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# Research Note: Frederick II and the Bishops of Regensburg

Donald L. Keay  
*Bridgewater State College*

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# FREDERICK II *and the* BISHOPS Regensburg

BY DONALD KEAY

Over the last few years, Pope John Paul II had made efforts to exclude priests and nuns from participating in secular politics, especially in policy-making areas where social issues might conflict with Catholic teachings. Among those rebuked have been Robert Drinan of Massachusetts, John Beno of Colorado, and the so-called "liberation theologians" active in Latin America. In a clarification of policy, the Congregation for the Doctrine of the Faith declared that while promoting the goals of human release from economic and political restraints within the religious context, "it is not for the pastors of the church to intervene directly in the political construction and organization of social life. This task forms part of the vocation of the laity acting on their own initiative with their fellow citizens."

This exclusion of clerics from direct participation in politics goes against church traditions which date back to the very inception of Christianity. One could cite the careers of powerful cleric-politicians such as Thomas Becket in England and the French cardinal-ministers Armand de Richelieu, Jules Mazarin, and Andre Fleury. During the Middle Ages in Europe, participation was much broader and deeper, since church prelates were also politicians, often serving as secular rulers over their dioceses and provinces. The political activities and sympathies of these men greatly influenced the lives and community developments within their jurisdiction. A particularly good example of this was the impact on the burghers and politics in the Bavarian city of Regensburg (an important manufacturing and trading center located on the Danube River) brought about by the personal and public relationships between Emperor Frederick II and the local bishops.

Frederick of Hohenstaufen made his move to secure the crown of the Holy Roman Empire after receiving support from Pope Innocent III, who had opposed the expansionist policies of Otto IV in Italy. After winning the war against Otto, Frederick sought political means to win the favor and support of the German nobility. He concentrated on the ecclesiastical princes because many urban bishops and archbishops ranked as high as secular dukes and counts and most of the

administrative offices of the Empire were held by educated clerics. Because many prelates were able diplomats and politicians, they succeeded in gaining concessions and privileges in return for their allegiance. Even before the military victory had been assured, the young king had issued charters, pledged castles and estates, and disbursed large sums of money; these efforts succeeded as many clerics favored the young protege of the pope.

It was this pro-ecclesiastical policy which led to episcopal rule over Regensburg. For some time, there had been a power struggle over the city between Duke Louis of Bavaria and Bishop Konrad as the burghers, not happy with either, tried to play each off against the other. The strained situation bothered Frederick, who believed that stronger local supervision and control would preserve the peace. On November 15, 1219, he issued a document from Nuremberg resolving the issue of the disputed rights over Regensburg to the clear benefit of Konrad. The King declared that because of the long and true service the bishop had given to the crown, he should be allowed to retain every right and privilege which had ever been granted to the bishops of Regensburg by royal charter, as well as all the customary powers which the burghers insisted should be restored to the king. Within the document there was no mention of the rights of the Duke of

Bavaria, but undoubtedly there was no impairment of his established privileges. Since it was clear that Frederick had supported Konrad's rule as lord of the city, Louis accepted the situation as long as his share of the revenues was collected and paid into his treasury. The document contained the clear stipulation that the rights of the crown must be preserved and that Regensburg was to remain an imperial city under the care and supervision of the bishop, acting on behalf of the emperor. The result of the resolution was a disastrous blow to the hopes of the burghers for achieving autonomous rule. But there was not much they could do, for as long as the king, bishop, and duke cooperated effectively, it was impossible to create enough pressure to force important concessions. Bishop Konrad then organized a system to administer his newly won rights and privileges. His ministeriales were assigned important posts and granted extensive powers to act on his behalf and, as a consequence, the power, prestige and political competency of this class elevated it to the most prominent position among the burghers.

When Bishop Konrad died in 1226, there was a disputed election. Gottfried, the choice of the ministeriales, was opposed by the papacy and in June 1227, the newly elected Pope Gregory IX announced that under his authorization members of the cathedral chapter in

Rome had conducted a new election in which Siegfried of Mainz had been selected, a move endorsed by Emperor Frederick. Upon his arrival in Regensburg, Siegfried continued to administer political authority through the *ministeriales*, even though their choice for bishop had been ousted.

