



FORSCHUNGEN ZUR GESCHICHTE DER JUDEN

ABTEILUNG A: ABHANDLUNGEN • BAND 29

Bishops and Jews
in the Medieval Latin West

Bischöfe und Juden
im lateinischen Mittelalter

Edited by / Herausgegeben von
Christoph Cluse, Alfred Haverkamp (†),
Jörg R. Müller

Harrassowitz Verlag

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herausgegeben von
Andreas Brämer, Christoph Cluse
und Eva Haverkamp-Rott

unter Mitwirkung von
Lukas Clemens, Stephan Laux
und Sabine Ullmann

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Preface

The present book took root at a session of the 16th World Congress of Jewish Studies (Jerusalem, 2013), entitled “Who protected the Jews in the Middle Ages, and why? Relations between Jews and bishops in comparative perspective”. As the provocative motto indicates, the session organizers sought to set up a forum for case-studies highlighting the pervasive influence of Christianity in securing a place, however precarious, for Jews and Judaism in Latin Europe. The figure of the bishop was central to this idea, which was in large measure inspired by the late Alfred Haverkamp’s previous studies on the role of bishops in the early settlement of Jews in tenth-century Germany. Until his untimely death on 16 May 2021, Professor Haverkamp acted as co-editor of this book, reviewing drafts and contributions, and worked on an extensive contribution of his own. About half of that—a renewed, detailed discussion of Bishop Rudiger Hüzman’s charter for the Jews of Speyer (1084)—was finished by then, whereas the later sections, which he had hoped to further develop from his earlier studies, were as yet in a fragmentary state. The remaining editors ultimately decided not to include these fragments in the present collection and kindly refer the reader to the extant publications. Professor Haverkamp’s sudden demise left behind a great gap, in this book and in life; his drive and inspiration are sadly missed.

As the work towards this collections finally comes to an end, we would like to thank all the authors—those who took part in the Jerusalem session as well as those who joined us at a later date—for their companionship along the way and for their insightful contributions. Not least, we thank everyone for their patience. We are also gratefully obliged towards all those who read drafts of chapters and provided critical and helpful comments; towards the editorial board of “Forschungen zur Geschichte der Juden”, who kindly accepted the book in the series, and towards the director and staff at Harrassowitz Publishers, with whom—as always—it was a pleasure to see this book through its final production phase. Much research towards this volume as well as its publication were made possible by the Academy of Sciences and Literature in Mainz, whose support is gratefully acknowledged. Additional funds towards publication were provided by the University of Trier.

Trier, in January 2023

Christoph Cluse and Jörg Müller

Bishops and Jews in Medieval Latin Europe: Introduction

Christoph Cluse and Jörg R. Müller

The figure of the bishop certainly plays a central role in medieval European society. While it is rarely useful to speak of “the Church” in general terms, the bishop comes near to representing the institutional church on the local, regional, and sometimes even European levels. In varying degrees and in changing emphases over time, it reflects the principles of hierarchy and collegiality that shaped the structure of the ecclesiastical world. Bishops headed the local Christian congregation and ruled over early and high medieval town communities; for long periods they were the typical proponents of mission and preaching. In these respects the episcopal office betrays a remarkable stability from Late Antiquity to the modern era.¹ At the same time, bishops assumed prominent roles at the royal courts of Europe, in the king’s chancery and, later, on the ecclesiastical benches of estates, parliaments and *cortes*. In the Holy Roman Empire in particular, they appear as secular barons in their own right. By networks of family ties they were connected with the nobility of their region and realm, while within the career system of the Church they frequently met with men (and women) of most various social backgrounds.

It is the peculiar blend of ecclesiastical functions and political roles that lends urgency to the theme of the present book. Researchers have frequently deplored that whereas the political roles of bishops were often studied in great detail, their ecclesiastical functions were left for ecclesiastical historians to describe, so that an integrated picture of the bishop *as bishop* was rarely attained.² By contrast, the attitudes of the

¹ For general introductions cf. Kenneth PENNINGTON et al., [Art.] Bischof, in: *Lexikon des Mittelalters*, vol. 2, Munich 1981, cols 228–238; Alfons WEISER et al., [Art.] Bischof, in: *Lexikon für Theologie und Kirche*, 3rd edn, vol. 2, Freiburg i. Br. [etc.] 1994, cols 481–492; Georg SCHÖLLGEN et al., [Art.] Bischof, in: *Religion in Geschichte und Gegenwart. Handwörterbuch für Theologie und Religionswissenschaft*, 4th edn, vol. 1, Tübingen 1998, cols 1614–1624.

² Cf. John S. OTT and Anna Trumbore JONES, Introduction: The Bishop Reformed, in: *The Bishop Reformed. Studies of Episcopal Power and Culture in the Central Middle Ages*, ed. by ID.

institutional church towards the Jews in Latin Europe have commonly been studied in view of papal and conciliar legislation³ or with a focus on the anti-Jewish writings of individual clerics, many of whom were from the ranks of the religious orders. In as far as the relations between bishops and Jews are concerned, this situation appears rather unsatisfactory. It is exacerbated by the fact that, notwithstanding a number of studies on individual figures⁴, no sustained investigation on a comparative level has yet been undertaken.⁵ Looking at the situation in Northern and Central Italy, Michele Luzzati in 1990 marked some of the major deficits in the (mostly ecclesiastical) historiography on bishops, and demonstrated the potentials of an analysis taking into

and EAD., Aldershot [etc.] 2007, pp. 1–20, at pp. 3 and 10; Andreas BIHRER, Research on the Ecclesiastical Princes in the Later Middle Ages. State-of-the-Art and Perspectives, in: Princely Rank in Late Medieval Europe: Trodden paths and promising avenues, ed. by Thorsten HUTHWELKER, Ostfildern 2011 (Rank 1), pp. 49–70, at pp. 54, 58; Andreas BIHRER, Vom ‘Reichsbischof’ zum ‘Diözesanbischof’. Die Erforschung von Bischöfen in ottonisch-salischer Zeit, in: Jenseits des Königshofs. Bischöfe und ihre Diözesen im nachkarolingischen ostfränkisch-deutschen Reich (850–1100), ed. by Andreas BIHRER and Stephan BRUHN, Berlin and New York 2019 (Studien zur Germania Sacra, n.s. 10), pp. 21–55, at pp. 28–29.

³ Solomon GRAYZEL, The Church and the Jews in the XIIIth Century: A Study of their Relations During the Years 1198–1254, based on Papal Letters and the Conciliar Decrees of the Period, Philadelphia, PA 1933; rev. edn, New York 1966; vol. 2: 1254–1314, ed. by Kenneth STOW, Detroit 1989; Friedrich LOTTER, Die Juden in den Rechtssammlungen Burchards von Worms und Ivos von Chartres, in: Aschkenas 27 (2017), pp. 273–347; ID., Die Juden im Decretum Gratiani, in: Aschkenas 28 (2018), pp. 217–281; ID., Die Juden in den späteren kanonistischen Rechtssammlungen des Mittelalters: *Decretales Gregorii IX. (Liber Extra), Liber Sextus, Clementinae* und *Extravagantes Communes*, *ibid.*, pp. 282–336.

⁴ In chronological order: José Manuel NIETO SORIA, Los judíos como conflicto jurisdiccional entre Monarquía e Iglesia en la Castilla de fines del siglo XIII: su casuística, in: II Congreso Internacional “Encuentro de las Tres Culturas”, 3–6 octubre, 1983, Toledo 1985, pp. 243–252; Alfred HAVERKAMP, Erzbischof Balduin und die Juden, in: Balduin von Luxemburg, Erzbischof von Trier – Kurfürst des Reiches. Festschrift aus Anlaß des 700. Geburtstages, ed. by Franz-Josef HEYEN and Johannes MÖTSCH, Mainz 1985 (Quellen und Abhandlungen zur mittelhessischen Kirchengeschichte 53), pp. 437–484; Lesley SMITH, William of Auvergne and the Jews, in: Christianity and Judaism, ed. by Diana WOOD, Oxford 1992 (Studies in Church History, 29), pp. 107–117; Mark D. MEYERSON, Bishop Ramon Despont and the Jews of the Kingdom of Valencia, in: Anuario de Estudios Medievales 29 (1999), pp. 641–653; Joseph GOERING, Robert Grosseteste and the Jews of Leicester, in: Robert Grosseteste and the Beginnings of a British Theological Tradition, ed. by Maura O’CARROLL, Rome (Bibliotheca Seraphico-Capuccina 69), pp. 181–200. William Chester JORDAN, Archbishop Eudes Rigaud and the Jews of Normandy, 1248–1275, in: Friars and Jews in the Middle Ages and Renaissance, ed. by Steven MACMICHAEL, Leiden 2004 (The medieval Franciscans 2), pp. 38–52; Lucy K. PICK, Conflict and Coexistence. Archbishop Rodrigo and the Muslims and Jews of medieval Spain, Ann Arbor, MI 2004.

