. 100.

STRESZCZENIE

Mikołaj Kopernik w służbie prawa i polityki

Artykuł przedstawia działalność Mikołaja Kopernika, w której wykorzystał swoje najwyższe formalne wykształcenie, jakie zdobył wskutek studiów prawniczych w Italii, czego uwieńczeniem był dyplom doktorski uniwersytetu w Ferrarze. Wykształcenie prawnicze w znaczący sposób pomagało mu w piastowaniu szeregu odpowiedzialnych stanowisk przy kapitule warmińskiej, dając jednocześnie pozycję eksperta w rozpatrywaniu sporów oraz nadzorowaniu czynności prawnych na rzecz biskupstwa warmińskiego. Owe czynności potrafił łączyć ze zgłębianiem swej największej pasji – astronomii, na której z czasem skupiał się jednak coraz bardziej.

Słowa kluczowe: Mikołaj Kopernik; prawnik; Warmia; prawo; polityka; Renesans

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