It was the struggle for control in Germany between Emperor Frederick and his son Henry, who had been elected King of the Romans, which brought Bishop Siegfried into a prominent role in imperial politics. When the ambitions of the king led him to seek the support of the lower nobility and the imperial cities, his father was forced to intervene, relying on the loyalty of the great princes. In 1227, the emperor restored the office of Grand Chancellor of the Realm, vacant since 1224, by appointing Bishop Siegfried to the post. He was an excellent choice since in addition to being a trusted friend, he was a conservative politician and a strong supporter of ecclesiastical rule over cities, and thus had opposed efforts of the citizens of Regensburg to gain more political freedom. As chancellor and advisor to the emperor, Siegfried had great influence on imperial edicts, decrees, and legislation for almost fifteen years.

One of the first acts of the new chancellor was to persuade Frederick to grant a charter of rights to the burghers of his city. In a sense, the document was a reward for the staunch loyalty of the citizenry to the emperor during the power struggle with Henry, but additionally Siegfried had good reasons for wanting to have the rights of the burghers clearly spelled out. Because his only rival for control of the city was Duke Louis, who had sided with King Henry, it was in the interests of both bishop and citizenry to make it more difficult for Louis to legally extend his jurisdiction through royal favor.

Since Siegfried's new duties as chancellor would often require his absence from the city on imperial business, an agreement with the burghers was needed to guarantee a peaceful and secure state of affairs at home. Important provisions of the document protected trade and commerce and granted the right of the city to raise taxes to build up defenses, subject only to the Bishop's permission. The document did not significantly undermine episcopal control, but it was clear that power ultimately remained as an assignment of imperial authority and it was possible that, should the bishop be ousted in the future, the rights and privileges could be granted directly to the

citizenry.

As the conflict between Frederick and Henry continued, the emperor finally lost patience and decided to intervene personally. He arrived in Regensburg on May 31, 1235 where he was warmly welcomed by the bishop and the residents and the city became his base of operations. Henry was taken into custody and replaced by his half-brother, Conrad. By 1236, Frederick was at the height of his power in Germany, a position reflected by the security of his agents and officials.

Frederick had become embroiled in a conflict with the papacy over the emperor's efforts to dominate the Lombard city-states: Gregory preferred to have the communes retain a relatively independent status to weaken imperial control in Italy and was willing to use spiritual powers to gain his political goals. As soon as the emperor had returned to Italy, the pope authorized a papal legate, Albrecht of Beham, Archdeacon of Passau, to seek allies for the Holy See in Germany. Albrecht organized a confederation of secular princes against the emperor which caused much turmoil, disrupting the business activities of the merchants of Regensburg and other cities. Through all the upheavals, Bishop Siegfried and the citizenry remained loyal to the Hohenstaufen party. Eventually the league broke up with only Otto, the new Duke of Bavaria, remaining faithful to the pope.

Pope Gregory excommunicated Frederick and a propaganda war broke out as both emperor and pope sought support among Christian rulers and clerics. In Bavaria, Legate Albrecht put pressure on the clergy by requesting Duke Otto to summon a council at which all bishops would be ordered to proclaim and enforce the papal ban. Dissension broke out in the assembly, as some prelates were willing to obey, but others openly defied Albrecht by praying publicly for the emperor. The legate angrily excommunicated several obstinate churchmen including Bishop Siegfried who had not even made an appearance, although he had sent delegates.

There was a strong reaction in Regensburg where a majority of clerics and burghers continued to support the pro-imperial policy of their bishop. Legate Albrecht issued an ultimatum ordering that Siegfried either pronounce the papal ban or be removed from office. The bishop stalled by insisting that he see the original papal documents. In response, the legate demanded that the cathedral

chapter proclaim the sentence against their bishop within fifteen days. But the chapter too defied Albrecht, justifying the refusal by asserting that the militant, pro-imperial attitudes of the populace made such an open declaration for the pope impossible.