⁵ Norman ROTH, Bishops and Jews in the Middle Ages, in: The Catholic Historical Review 80 (1994), pp. 1–17, provides a first attempt at highlighting the importance of the theme.

account the roles of bishops at the crossroads of the converging and conflicting interests in their cities. His analysis shows that similar problems could lead to widely different consequences according to local context.⁶ Taking a much broader perspective, the late Professor Alfred Haverkamp has elucidated the decisive role played by a network of tenth-century German bishops in the early settlement of Jews north of the Alps.⁷ The two approaches—the local and the general—are reflected in varying emphases in all of the contributions to the present collection. This introduction will attempt, first, to sketch the changing roles of bishops as ecclesiastical princes in Latin Europe across time and space and, secondly, to indicate some of the areas in which bishops as bishops played a role for Jewish-Christian interaction in the Middle Ages. Some of the issues raised will not be addressed in detail in this volume but remain open to future investigation.

1 Germany—Bishops Between Spiritual and Worldly Concerns

Caesarius of Heisterbach, author of the *Dialogus miraculorum* (c.1220), in one passage of this ‘dialogue’ between a monk and a novice has an (imaginary?) cleric of Paris say that he was prepared to believe anything, except that a German bishop could ever attain salvation.⁸ The pointed critique of bishops in the *regnum Teutonicum* reflects possible differences in the ethics and self-perception of the prelates of Germany compared with those of neighbouring kingdoms.⁹ The novice-master relates the difference

⁶ Michele LUZZATI, *Vescovi ed ebrei nell’Italia tardomedievale*, in: *Vescovi e diocesi in Italia dal XIV alla metà del XVI secolo*, ed. by Giuseppina DE SANDRE GASPARINI, vol. 2, Rome 1990 (*Italia Sacra: Studi e documenti di storia ecclesiastica* 44,2), pp. 1099–1123.

⁷ Alfred HAVERKAMP, *Beziehungen zwischen Bischöfen und Juden im ottonisch-salischen Königreich bis 1090*, in: *Trier – Mainz – Rom. Stationen, Wirkungsfelder, Netzwerke. Festschrift für Michael Matheus zum 60. Geburtstag*, ed. by Anna ESPOSITO et al., Regensburg 2013, pp. 45–88; ID., *The Beginning of Jewish Life North of the Alps, with Comparative Glances at Italy* (ca. 900–1100), in: “Diversi angoli di visuale” fra storia medievale e storia degli ebrei. In ricordo di Michele Luzzati, ed. by Anna Maria PULT QUAGLIA and Alessandra VERONESE, Ospedaletto 2016, pp. 85–102.

⁸ *Omnia credere possum, sed non possum credere, quod unquam aliquis episcopus Alemanniae possit salvari*: *Caesarii Heisterbacensis monachi ordinis Cisterciensis dialogus miraculorum*, ed. by Joseph STRANGE, 2 vols, Cologne, Bonn & Brussels 1851, vol. 1, at p. 99 (dist. 2, ch. 27). Two chapters further on (pp. 100–01) Caesarius cites an Italian bishop who was shocked to hear of the size of the archdiocese of Mainz, fearing that without even knowing all his flock, the archbishop (in this case, Christian of Mainz) was in grave danger of his soul. On Caesarius and his work, see Karl LANGOSCH, [Art.] *Caesarius von Heisterbach*, in: *Die deutsche Literatur des Mittelalters. Verfasserlexikon*, 2nd edn, ed by Kurt RUH et al., Berlin [etc.] 2010, cols 1152–1168.

⁹ When Caesarius wrote his *Dialogus*, the German bishops still enjoyed a fairly good reputation. Among the 27 individuals officially canonized by the Roman Curia between 993 and 1198, 13 were bishops. Of these, 7 came from the Empire, 2 from Italy, 2 from England and one each from

to the doctrine of the “two swords”: by wearing also the secular sword (*gladius materialis*) bishops in the Empire wielded jurisdiction over life and limb and took part in wars.¹⁰ The decisive point for Caesarius lay, however, not in the character and extent of a cleric’s secular rights and obligations but rather in the fact that bishops tended to focus more and more on secular matters. Moreover, his protagonist is able to name no less than three laudable exceptions from the rule, all of whom ruled in his home diocese—Archbishops Brun (953–965), Heribert (999–1021) and Anno II (1056–1075). These prelates had managed not only to integrate their spiritual and secular tasks according to the church’s ideal but even to attain the status of sanctity.¹¹ Another version of Caesarius’s collection of miracles adds a poignant reason: While holy

Ireland and France. The German bishops most recently canonized were Archbishop Anno II of Cologne (1183/86), Bishop Otto of Bamberg (1189) and Bishop Bernard of Hildesheim (1193). Following the introduction of a full-fledged canonization process under Pope Innocent III (1198–1216), only 13 further bishops were canonized until the end of the medieval period, only one of whom (Virgil of Salzburg, d. 784 and canonized in 1233) presided over a German diocese. Cf. Jürgen PETERSOHN, *Bischof und Heiligenverehrung*, in: *Römische Quartalschrift* 23 (1996), pp. 207–229, at pp. 209–10. Jacqueline F. JUNG, *From Jericho to Jerusalem. The Violent Transformation of Archbishop Engelbert of Cologne*, in: *Last Things. Death and the Apocalypse in the Middle Ages*, ed. by Caroline Walker BYNUM and Paul FREEDMAN, Philadelphia, PA 2000, pp. 60–82 and 283–292, has noted (p. 66) that all of the five bishops who died and were canonized in the thirteenth century either belonged to the mendicant orders or were closely attached to them. None of them was from a German diocese. When Caesarius wrote his *Dialogue*, however, the German episcopacy still held a respectable position, as far as papal canonizations were concerned. Caesarius may thus have been thinking of his acting diocesan when he voiced his criticism.

¹⁰ On the ‘two swords’, see Hartmut HOFFMANN, *Die beiden Schwerter im hohen Mittelalter*, in: *Deutsches Archiv für Erforschung des Mittelalters* 20 (1964), pp. 78–114. See also Timothy REUTER, *Episcopi cum sua militia. The Prelate as Warrior in the Early Staufer Era*, in: *Warriors and Churchmen in the High Middle Ages. Essays presented to Karl Leyser*, ed. by ID., London 1992, pp. 79–94; Jan Ulrich KEUPP, *Die zwei Schwerter des Bischofs: von Kriegsherren und Seelenhirten im Reichsepiskopat der Stauferzeit*, in: *Zeitschrift für Kirchengeschichte* 117 (2006), S. 1–24 (with further bibliography).

¹¹ Hugo STEHKÄMPER, *Der Reichsbischof und Territorialfürst*, in: *Der Bischof in seiner Zeit. Bischofstypus und Bischofsideal im Spiegel der Kölner Kirche. Festgabe für Joseph Kardinal Höffner, Erzbischof von Köln*, ed. by Peter BERGLAR and Odilo ENGELS, Cologne 1986, pp. 95–184, at pp. 95–96, cites the story according to a different edition, cf. *Die Wundergeschichten des Caesarius von Heisterbach*, vol. 1, ed. by Alfons HILKA, Bonn 1933 (Publikationen der Gesellschaft für rheinische Geschichtskunde 43,1), pp. 127–28. Here it is the novice who points out that there did exist saintly bishops in Cologne, adding Archbishop Pilgrim (1021–1036) to the three prelates named above. None of the Cologne archbishops venerated as saints (not normally including Pilgrim, but with five bishops of the fourth to eighth centuries) had been formally canonized by a pope. Anno was canonized at his grave in the abbey church of Siegburg in 1183 by two papal legates but without a clear papal mandate; Pope Urban III (1185–1187) only confirmed their procedure three years later; cf. Albert BRACKMANN, *Zur Kanonisation des Erzbischofs Anno von*

bishops had been God-fearing destroyers of castles and builders of monasteries, the present ones were builders of castles and a scourge of the monasteries.¹²

Caesarius obviously had problems with placing his diocesan, Archbishop Engelbert of Berg (1216–1225), still in office at the time of writing and eventually murdered in 1225, in the illustrious line of saintly figures.¹³ Soon after Engelbert's violent death the Cistercian composed a Sunday homily in which he portrayed the metropolitan's gruesome death as a penance for his lack of attention to *negotia spiritualia*, and its circumstances as a fight for the honour and defence of the Church.¹⁴ This unconventional line of interpretation may have placed Caesarius in a position from which he might write a *Vita* of Archbishop Engelbert. At any rate, the new archbishop, Henry of Müllenark (1225–1238, formerly provost of St Cassius in Bonn not far from Heisterbach), commissioned such a work from him in 1226.¹⁵ It is unclear whether Henry was initially planning to have his predecessor canonized; yet he tried to exploit the attention that Engelbert's unusual death had raised in order to consolidate his own rule.¹⁶ Caesarius in his *Vita* adorned the dead archbishop with numerous virtues

Köln, in: Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde 32 (1907), pp. 151–165; Mauritius MITTLER, Annos Heiligsprechung und Verehrung, in: Siegburger Vorträge zum Annojahr, ed. by ID., Siegburg 1984 (Siegburger Studien 16), pp. 41–74, at pp. 47–50. In the early modern period Archbishop Engelbert I. was eventually entered in the *Martyrologium Romanum*; cf. Heinz FINGER, Der heilige Erzbischof Engelbert von Köln und die Diskussion über seinen gewaltsamen Tod, in: Annalen des Historischen Vereins für den Niederrhein 216 (2013), pp. 17–39, at p. 17; JUNG, Jericho (as in n. 9), p. 61.

¹² Wundergeschichten (as in n. 11), vol. 1, p. 128; cf. STEHKÄMPER, Reichsbischof (as in n. 11), p. 95.