New papal orders arrived in June, directing the superiors in the monastic houses of Regensburg to affix the bull of excommunication against Frederick and Siegfried on their church doors. A delegation of citizens warned the clerics that anyone attempting to proclaim the decrees would be imprisoned. A number of papal supporters, including some members of the chapter, fled from the city as the monks of St. Emmeram and St. Mang who defied the burghers were attacked by a mob of townspeople. It is understandable why the clerics backed down and refused to proclaim the spiritual punishments. Consequently, on June 21 Albrecht placed an interdict over the entire city. Bishop Siegfried, still hoping for a peaceful resolution, requested absolution by claiming that under existing conditions, it was impossible to comply with orders without incurring riots and possible bloodshed, but Albrecht remained unconvinced.

Outside the city, the legate continued his activity with such fanaticism that nearly half the bishops in Germany came under the ban of the church. Because of the enmity roused against his emissary, Pope Gregory begged Duke Otto to protect Albrecht while the emperor sent an order to the Duke to drive him out. Otto recognized the danger inherent in the turmoil and requested the pope to recall Albrecht, but without success. King Conrad planned a campaign against the Duke who, under pressure from Bishop Siegfried, the cathedral canons, and the townspeople of Regensburg, abandoned the pope and joined the imperial party. Frederick was willing to forgive and forget and the two men eventually became close friends.

The conflict between Frederick and the papacy continued in Italy after the death of Pope Gregory in August 1241. A conclave elected a successor, Celestine IV, who died a few days after his elevation and, because of the troubled conditions, another election was not held for almost two years. The new pope, Innocent IV, was a trained lawyer experienced in diplomatic missions and political intrigue. Frederick looked upon him as a kindred soul with whom he could negotiate, but received a shock when his emissaries were

not received at the papal court on the grounds that the pope could not deal with representatives of an excommunicated ruler. The emperor quickly realized his new adversary was a clever, calculating man who would pursue his political goals without thought to personal feelings or passions, which had often swayed the policies of his predecessor.

Lengthy peace negotiations between the emperor and pope were to no avail. Finally a church council in Lyons in June 1245 deposed Frederick and stripped him of all his titles and crowns.

Frederick was determined to fight for his survival and Innocent was just as determined to bring him down. The pope concentrated his efforts in Germany skillfully, using spiritual authority, political intrigue, and coercion. Even during the papal interregnum, Legate Albrecht had continued undermining imperial support among the ecclesiastical princes with increasing success as the archbishops of Mainz, Trier, and Cologne switched allegiance to the papal party. With the solid backing of the new pope, Albrecht increased the intensity of his campaign. As clerics who continued to support Frederick were excommunicated, deposed, or pressured into resigning, the vacancies were filled by papal supporters. At the same time, mendicant friars were sent to preach against the emperor in the streets and marketplaces of German cities.

Despite the turmoil, Bishop Siegfried and Duke Otto of Bavaria had remained loyal to the emperor. Even as the pope was issuing his proclamations against Frederick, the faithful chancellor was attending his lord in Vienna. But suddenly there came a severe jolt for the emperor; Siegfried unexpectedly announced his support for Innocent, followed by some of his loyal clergy and friends. Undoubtedly the primary cause of the break was the proclamation at Lyons, but the reason for the bishop's change of heart cannot be clearly ascertained. He could not be accused of being an opportunist, since his rule as lord over Regensburg and as a political power in the Empire depended on the good will of Frederick and he must have realized the possible consequences of the risk he was taking. In earlier feuds between Gregory and Frederick, the emperor had consistently insisted he was not fighting against the church and papacy, but against an unworthy bishop of Rome. He might have convinced many of the validity of this assertion (including the bishop of Regensburg), but he could not hope to distinguish between the office and

the incumbent a second time. Siegfried had attempted to act as mediator between the factions, but the latest events had made a compromise peace impossible. So he had to choose which master he would serve and adhered to his spiritual vows rather than his secular obligations.

It was this transfer of allegiance which caused an abrupt change in the political situation in Regensburg. Following a rebellion by the burghers which forced the bishop into exile, a delegation visited the emperor in Italy to inform him of the tense situation. In retaliation for Siegfried's betrayal, Frederick issued a document revoking episcopal authority



*Frederick II 1194-1250*

over the city, ending nearly forty years of ecclesiastical rule and establishing an autonomous urban government. The citizens were authorized to elect a city council, burghermeister, and other magistrates from their own ranks. The bishop was still entitled to his traditional revenues, but his supervision over public affairs had ended.

Siegfried refused to accept his loss of authority, and with his allies, stirred up dissent. He placed the city under interdict forbidding the clergy from holding religious services or giving spiritual consolation to the burghers. Some clerics defied the ban despite fear of the consequences. King Conrad intervened by promising that those prelates who remained in the city would be under his guarantee of security.

In March 1246, at the height of the conflict, Siegfried died. To ensure a favorable replacement, Pope Innocent

authorized the new papal legate, Philip Fontana, to fill the vacancy by appointment, rather than allow election by the chapter. The choice fell on Albrecht of Poettenger, who immediately made it clear his sympathies were the same as those of his predecessor by announcing his intention to continue the ban against spiritual activities. The burghers were enraged and a frenzied mob forced the new bishop to flee from the city; he remained in exile for almost seven years. The burghers cared little about the bishop's action as clerics loyal to the emperor continued divine services. The chronicles relate stories of violence, humiliation, and indignities inflicted on the minority of clerics and laity who demonstrated loyalty to the pope and bishop. Innocent heard of the outrages and ordered his legate to grant the people three month's grace to repent, seek absolution, and change their ways. Should they remain obdurate, the legate was to join Bishop Albrecht in imposing excommunication and interdict over all residents. Any clerics who did not obey would be stripped of their benefices and prebends which would be reclaimed by the bishop. When the deadline had passed and the situation remained unchanged, the threatened punishments were declared in force. Not only was religious activity forbidden, but trade and commerce were hindered. Despite all efforts, the pope could not prevail and was forced to make concessions. Papal bulls were issued late in 1249 allowing some monastic orders to conduct services for selected burghers behind closed doors. On January 31, 1250, the privilege was extended to the cathedral chapter and to the entire diocese.

The conflict broke into open warfare when Bishop Albrecht persuaded King Ottocar III of Bohemia to intervene on his behalf. The invading forces devastated the region and after the troops of Regensburg were defeated, the city almost fell to the enemy. King Conrad and Duke Otto came to the rescue and drove out the Bohemian army. Albrecht took up residence in his castle at Stauf where from his watchtower he could observe the movement of soldiers and merchants in and around the city. From this vantage point he continually sent out troops to harass the burghers and seize their goods.

Emperor Frederick was ill most of 1250 and died in December of that year. On January 20, 1251, King Conrad issued a document that was very important in developing the independence of Regensburg. Drawn up at the request of

the city council because of the insecurity of the times and the dangers which threatened the city, it required that all inhabitants of the city, including clergy and Jews, obey statutes and ordinances concerning security and defense passed and issued by the council. Under the provisions, town magistrates could legislate and enforce obedience to city laws. Since reference was made only to defensive measures, the authority could be interpreted as limited, but there was no provision for judicial appeal and the right to decide just what laws and ordinances were concerned with peace and security was left to the council itself. The chief enforcement officer mentioned in the document was the commander of the urban militia, who was responsible to the council. He had been in charge of the walls and moats and general defense, but now his duties expanded to the general enforcement of all laws and decrees since there was no real concept of a separation between civil and military powers. This document was a recognition of the independence and competency of the burghers and provided the crucial element by which Regensburg truly became an autonomous imperial city, free from the authority of both bishop and duke. The new freedom was not only reflected in political affairs, but also acted as a stimulus to increased trade and business prosperity.