¹³ On Engelbert see Josef LOTHMANN, Erzbischof Engelbert I. von Köln (1216–1225), Graf von Berg, Erzbischof und Herzog, Reichsverweser, Köln 1993 (Veröffentlichungen des Kölner Geschichtsvereins 38) (with further bibliography).

¹⁴ Wundergeschichten (as in n. 11), no. 220, pp. 153–54; cf. Uta KLEINE, Von Thomas Becket zu Engelbert von Köln: Die Erneuerung der Idee des blutigen Martyriums im Zeichen der *libertas ecclesiae*, in: Heiligkeiten, Konstruktion, Funktionen und Transfer von Heiligkeitskonzepten im europäischen Früh- und Hochmittelalter, ed. by Andreas BIHRER and Fiona FRITZ, Stuttgart 2019 (Beiträge zur Hagiographie 21), pp. 175–204, at pp. 198; EAD., Mirakel zwischen Kult-Ereignis und Kult-Buch: Die Verehrung Erzbischof Engelberts von Köln im Spiegel der *Miracula Engelberti* des Caesarius von Heisterbach, in: Mirakel im Mittelalter. Konzeptionen, Erscheinungsformen, Deutungen, ed. by Martin HEINZELMANN, Klaus HERBERS and Dieter R. BAUER, Stuttgart 2002 (Beiträge zur Hagiographie 3), pp. 271–310, at p. 298.

¹⁵ Cf. KLEINE, Thomas (as in n. 14), p. 195. On Henry I cf. Michael MATSCHA, Heinrich I. von Müllenark, Erzbischof von Köln (1225–1238), Siegburg 1992 (Studien zur Kölner Kirchengeschichte 25).

¹⁶ Cf. Thorsten SCHULZ, Die “verhinderte” Heiligsprechung Erzbischof Engelberts II. [!] von Berg, in: Geschichte in Köln 52 (2005), pp. 33–68, esp. pp. 40–41; KLEINE, Mirakel (as in n. 14), pp. 279, 296 and 304–306.

but was unable to ascribe to him an ideal life.¹⁷ In the end, Engelbert's saintliness rested on the bare fact that he died by what was now seen as a martyr's death, and on the miracles that set in soon afterwards.¹⁸

The two closely related examples from the work of the Cistercian Caesarius highlight the discrepancies between the ideals of the apostolic life and the self-image of high medieval bishops, most of whom were of noble lineage, as princes of the Empire.¹⁹ Bishops, who can be traced in the Latin West since the third century CE, first served, according to apostolic tradition, as the heads of the Christian community and priesthood, presiding over episcopal synods where new regulations were discussed and passed. They held rights of jurisdiction and duties of administration as well as a responsibility for poor relief within the boundaries of their dioceses.²⁰ To begin with, activities bound up with their priestly functions—consecration, preaching, and ecclesiastical supervision—were dominant.²¹ The ongoing Christianization of Western Europe however soon demanded that bishops delegate at least some of their spi-

¹⁷ Leben, Leiden und Wunder des heiligen Engelbert, Erzbischofs von Köln, ed. by Fritz ZSCHAEK, in: Die Wundergeschichten des Caesarius von Heisterbach, vol. 3, ed. by Alfons HILKA, Bonn 1937 (Publikationen der Gesellschaft für rheinische Geschichtskunde 43,3), pp. 223–328, at pp. 235–268; cf. KLEINE, Thomas (as in n. 14), pp. 199–200.

¹⁸ Ibid., pp. 198–200; FINGER, Erzbischof (as in n. 11), pp. 33–34.

¹⁹ A survey of the family backgrounds of 2,105 medieval bishops in the Empire shows that 987 were of aristocratic lineage, 182 were noblemen, 358 were *ministeriales* or knights and only 115 came from burgher or peasant families (in 473 cases the family background remains unclear). See Michael BORGOLTE, Die mittelalterliche Kirche, München 2004 (Enzyklopädie deutscher Geschichte 17), pp. 41–43.

²⁰ PENNINGTON et al., Bischof (as in n. 1), cols 228–29; BORGOLTE, Kirche (as in n. 19), pp. 38–39 and 42; Ines WESSELS, Zum Bischof werden im Mittelalter. Eine praxistheoretische Analyse vormoderner Selbstbildung, Bielefeld 2020, pp. 31–32; on episcopal poor-relief see Bernhard SCHNEIDER, Christliche Armenfürsorge von den Anfängen bis zum Ende des Mittelalters. Eine Geschichte des Helfens und seiner Grenzen, Freiburg i. Br. [etc.] 2017, pp. 107–113 and 211–220; Rudolf SCHIEFFER, Bischöfliche und monastische Caritas im Mittelalter, in: Caritas. Nächstenliebe von den frühen Christen bis zur Gegenwart, ed. by Christoph STIEGEMANN, Petersberg 2015, pp. 138–145 (with further bibliography).

²¹ Cf. WESSELS, Bischof (as in n. 20), pp. 31–32. Steffen Patzold has emphasized that from the eighth century on, bishops in the Eastern Frankish/German kingdom exerted stronger control over their clerics, by setting norms in diocesan statutes, by introducing intermediate control agencies in the ninth century, and by turning visitations into itinerant *synodus* courts. Letters of recommendation for wandering priests, surviving in *litterae formatae*, also bespeak a more effective episcopal control. Cf. Steffen PATZOLD, Bischöfe und Diözesanklerus im 9./10. Jahrhundert, in: Die "Episkopalisierung der Kirche" im europäischen Vergleich, ed. by Andreas BIHRER and Hedwig RÖCKELEIN, Berlin & Boston 2022 (Studien zur Germania Sacra, n.s. 13), pp. 225–248, at pp. 238–243. STEHKÄMPER, Reichsbischof (as in n. 11), pp. 97–99, observes that the *arengae* of charters issued by the archbishops of Cologne in the twelfth to thirteenth centuries reveal a stronger

ritual and temporal duties to members of the ever-growing church administration.²² In principle these tendencies prevailed in all of Latin Christendom. The Eastern Frankish or “German” Kingdom posed a particular challenge in that only part of it had belonged to the Roman Empire of Late Antiquity, which was based on a pattern of *civitates*. Where such urban centres had been founded in the fringe areas of the Roman world, they built no such close-knit network as in, for example, Italy. Here the numerous ancient *civitates* all had their own episcopal see in the Middle Ages while the surrounding countryside formed the diocese.²³

These conditions had a significant impact on the spatial, political, administrative and economic developments. They form the background for the close relationships forged between bishops and rulers in the Eastern Frankish/German kingdom in the late Carolingian through early Salian periods. More than ever before, the holders of episcopal sees were now endowed with, sometimes extensive, properties and rights of jurisdiction in the cathedral cities and their surroundings. In return they had to offer the *servitium regis*. Even if the time-honoured theory of an “imperial church system of the Ottonian and Salian kings” may no longer be tenable in some of its core aspects²⁴, there is no denying the fact that the German kingdom in the high Middle Ages saw the emergence of a strong and politically influential episcopacy in conjunction with a strengthening, sacred kingship.²⁵ Only the (formal) end of the Investiture Contest in the Concordat of Worms (1122) opened the way for a slow disentanglement of the episcopacy from the crown, while at the same time bishops began build-

emphasis on the bishops’ spiritual obligation in the earlier period and more recourse to their “princely mission” later on.

²² Cf. BORGOLTE, Kirche (as in n. 19), pp. 95–98 and 102–108 (with further bibliography).

²³ Cf. Edith ENNEN, Bischof und mittelalterliche Stadt. Die Entwicklung in Oberitalien, Frankreich und Deutschland, in: Stadt und Bischof, ed. by Bernhard KIRCHGÄSSNER and Wolfram BAER, Sigmaringen 1988 (Stadt in der Geschichte 14), pp. 29–42, at p. 29.

²⁴ The term “ottonisch-salisches Reichskirchensystem” was coined by Leo Santifaller and Helmut Beumann. A fundamental critique of the theory was advanced by Timothy REUTER, The Imperial Church System of the Ottonian and Salian Rulers. A Reconsideration, in: Journal of Ecclesiastical History 33 (1982), pp. 347–374. Later researchers have only followed Reuter’s critique in some crucial respects. See, for example, the recent contributions by Tina BODE, König und Bischof in ottonischer Zeit. Herrschaftspraxis, Handlungsspielräume, Interaktionen, Husum 2015 (Historische Studien 506), pp. 15–38, and BIHRER, ‘Reichsbischof’ (as in n. 2) (both citing previous studies).