With the departure of King Conrad a short time later, the council and burghers realized that without the royal presence, their position was weakened. To ease the tension, an agreement was reached between the government and the cathedral chapter under which exiled clerics and monks were allowed to return to their prebends and cloisters. The clerics in return renounced all claims against city and burghers for damages inflicted on the property of the diocese and monasteries.

Bishop Albrecht was not party to the agreement, and continued the war against Regensburg and Duke Otto. He finally realized the futility of the effort and in February 1253 negotiated a treaty with the city. The prelate agreed to forgive and forget all the indignities and damages he and the diocese had suffered and to drop all claims he had against the burghers. Albrecht refrained from political activities and devoted his energy to the restoration of damaged property. The only remaining threat to the peace was the lingering antagonism between the bishop and Duke Otto, but this too was resolved.

After his father's death, Conrad

remained in Germany for a short time but decided he must see to his domains in Italy, where he died in 1254. His death marked the beginning of the period in German history known as the Great Interregnum during which there was no universally recognized emperor until the election of Rudolph of Hapsburg in 1273.

With the death of Conrad, the dissensions in Germany caused by the papal-Hohenstaufen feud decreased. Dukes, counts, bishops, and city governments turned to restoring order and security in their domains and repairing the physical and emotional damages caused by the conflicts. In

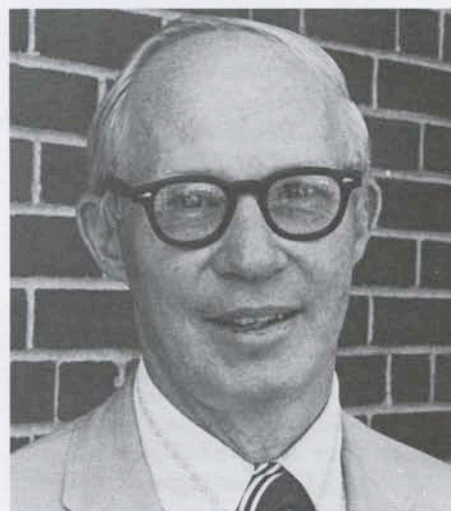


*Innocent IV 1243-1254*

Regensburg, the magistracy and the burghers consolidated their independent status and protected themselves from princely challenges to their hard won status. Fortunately in the years following the granting of the right to organize their own government, the political situation had allowed them time to resolve their own problems without interference by a powerful prince. King Conrad, embroiled in the struggle between papacy and empire, had been inclined to extend, rather than impede the authority of the local government. Duke Otto of Bavaria, as a loyal supporter of Conrad, had not opposed or undermined royal policy, and following his death in 1253, the subsequent dissensions between his sons leading to a division of power decreased their ability to interfere in urban affairs. But the most important advantage was the seven-year absence of the bishop during which the citizenry had

administered the city rule and established their own governmental institutions replacing the bureaucracy and the ecclesiastical ministeriales. By the time Albrecht returned, the city government was functioning efficiently and its independence, which lasted over two centuries, was well established.

The participation of clerics in politics during the Middle Ages did not create the dilemmas inherent in modern social and community life. Since virtually all medieval Europeans were Roman Catholics, there was little dispute over moral and theological teachings as proclaimed by the church hierarchy. In today's pluralistic societies where specific religious policies are not accepted by all members of the community, the politician-cleric is often accused of either attempting to force personal doctrinal views on all citizens or of supporting public policies which might be in conflict with his or her own faith. Despite these difficulties, a person who follows a religious calling does not surrender the privileges of citizenship, including the right to run for public office, but the nature of involvement might be subject to the regulatory authority within a religious organization or as a matter of individual conscience. Ultimately the voters make the decision, as they have the right to decide if a candidate's moral or ethical views are important factors in determining whether that person should be supported in the campaign. ■



*DONALD L. KEAY is a professor of European and ancient history at Bridgewater State College. His doctoral thesis at Boston University was a study of political and social developments in the city of Regensburg, Germany from the 11th to the 14th century.*