²⁵ Cf. Rudolf SCHIEFFER, Der ottonische Reichsepiskopat zwischen Königtum und Adel, in: Frühmittelalterliche Studien 23 (1989), pp. 291–301. ID., Der geschichtliche Ort der ottonisch-salischen Reichskirchenpolitik, Opladen 1998 (Nordrhein-westfälische Akademie der Wissenschaften, Geisteswissenschaftliche Vorträge 352), p. 31, has shown that the Ottonian kings sought to integrate the bishops of the Empire in an “Imperial Church” as a partner of the crown. Towards this end, the rulers not only used royal diets but also convened imperial synods.

ing their own territorial lordships based on what royal support had given into their hands during the preceding two or three centuries.²⁶

Matters were different, however, for the bishoprics erected since the tenth century along and beyond the Elbe and Saale rivers.²⁷ Except for the metropolitan see of

²⁶ Syntheses, such as have been presented for the Ottonian and Salian episcopacies by Finck von Finckenstein and Zielinsky, are lacking for the Staufer period (see Albrecht Graf FINCK VON FINCKENSTEIN, *Bischof und Reich. Untersuchungen zum Integrationsprozeß des ottonisch-früh-salischen Reiches* [919–1056], Sigmaringen 1989 [Studien zur Mediävistik 1]; Herbert ZIELINSKI, *Der Reichsepiskopat in spätottonischer und salischer Zeit* [1002–1125], vol. 1, Wiesbaden 1984). For the early Staufer period see the short study by Bernd SCHÜTTE, *König Konrad III. und der deutsche Reichsepiskopat*, Hamburg 2004 (Studien zur Geschichtsforschung des Mittelalters 20), and Bernhard TÖPFER, *Kaiser Friedrich I. Barbarossa und der deutsche Reichsepiskopat*, in: *Kaiser Friedrich Barbarossa. Handlungsspielräume und Wirkungsweisen des staufischen Kaisers*, ed. by Alfred HAVERKAMP, Sigmaringen 1992 (Vorträge und Forschungen 40), pp. 389–433.

²⁷ The new dioceses planned in connection with the mission beyond the limits of the former Roman Empire were originally to be incorporated into the existing provinces, in this case, Cologne and Mainz. Not until the second half of the tenth century Magdeburg was founded as a new missionary archdiocese for the East, while Hamburg-Bremen was elevated to the rank of a metropolis for the new Christians of Scandinavia. In the year 1000, however, the church province of Gniezno was established for all of Poland, which brought the eastern expansion of Magdeburg to a halt. See Joachim SCHMIDT, *Kirche, Staat, Nation. Raumgliederung der Kirche im mittelalterlichen Europa*, Weimar 1999 (Forschungen zur mittelalterlichen Geschichte 37), pp. 74–77. On episcopal rule in Poland see Radosław KOTECKI and Jacek MACIEJEWSKI, *Ideals of Episcopal Power, Legal Norms and Military Activity of the Polish Episcopate Between the Twelfth and Fourteenth Centuries*, in: *Kwartalnik Historyczny* 127 (2020), Engl. Lang. Edition 4, S. 5–46 (with further bibliography). Silesia, which was more or less identical with the Gniezno's suffragan diocese of Wrocław (Breslau), eventually came under the temporal rule of the Bohemian kings at the time of the Polish king Casimir III (1333–1377); cf. Marian J. PTAK, *Schlesien und seine Beziehungen zu Polen, Böhmen und dem Reich*, in: *Reiche und Territorien in Ostmitteleuropa. Historische Beziehungen und politische Herrschaftslegitimationen*, ed. by Dietmar WILLOWEIT and Hans LEMBERG, Munich 2000 (Völker, Staaten und Kulturen in Ostmitteleuropa 2), pp. 35–50, at pp. 41–44. The diocese, however, remained part of the province of Gniezno. The bishops of Wrocław, whose policies towards the Jews are touched by Ewa Wołkiewicz in the present volume, had extensive territorial holdings, especially in the area of Nysa and Otmuchów and, from 1344, in the duchy of Grodków; cf. Thomas WÜNSCH, *Territorienbildung zwischen Polen, Böhmen und dem deutschen Reich. Das Breslauer Bistumsland vom 12.–16. Jahrhundert*, in: *Geschichte des christlichen Lebens im schlesischen Raum*, ed. by Joachim KÖHLER and Rainer BENDEL, Münster 2002 (Religions- und Kulturgeschichte in Ostmittel- und Südosteuropa 1), pp. 199–264. The see of Prague, initially a suffragan of Mainz, was only elevated to metropolitan status in 1344. Olomouc, formerly also under Mainz, now became part of the province of Prague, as did the small diocese of Litomyšl founded in the border region between the two. On the role of the bishops of Prague see Peter HILSCH, *Die Stellung des Bischofs von Prag im Mittelalter – ein Gradmesser böhmischer „Souveränität“?*, in: *Zeitschrift für Ostforschung* 23 (1974), pp. 431–439.

Magdeburg, founded in 968 and favoured by the Ottonian kings²⁸, none of the sees in the areas of “new settlement” was able to develop a sizeable territorial basis.²⁹ The same holds true for some of the dioceses in the area of “old settlement”, such as Minden and Verden in Saxony, founded around 800.³⁰ In contrast to some secular lords, however, their bishops were accepted, notwithstanding their small territorial resources, among the ranks of the “imperial princes” by c. 1180.³¹ Around the year 1200, this body included 22 secular and 92 ecclesiastical princes of the realm, of whom 47 were bishops.³² The imperial princes had a share in the affairs of the kingdom and throughout the medieval period formed its most important constitutional body.³³ Moreover, three of the six metropolitan bishops—those of Cologne, Mainz, and Trier—were members of the board of seven prince-electors, where together with the Counts Palatine on the Rhine they held the leading positions.³⁴ They used their position for increasing their shares in the affairs of the kingdom, though mostly for extending and intensifying their own territorial rule.³⁵ At the same time, cathedral

²⁸ Cf. Wolfgang HUSCHNER, *Civitas und sedes archiepiscopalis* von Magdeburg im 10. Jahrhundert, in: Sachsen und Anhalt 24 (2003), pp. 123–151; BODE, König (as in n. 24), pp. 372–401.

²⁹ Cf. Karl-Heinz AHRENS, Die verfassungsrechtliche Stellung und politische Bedeutung der märkischen Bistümer im späten Mittelalter. Ein Beitrag zur Diskussion, in: Mitteldeutsche Bistümer im späten Mittelalter, ed. by Roderich SCHMIDT, Lüneburg 1988, pp. 19–52; Brigitte STREICH, Die Bistümer Merseburg, Naumburg und Meißen zwischen Reichsstandschaft und Landsässigkeit, *ibid.*, pp. 53–72.

³⁰ Cf. Die Bischöfe des Heiligen Römischen Reiches (1198–1448). Ein biographisches Lexikon, ed. by Erwin GATZ in coll. with Clemens BRODKORB, Berlin 2001, pp. 452 and 835. The Frankish missionary sees of Erfurt, Büraburg and Staffelsee/Neuburg did not last long.

³¹ Cf. Karl HEINEMEYER, König und Reichsfürsten in der späten Salier- und frühen Stauferzeit, in: Blätter für deutsche Landesgeschichte 122 (1986), pp. 1–39, at pp. 5–6; also Hans PATZE, Friedrich Barbarossa und die deutschen Fürsten, in: Die Zeit der Staufer. Geschichte – Kunst – Kultur, vol. 5, ed. by Reiner HAUSHERR and Christian VÄTERLEIN, Stuttgart 1979, pp. 35–76.

³² *Ibid.*, p. 17. The bishops of the small sees incorporated into the Salzburg archdiocese never held the rank of imperial princes. On the *Reichsfürstenstand* and its development see Karl-Friedrich KRIEGER, Die Lehnshoheit der deutschen Könige im Spätmittelalter (ca. 1200–1437), Aalen 1979 (Untersuchungen zur deutschen Staats- und Rechtsgeschichte, n.s. 23), at pp. 156–173.

³³ Cf. HEINEMEYER, König (as in n. 31), p. 38. The idea that the German development took a ‘special path’ distinct from that of the other European regions, is rejected by Timothy REUTER, The Medieval German *Sonderweg*? The Empire and Its Rulers in the High Middle Ages, in: Kings and Kingship in Medieval Europe, ed. by Anne J. DUGGAN, London 1993 (King’s College London—Medieval Studies 10), pp. 179–211.

³⁴ Cf. Thomas ERTL, Alte Thesen und neue Theorien zur Entstehung des Kurfürstenkollegiums, in: Zeitschrift für historische Forschung 30 (2003), pp. 619–642; Armin WOLF, Wie kamen die Kurfürsten zu ihrem Königswahlrecht? Eine Stellungnahme zu dem Buch von Alexander Begert, in: Zeitschrift für Rechtsgeschichte. Germanistische Abteilung 129 (2012), pp. 340–363 (both citing previous studies).

³⁵ See, for example, the contribution by Jörg R. Müller in the present collection.

cities were developed into capitals with an elaborate ‘sacral’ topography.³⁶ From here spread a network of castles and towns, the density and extent of which depended on the resources of the bishopric and the means of the individual bishops. This infrastructure helped to consolidate and extend episcopal rule and economic power.³⁷ Even when bishops founded religious houses, they were rarely moved by spiritual considerations alone; rather, these institutions served to increase the value and administration of their lands.³⁸

Within the cathedral cities, an ambitious citizenry was seeking a share in local governance ever since the turn of the twelfth century. In many cases the burghers succeeded in ousting the bishops from the rule over their city, eventually attaining the status of “free cities”.³⁹ Bishops moved (or had by then moved) their residencies to other places⁴⁰, while the canons of the cathedral remained. Cathedral chapters often showed an ambivalent stance towards their bishops. Since the twelfth century, they had attained the exclusive right of electing the bishop almost everywhere in the

³⁶ Cf. Frank G. HIRSCHMANN, *Die Anlage “heiliger Städte”. Bischöfliches Bauen um die Jahrtausendwende*, in: *Für Königtum und Himmelreich. 1000 Jahre Bischof Meinwerk von Paderborn*, ed. by Christoph STIEGEMANN and Martin KROKER, Regensburg 2009, pp. 214–227; ID., *Stadtplanung, Bauprojekte und Großbaustellen im 10. und 11. Jahrhundert. Vergleichende Studien zu den Kathedralstädten westlich des Rheins*, Stuttgart 1998 (*Monographien zur Geschichte des Mittelalters* 43).

³⁷ There is still a lack of comparative investigation in episcopal town politics. The theme has been addressed almost exclusively in monographs on individual bishops and a few studies touching individual bishoprics. See, for example, Wilfried EHBRECHT, *Ziele kölnischer Städtepolitik bis zum Tod Erzbischof Engelberts von Berg*, in: *Köln – Westfalen (1180–1980). Landesgeschichte zwischen Weser und Rhein*, vol. 2, ed. by Peter BERGHAUS and Siegfried KESSEMEIER, Münster 1981, pp. 226–232, or Wilhelm JANSSEN, *Recklinghausen in der Städtepolitik der Kölner Erzbischöfe im 13. Jahrhundert*, in: *Vestische Zeitschrift* 84/85 (1985/86), pp. 7–23. Perhaps like no other ecclesiastical prince, Archbishop Baldwin of Trier used castles to enforce his territorial claims; cf. Wolf-Rüdiger BERNS, *Burgenpolitik und Herrschaft des Erzbistums Balduin von Trier (1307–1354)*, Sigmaringen 1980 (*Vorträge und Forschungen, Sonderband* 27).

³⁸ See, for example Jörg R. MÜLLER, *Die Gründung und Frühzeit der Prämonstratenserabtei Wadgassen im Spiegel der Kirchen- und Territorialpolitik Erzbischof Alberos von Trier*, in: *Analecta Praemonstratensia* 87 (2011), pp. 10–43; ID., *Himmerods Rolle in in den kirchlich-religiösen und herrschaftlichen Vorstellungen Erzbischof Alberos von Trier (1132–1152)*, in: *875 Jahre Findung des Klosters Himmerod. Festschrift*, ed. by Bruno FROMME, Mainz 2010 (*Quellen und Abhandlungen zur mittelhochdeutschen Kirchengeschichte* 127), pp. 23–53.

³⁹ Cf. Peter BÜHNER, *Die Freien Reichsstädte des Heiligen Römischen Reiches. Kleines Repertorium*, Petersberg 2019 (*Schriftenreihe der Friedrich-Christian-Lesser-Stiftung* 38) (with further bibliography).

⁴⁰ For the southwest of the German kingdom, cf. *Südwestdeutsche Bischofsresidenzen außerhalb der Kathedralstädte*, ed. by Volker PRESS, Stuttgart [etc.] 1992 (*Veröffentlichungen der Kommission für geschichtliche Landeskunde in Baden-Württemberg B* 116).

Empire⁴¹, and by no means did they think of themselves as willing tools in the hands of their lord. They sought control over the holdings of their church and forced those whom they were electing to sign election promises (*Wahlkapitulationen*) that accorded them far-reaching rights of participation in episcopal policies.⁴²

Relations between bishops and popes, too, were increasingly marred by conflict. To begin with, the archbishops still had a share in papal rule, visually symbolized in their *pallium*, which they received from the pope, in slowly increasing regularity since the tenth century. The pallium marked them off as heads of a church province with synodal and jurisdictional prerogatives. After the end of the Investiture Controversy the archbishops usually had to travel to the Curia in person to receive it from the hands of the pope, in return for an oath of obedience.⁴³ However, the popes themselves began to undermine the institution of metropolitan bishops since the thirteenth century. Against the background of steady professionalization in canon law, they curbed the archbishops' jurisdiction over the suffragan bishops and drew it before their own centralizing courts of appeal.⁴⁴ Moreover, they were no longer content with merely approving a bishop-elect invested with the *temporalia* by the ruler, as had been agreed in the Concordat of Worms. (To be fair, the latter was also more frequently ignored by the German kings/emperors.⁴⁵) With increasing frequency they interfered in the selection of bishops and enforced candidates of their own.⁴⁶ With the "general

⁴¹ Cf. Klaus GANZER, Zur Beschränkung der Bischofswahl auf die Domkapitel in Theorie und Praxis des 12. und 13. Jahrhunderts, in: Zeitschrift für Rechtsgeschichte. Kanonistische Abteilung 57 (1971), pp. 22–82, and 58 (1972), pp. 188–197.

⁴² There is as yet no survey of the episcopal election promises in the Empire. For Cologne and its Westphalian suffragan dioceses, see Michael KISSENER, Ständemacht und Kirchenreform. Bischöfliche Wahlkapitulationen im Nordwesten des Alten Reiches (1265–1803), Paderborn 1993.

⁴³ See the study, reaching down to 1119, by Steven A. SCHOENIG, Bonds of Wool. The Pallium and Papal Power in the Middle Ages, Baltimore/MD 2016 (Studies in Medieval and Early Modern Canon Law 15), and Matthias SCHRÖR, Metropolitangewalt und papstgeschichtliche Wende, Husum 2009 (Historische Studien 494), pp. 140–143, 199–204 and 214–219 (both citing previous studies).

⁴⁴ A systematic survey for the Empire until c. 1100 has been presented by SCHRÖR, Metropolitangewalt (as in n. 43). The later centuries still await further investigation, though individual church provinces have been studied. For Cologne, cf. Monika STORM, Die Metropolitangewalt der Kölner Erzbischöfe im Mittelalter bis zu Dietrich von Moers, Siegburg 1995 (Studien zur Kölner Kirchengeschichte 29).

⁴⁵ Cf. TÖPFER, Kaiser (as in n. 26); Johannes LAUDAGE, Alexander III. und Friedrich Barbarossa, Köln [etc.] 1997 (Forschungen zur Kaiser- und Papstgeschichte des Mittelalters 16).

⁴⁶ The rivalry between the Empire and the papacy that marked the history of the twelfth and the following centuries frequently brought the bishops, and especially archbishops, in uncomfortable positions, when they had to take sides with either those whom they had sworn an oath of fealty or those whom they had sworn obedience. On the conflicts between the two powers, see Heike Johanna MIERAU, Kaiser und Papst im Mittelalter, Cologne [etc.] 2010 (with bibliography).

reservation” of 1363 they finally reserved for themselves the appointment of bishops in all episcopal sees.⁴⁷ This centralization of the Roman-Avignonese church system was accompanied by extreme fiscal demands that severely strained the finances of the German (and other) episcopal churches⁴⁸ and greatly contributed to the criticism expressed in the conciliar theory of post-1378 times.⁴⁹ By the mid-fifteenth century the papacy was able to prevail over the conciliar movement, which had called, *inter alia*, for corporate and collegial structures of church governance and which ultimately aimed for an episcopal constitution.⁵⁰

While some voices in the later medieval period demanded that bishops should concentrate on their pastoral duties⁵¹, a strict separation of the temporal and spiritual spheres had long become unthinkable. Well-versed and well-connected politicians were needed on the episcopal sees, to deal with the political and administrative challenges in the diocese and its temporal holdings, with the demands made on them by imperial affairs and in monetary matters. Many of these politicians lacked a sound training in canon law, which was constantly gaining in importance⁵². This is why in most dioceses from the late-twelfth century onwards the new office of the *officialis*

⁴⁷ Cf. Klaus GANZER, Papsttum und Bistumsbesetzungen in der Zeit von Gregor IX. bis Bonifaz VIII. Ein Beitrag zur Geschichte der päpstlichen Reservation, Cologne & Graz 1968 (Forschungen zur kirchlichen Rechtsgeschichte und zum Kirchenrecht 9), p. 89.

⁴⁸ Cf. Markus A. DENZEL, Von der Kreuzzugssteuer zur allgemeinen päpstlichen Steuer. Servitien, Annaten und ihre Finanzierung in voravignonesischer Zeit (12. bis frühes 14. Jahrhundert), in: Die römische Kurie und das Geld. Von der Mitte des 12. Jahrhunderts bis zum frühen 14. Jahrhundert, ed. by Werner MALECZEK, Ostfildern 2018 (Vorträge und Forschungen 85), pp. 131–166, at pp. 138–145.

⁴⁹ Cf. Heribert MÜLLER, Die kirchliche Krise des Spätmittelalters: Schisma, Konziliarismus und Konzilien, Munich 2012 (Enzyklopädie deutscher Geschichte 90), with a survey of previous research.

⁵⁰ Cf. Friedrich MERZBACHER, Wandlungen des Kirchenbegriffs im Spätmittelalter, in: Zeitschrift für Rechtsgeschichte. Kanonistische Abteilung 39 (1953), pp. 274–361, at pp. 317–319.

⁵¹ See, for example, the criticism voiced in the *Reformatio Sigismundi*, on which cf. Tilman STRUVE, Reform oder Revolution? Das Ringen um eine Neuordnung in Reich und Kirche im Lichte der “Reformatio Sigismundi” und ihrer Überlieferung, in: Zeitschrift für Geschichte des Oberrheins 126 (1978), pp. 73–129, at pp. 83–84 and 124; Heinrich WERNER, Die Reform des geistlichen Standes nach der sogenannten Reformation des Kaisers Sigmund im Lichte gleichzeitiger Reformpläne, in: Deutsche Geschichtsblätter 4 (1903), pp. 1–14 and 43–55.

⁵² On the rise and development of canon law and the growing professional demands on its users, cf. Anthony PERRON, Local Knowledge of Canon Law (c.1150–1250), in: The Cambridge History of Medieval Canon Law, ed. by Anders WINROTH and John C. WEI, New York 2022, pp. 285–298. On the role bishops played in the formation of canon law through their questions, cf. Anne J. DUGGAN, *De consultationibus*. The Role of Episcopal Consultations in the Shaping of Canon Law in the 12th Century, in: Bishops, Texts and the Use of Canon Law around 1100. Essays in Honour of Martin Brett, ed. by Bruce C. BRASINGTON and Kathleen G. KUSHING, Aldershot 2008, pp. 191–214.

was created to deal with ecclesiastical jurisdiction.⁵³ Similarly, the bishops' lack of theological erudition encouraged them to establish and support advanced teaching facilities at their cathedrals or at other religious houses, leaving the matter of education to these or, later, to the universities.⁵⁴ Acts of consecration, which could only be performed by an ordained bishop, were also delegated, with the office of the auxiliary bishop becoming established from the fourteenth century. The auxiliaries were commonly appointed on a titular see—a diocese founded in non-Christian lands and later abandoned or left empty for some other reason. The demand for auxiliary bishoprics was so strong that new sees continued to be created in remote, formerly Christian regions. The prelates appointed to them rarely ever saw their see and took over spiritual tasks for acting bishops who were otherwise unable to deal with them.⁵⁵ Still, the bishops of the Empire never quite abandoned their priestly and pastoral duties. During the whole medieval period there were few bishops who were not ordained priests. Since consecration, preaching, and other pastoral duties were core aspects of the episcopal office, it is likely that chroniclers took them for granted and remained silent on the daily practice. It was only when episcopal acts were part of exceptional events that the historiographical sources take note of them.⁵⁶ Still it would be rash to ascribe the silence of the sources to routine alone and conclude that the prelates regularly fulfilled their pastoral duties.⁵⁷ Contemporary critics, especially

⁵³ In the Empire the *officialis* first appears at the archbishop's see in Trier; cf. Hans-Jürgen KRÜGER, Zu den Anfängen des Offizialats in Trier, in: Archiv für mittelhochdeutsche Kirchengeschichte 29 (1977), pp. 39–74. On this office, see also the bibliography cited in Christoph Cluse's contribution to the present volume, p. 328, n. 3.

⁵⁴ Cf. Martin KINZINGER, Wissen wird Macht. Bildung im Mittelalter, Ostfildern 2003, esp. chapter 2 (with further bibliography).

⁵⁵ Cf. Michael F. FELDKAMP, Warum entstanden aus den im konfessionellen Zeitalter säkularisierten deutschen Bistümern keine Titularbistümer? Beobachtungen zur Entwicklung des Rechtsinstituts des Titularbischofs, in: *Incorrupta monumenta ecclesiam defendant*. Studi offerti a mons. Sergio Pagano, prefetto dell'Archivio Segreto Vaticano, vol. 1: La Chiesa nella storia. Religione, cultura, costume, ed. by Andreas GOTTMANN, Pierantonio PIATTI and Andreas E. REHBERG, Città del Vaticano 2018 (Collectanea archive Vaticani 106), pp. 589–606, at pp. 589–600.

⁵⁶ For the late-medieval archdiocese of Cologne, the problem is discussed by Wilhelm JANSSEN, Der Bischof, Reichsfürst und Landesherr, in: Der Bischof in seiner Zeit (as in n. 11), pp. 185–244, at pp. 216–220.

⁵⁷ Episcopal synods, too, rarely received the chroniclers' attention. Researchers therefore tended to think that diocesan synods, which in principle had to convene annually, were neglected in the later Middle Ages. This view has been refuted, however, by Peter JOHANEK, Synodalität im spätmittelalterlichen Reich. Ein Überblick, in: Partikularsynoden im späten Mittelalter, ed. by Nathalie KRUPPA and Leszek ZYGNER, Göttingen 2006 (Studien zur Germania Sacra 29), pp. 29–53, esp. p. 52: "Die Synoden des späteren Mittelalters haben [...] durch ihre gesicherte Periodizität, ihre die gesamte Diözese erfassende Kommunikationsstruktur, unterstützt durch den Verschriftlichungsprozess, der einen allgemeinen Zug der europäischen Kultur im Spätmittelalter darstellt,

the church reformers of the fifteenth century, certainly had a point when they deplored the insufficient attention bishops were paying to their priestly duties.⁵⁸

2 Comparative Glances on other European Kingdoms

In a “Sermon on the Pastoral Office” Jean Gerson, chancellor of the University of Paris and one of the leading proponents of the conciliar theory, sketched an image of the ideal bishop—a bishop entirely focused on his manifold pastoral duties.⁵⁹ Wilhelm Janssen has assumed that Gerson “had the French situation in mind [...] where bishops were rather *grandseigneurs* than territorial princes and where the tensions between *temporalia* and *spiritualia* only appeared in a milder and, as it were, privatized way.”⁶⁰ Notwithstanding these differences, the sermon itself indicates that an urgent need for reform was also felt in France (and in other countries of Romance language). Moreover, while ecclesiastical baronies (*geistliche Fürstentümer*) may have been a special feature of the German kingdom⁶¹, bishops in other parts of Europe also took on duties in political rule and representation. After all, in all of Western Europe the vast majority of bishops was recruited from the ranks of the nobility, and all of them harboured close relations with the leading ranks of society.⁶²

From the very beginnings, the old Gallo-Roman aristocracy of Merovingian Gaul managed to appropriate for themselves the episcopal sees and to found veritable dynasties of bishops.⁶³ While the secular institutions of the state were threatening to disintegrate, bishops served as bearers of continuity in the period of what used to be called the ‘barbarian invasions’. Especially in the south, the bishop not only assumed

ohne Zweifel Entscheidendes zur Disziplinierung und Instruktion des Niederklerus über seine Pflichten und seine Rechtstellung beigetragen.”

⁵⁸ See above, n. 49.

⁵⁹ Jean Gerson, *Sermo de officio pastoris*, in: *Œuvres complètes*, vol. 5: *L'œuvre oratoire*, ed. by Palémon GLORIEUX, Paris 1963, no. 215, pp. 123–144; cf. Edmond VANSTEENBERGHE, *Un programme d'action épiscopale au début du XV^e siècle*, in: *Revue des sciences religieuses* 19 (1939), pp. 24–47. On Gerson's ‘mirror of bishops’ in the literary context of reform writing, cf. Hubert JEDIN, *Das Bischofsideal der Katholischen Reformation. Eine Studie über die Bischofsspiegel vornehmlich des 16. Jahrhunderts* [first published 1942], in: ID., *Kirche des Glaubens – Kirche der Geschichte. Ausgewählte Aufsätze und Vorträge*, vol. 2: *Konzil und Kirchenreform*, Freiburg i. Br., Basel & Wien 1966, pp. 75–117, at pp. 78–80.

⁶⁰ JANSSEN, *Bischof* (as in n 56), p. 189 (our translation).

⁶¹ Peter MORAW, [Art.] *Fürstentümer, geistliche*, I: *Mittelalter*, in: *Theologische Realenzyklopädie*, vol. 11, Berlin 1983, pp. 711–715, at p. 711.

⁶² On *nobilitas generis*, see Michel PARISSE, *The Bishop: Prince and Prelate*, in: *The Bishop. Power and Piety at the First Millennium*, ed. by Sean GILSDORF, Münster 2004, pp. 4–5.

⁶³ Cf. Friedrich PRINZ, *Die bischöfliche Stadtherrschaft im Frankenreich vom 5. bis zum 7. Jahrhundert*, in: *Bischofs- und Kathedralstädte des Mittelalters und der frühen Neuzeit*, ed. by Franz PETRI, Köln [etc.] 1976 (*Städteforschung A* 1), pp. 1–26.

the tasks bound up with his ritual, religious, and judicial functions, as far as the ecclesiastical structure of the church⁶⁴ had been preserved from Antiquity. Often they also ruled over his *civitas*, in manifold respects.⁶⁵ In the late-sixth and seventh centuries these men were followed by the scions of mostly regional families of the Frankish nobility who had been trained in monasteries.⁶⁶ But once Frankish rule was stabilized and the kings were appointing counts and other secular lords to serve as local representatives, the rule of bishops was reduced. Privileges of immunity, granted by the Carolingian rulers, gave it a new basis. Other than in the Eastern Frankish/German kingdom, only few bishops in the Western Frankish/French kingdom managed to establish full control over their episcopal cities (as in Reims, Laon, or Noyon). Beyond this, episcopal participation in urban affairs could take on a broad variety of forms and shades. On the one hand, bishops could be completely excluded from secular rule (as in Bordeaux) and their church be placed under lay control (as in Rouen or Bayeux).⁶⁷ On the other hand, the episcopal rulers of Noyon and Beauvais⁶⁸, of Reims, Laon, Langres and Châlons-en-Champagne were counted among the *Pairs de France* by the early thirteenth century and enjoyed the same legal privileges as the six secular princes (dukes and counts). They took on duties in jurisdiction and had special representative functions in the coronation of the hereditary kings of

⁶⁴ On the layout of the (Western Frankish and) French church in the Middle Ages, see SCHMIDT, Kirche (as in n. 27), pp. 67–72.

⁶⁵ Cf. PRINZ, Stadtherrschaft (as in n. 63); Reinhold KAISER, [Art.] Bischofsstadt, in: Lexikon des Mittelalters 2 (as in n. 1), cols 239–245, at col. 240.

⁶⁶ See Edith ENNEN, Bischof und mittelalterliche Stadt. Die Entwicklung in Oberitalien, Frankreich und Deutschland, in: Stadt und Bischof, ed. by Bernhard KIRCHGÄSSNER and Wolfram BAER, Sigmaringen 1988 (Stadt in der Geschichte 14), pp. 29–42, at pp. 33–34.

⁶⁷ Cf. Reinhold KAISER, Bischofsherrschaft zwischen Königtum und Fürstenmacht. Studien zur bischöflichen Stadtherrschaft im westfränkisch-französischen Reich im frühen und hohen Mittelalter, Bonn 1981 (Pariser historische Studien 17); Olivier GUYOTJEANNIN, La seigneurie épiscopale dans le royaume de France (X^e–XIII^e siècles), in: Chiesa e mondo feudale nei secoli X–XII, Milano 1995 (Miscellanea de Centro di studi medioevali 40), pp. 151–191. Diocesan organisation took on a course of its own in Brittany, where Celts from the British Isles immigrated in the fifth century and only three episcopal sees survived in the Gallo-Roman/Frankish cities. Six further bishoprics emerged in the eighth and ninth centuries, according to the Irish model, with monastic centres whose abbots served as bishops. Cf. KAISER (as above), pp. 114–119. On the diocesan organisation in Ireland, cf. Charles DOHERTY, The Monastic Town in Early Medieval Ireland, in: The Comparative History of Urban Origins in Non-Roman Europe, vol. 1, ed. by Howard B. CLARKE and Annegret SIMMS, Oxford 1985, pp. 45–75.

⁶⁸ For a detailed study on Noyon and Beauvais see Olivier GUYOTJEANNIN, *Episcopus et comes*. Affirmation et déclin de la seigneurie épiscopale au Nord du royaume de France (Beauvais-Noyon, X^e–début XIII^e siècle), Genève & Paris 1987 (Mémoires et documents publiés par la Société de l'Ecole des Chartes 30).

France.⁶⁹ Just as in the German kingdom, the bishops had to defend their rights in the city against cathedral chapters, powerful vassals, and urban communities in the twelfth and thirteenth centuries. Other than in Germany, however, the influence of the crown over the cities did not diminish but rather grew as royal rule was expanding while its centralization was progressing.⁷⁰

In Northern Italy the initial situation was similar to that in Southern France. In many places, however, the Lombard rulers' adherence to Arianism caused discontinuities in the episcopal presence.⁷¹ The long-term negative effects this had on episcopal power were not fully resolved after the Frankish conquest of the Lombard kingdom in 774, despite the fact that the new rulers accorded rights of immunity and other privileges with long-term impact to the diocesan churches. Moreover, the lay aristocracy strengthened significantly during the time of the so-called "national" kings, between 888 and 961. In few cases the temporal jurisdictions of bishops, whom the kings favoured as a counterweight against the self-confident nobility, was able to unfold freely.⁷² By the time Otto I took over control in Northern Italy in 951 and integrated it into the Empire in 961, many bishops had managed to obtain limited rights of jurisdiction—especially in connection with the defense against the Hungarian raids. They usually exerted rule over their cities only in collaboration with the king's local representative⁷³, whom however they often surpassed on account of the

⁶⁹ Cf. Richard A. JACKSON, *Peers of France and Princes of the Blood*, in: *French Historical Review* 7 (1971), pp. 27–46, esp. pp. 29–32.

⁷⁰ See, for example, GUYOTJEANNIN, *Episcopus* (as in n. 68), pp. 164–169 and 173–182 (on Noyon and Beauvais). In the late-ninth and the tenth centuries, the "centrifugal forces at work within the aristocratic elite" and the Norman incursions had considerably reduced the control of the Frankish kings over the appointment of bishops in the region; see Rudolf SCHIEFFER, *Bischofserhebungen im westfränkisch-französischen Bereich im späten 9. und im 10. Jahrhundert*, in: *Die früh- und hochmittelalterliche Bischofserhebung im europäischen Vergleich*, ed. by Franz-Reiner ERKENS, Köln, Weimar & Wien 1998 (*Archiv für Kulturgeschichte, Beiheft* 48), pp. 59–82, at pp. 78–79. Hartmut HOFFMANN, *Der König und seine Bischöfe in Frankreich und im Deutschen Reich (936–1060)*, in: *Bischof Burchard von Worms (1000–1025)*, ed. by Wilfried HARTMANN, Mainz 2000 (*Quellen und Abhandlungen zur mittelhochdeutschen Kirchengeschichte* 100), pp. 79–127, has estimated (pp. 89–93) that the Carolingian kings could count on only about ten (out of more than 70) bishoprics by the end of the tenth century and that under their Capetian successors the number roughly doubled by the mid-eleventh century.

⁷¹ Cf. Gerhard DILCHER, *Bischof und Stadtverfassung in Oberitalien*, in: *Zeitschrift für Rechtsgeschichte. Germanistische Abteilung* 81 (1964), pp. 225–266. On the geographical organisation of the church in northern Italy see SCHMIDT, *Kirche* (as in n. 27), pp. 59–62.

⁷² DILCHER, *Bischof* (as in n. 71), pp. 230–237.

⁷³ *Ibid.*, pp. 237–240. Eugenio DUPRÉ-THÉSEIDER, *Vescovi e città nell'Italia precomunale*, in: *Vescovi e diocesi in Italia nel Medioevo. Atti del II Convegno di storia della chiesa in Italia*, Padua 1964 (*Italia Sacra* 5), pp. 55–109, at pp. 56–74; Giuseppe SERGI, *Poteri temporali del vescovo: il problema storiografico*, in: *Vescovo e città nell'alto Medioevo: Quadri generali e realtà Toscane*, ed.

authority invested in their office and of their individual charismatic activity.⁷⁴ The Ottonians eventually adopted a policy that aimed at mediating between the various noble families, a policy including the bishops but by no means favouring them *per se*. At this time, numerous bishops were obtaining jurisdiction over their cities, often combined with that over the adjoining *contado* (as in Vercelli, Asti or Novara) in continuation of the policies introduced under the Carolingians.⁷⁵

Much earlier than in the areas north of the Alps, citizens in the towns and cities of northern Italy strove for a share in political power.⁷⁶ Following conflict and compromise, their aspirations were mostly successful, so that a new situation had generally emerged by the turn of the twelfth century, in which temporal jurisdiction and other public rights were now in the commune's hands. The bishops continued to exert functions in mediating conflicts among citizens and with outside parties. Moreover, most of them continued to hold properties outside the city, some of which were quite extensive. Focusing on the metropolitan sees of Aquileia, Ravenna, and Milan and on a number of other northern Italian sees, Gina Fasoli has demonstrated that here, too, the temporal rule of the prelates was in decline in the course of the later Middle Ages.⁷⁷

by Giampaolo FRANCESCONI, Pistoia 2001 (Biblioteca storica pistoiese 6), pp. 1–16, at pp. 3–7. The exercise of episcopal rule proved as diverse as in France.

⁷⁴ Cf. Annamaria AMBROSIONI, *Vescovo e città nell'alto Medioevo: l'Italia settentrionale*, in: *Vescovo e città* (as in n. 73), pp. 17–33, at pp. 19 and 21.

⁷⁵ Cf. DUPRÉ-THÉSEIDER, *Vescovi* (as in n. 73), pp. 82–84; Roland PAULER, *Das Regnum Italiae in ottonischer Zeit. Markgrafen, Grafen, Bischöfe als politische Kräfte*, Tübingen 1982 (Bibliothek des Deutschen historischen Instituts Rom 54), p. 168. Bishops were generally unable to obtain local rule in cities that were vital for the Ottonian government, as in the royal city of Pavia or in Como and Verona, which guarded the Alpine passes. Cf. DILCHER, *Bischof* (as in n. 71), p. 246; PAULER (as above), p. 172; also Vito FUMAGALLI, *Il potere civile dei vescovi italiani al tempo di Ottone I*, in: *I poteri temporali dei Vescovi in Italia e in Germania nel Medioevo*, ed. by Carlo MOR and Heinrich SCHMIDINGER, Bologna 1979 (*Annali dell'Istituto storico italo-germanico Quaderno* 3), pp. 77–846, at pp. S. 77–78.

⁷⁶ SCHMIDT, *Kirche* (as in n. 27), has noted (p. 60) that the diocese provided a frame for the commune's expansion of its rule in the *contado*. This may well be related to the fact that urban noble families usually played a key role in the emergence of the commune itself; cf. Hagen KELLER, *Die Entstehung der italienischen Stadtkommune als Problem der Sozialgeschichte*, in: *Frühmittelalterliche Studien* 10 (1976), pp. 169–211.

⁷⁷ Cf. Gina FASOLI, *Temporalità vescovili nel basso medioevo*, in: *Vescovi e diocesi* 2 (as in n. 6), pp. 757–772. Where bishops maintained rule over whole districts, such as those of Bologna did in the *Terra Centi*, civic unrest could ensue (in this case, at Cento and Pieve di Cento) (p. 766). Other than the patriarchs of Aquileia, the archbishops of Ravenna were unable to obtain a territory of their own (p. 770).

Other than in the “successor states” of the Frankish Empire, Southern Italy was only won over to the Latin church after the Norman conquest in the eleventh century. The areas the Normans brought under their control, previously under Lombard and Byzantine rule, were marked by a myriad of minute dioceses with great internal variety and lacking a sustained overarching metropolitan constitution.⁷⁸ On the island of Sicily, wrested from its various Muslim rulers between 1061 and 1091 and continuously inhabited by an Islamic population, western church structures had yet to be set up.⁷⁹ The Normans took over the Byzantine pattern of administration, which meant that the episcopal sees and the centres of temporal rule usually fell in one.⁸⁰ At the same time, they respected the existing rights of bishops, especially in regions not previously under Byzantine rule.⁸¹ The popes by and large tolerated that the Norman dukes (and later, kings) would exert control over the churches of Southern Italy (including Sicily).⁸² Only rarely did bishops obtain rights of temporal jurisdiction, unless they had held them since pre-Norman times. They did, however, receive significant rights of income from regalian tithes.⁸³ The bishops of the region, most of whom were quite insignificant figures⁸⁴, were thus hardly able to develop a temporal power base of their own—unless the kings accorded them a chance to do

⁷⁸ Cf. SCHMIDT, *Kirche* (as in n. 27), pp. 62–63. Even after many of the Byzantine dioceses had been merged into slightly larger ones, no less than 145 sees still existed around 1220; cf. Mariella Demichele DZIUBAK, *Die Diözesen in Süditalien zur Zeit der normannischen Eroberung. Kontinuität und Erneuerung*, in: *Bistümer und Bistumsgrenzen vom frühen Mittelalter bis zur Gegenwart*, ed. by Edeltraud and Harm KLUETING and Hans-Joachim SCHMIDT, Rome, Freiburg i. Br. & Vienna 2006 (*Römische Quartalsschrift für christliche Altertumskunde und Kirchengeschichte*, suppl. 58), pp. 32–63.

⁷⁹ On the demographic situation at the time of the Norman conquest and in its wake, see Sarah DAVIS-SECORD, *Where Three Worlds Met. Sicily in Early Medieval Mediterranean*, Ithaca, NY & London 2017, pp. 202–204; on the Christianization of Sicily, cf. David ABULAFIA, *The End of Muslim Sicily*, in: *Muslims under Latin Rule, 1100–1300*, ed. by James M. POWEL, Princeton 1990 (Princeton Legacy Library 1099), pp. 103–133.

⁸⁰ Cf. DZIUBAK, *Diözesen* (as in n. 78), pp. 46–49. The Latin bishops in the Norman dioceses were not normally installed immediately after the conquest; rather, a Latin appointee would only replace the Byzantine incumbent when the latter had died. Most bishops came from Normandy, France and Northern Italy; often they were from the circles of church reformers (*ibid.*, pp. 52–55).

⁸¹ Cf. Norbert KAMP, *Der Episkopat und die Monarchie im staufischen Königreich Sizilien*, in: *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 64 (1984), pp. 84–115, at p. 86.

⁸² Cf. SCHMIDT, *Kirche* (as in n. 27), pp. 62–63; DZIUBAK, *Diözesen* (as in n. 78), pp. 49–52. The Abbruzzi region was exceptional on account of its Carolingian tradition. Here bishops were able to build feudal rule over towns and regions; cf. KAMP, *Episkopat* (as in n. 81), pp. 86–87.

⁸³ Cf. DZIUBAK, *Diözesen* (as in n. 78), pp. 56–57; KAMP, *Episkopat* (as in n. 81), pp. 89–90.

⁸⁴ It was mainly the metropolitan bishops in the centres of Norman rule (e.g., Salerno, Messina, Palermo) who profited from ducal/royal privileges. Cf. KAMP, *Episkopat* (as in n. 81), p. 86.

so, as in the case of the Jews discussed by Lukas Clemens in the present collection.⁸⁵ As small as the temporal resources of most bishops may have been, this did not stand in the way of their serving at the Norman and Staufen courts and in royal administration—often in influential positions—until around 1240.⁸⁶ Following the end of the Norman dynasty in Southern Italy in 1189, Pope Coelestin III (1191–1198) managed to secure important rights in the election of bishops in the region for the papacy. Until the end of Hohenstaufen rule, however, these rights were but briefly exercised under Innocent III (1198–1216).⁸⁷

Conditions developed in similar ways during the step-by-step conquest of the Iberian Peninsula under Christian rulers from the northern kingdoms. Following the takeover of the former Visigothic capital of Toledo in 1085, the old church organisation was reactivated. The new political situation is reflected in a rearrangement of the ecclesiastical provinces; some metropolitan honours were now bestowed on new sees.⁸⁸ Compared with their peers in other European regions, Iberian kings held rather strong positions, while the bishops—if we are to go by the current, poor state of research—had to contend with the spiritual, judicial, administrative and representative functions of their diocesan office, and harboured no significant ambitions of baronial rule.⁸⁹ As in other regions of Europe, however, they took an active part in the affairs of the realm, based on their presence in the royal courts and in central political institutions.⁹⁰

⁸⁵ See the contribution by Lukas Clemens in the present collection.

⁸⁶ KAMP, Episkopat (as in n. 81), pp. 94–114. At the time of the conflict between Frederick II and the popes the learned bishops of aristocratic lineage came to be replaced by prelates from the lower nobility of feudal service.

⁸⁷ Cf. KAMP, Episkopat (as in n. 81), pp. 92–104.

⁸⁸ Cf. SCHMIDT, Kirche (as in n. 27), pp. 63–66; Richard A. FLETCHER, *The Episcopate in the Kingdom of León in the Twelfth Century*, Oxford 1978, pp. 21–26 and 136–141. Adherence to the Visigothic layout of dioceses meant that the borders of ecclesiastical areas did not always follow those of the Iberian kingdoms; cf. SCHMIDT, Kirche (as above), p. 66.

⁸⁹ Cf. Peter LINEHAN, *The Spanish Church and the Papacy in the Thirteenth Century*, Cambridge 1971 (Cambridge Studies in Medieval Life and Thought, 3rd Ser. 4), has convincingly shown that the popes did not exert a dominant position in the ecclesiastical affairs of the Iberian Peninsula, as previous researchers had assumed. Hektor AMMANN, *Vom Städtewesen Spaniens und Westfrankreichs im Mittelalter*, in: *Studien zu den Anfängen des europäischen Städtewesens*, ed. by Theodor Meyer, Konstanz & Lindau 1958 (Vorträge und Forschungen 4), pp. 105–150, long ago pointed out (pp. 114–15) that urbanization on the peninsula, too, followed a course distinct from that in other western European regions in that the crown assumed the leading role in the process, while the nobility and the church were less important.

⁹⁰ Cf. Rosa VIDAL DOVAL, *Bishops and the Court. The Castilian Episcopacy and conversos, 1450–1465*, in: *Dominus Episcopus. Medieval Bishops between Diocese and Court*, ed. by Anthony John LAPPIN and Elena BALZAMO, Stockholm 2018 (Konferenser 95), pp. 217–240, at p. 217.

Christian mission in the Anglo-Saxon kingdoms of Britain began in the sixth century. Metropolitan sees were established in Canterbury, capital of the kingdom of Kent, and in the old Roman *civitas* of York. However, the administration of the country had completely changed since Roman times, and the old regional pattern was not revived.⁹¹ Most bishops resided not in larger cities but in the *boroughs* of kings or nobles, and due to insecurity (such as the permanent threat of Danish incursions) their sees often moved or stood vacant.⁹² Still, many bishops acquired extensive landed property, and they were active at the courts of the various kingdoms, which by the tenth century had successively come under the crown of Wessex.⁹³ Following the Norman conquest of England the country was thoroughly feudalized, and bishops—all of whom hailed from Normandy or France—took part in this process. The prelates held positions at court, had feudal retainers, and often extensive landed holdings (on the island as well as on the continent).⁹⁴ However, few of them were also town lords.⁹⁵ A territorial position resembling that of their peers in the Western German kingdom was attained by the bishops of Durham, who obtained extensive rights over city and diocese in return for their obligations towards defending the northern marches of the kingdom.⁹⁶ Together with the secular nobility, the self-confident episcopacy of Norman England built a counterweight against the arbitrary exercise of royal power, and bishops did not hesitate to openly oppose the kings since the twelfth century.⁹⁷ Their most prominent spokesman was Thomas Becket, archbishop of Canterbury (1162–1170), who resigned from his position as lord chancellor to King Henry II (1154–1189) and fought a long battle against him over the rights of the Church until he was murdered in his cathedral by the king's men. Thomas was canonized as early as 1173, and his life-story served Caesarius of

⁹¹ See SCHMIDT, Kirche (as in n. 27), pp. 80–81.

⁹² Ibid., p. 82; Henry Royston LOYN, The Governance of Anglo-Saxon England (500–1087), Stanford, CA 1984, pp. 56–60; Pauline STAFFORD, Unification and Conquest. A Political and Social History of England in the Tenth and Eleventh Centuries, London 1989, pp. 181–183.

⁹³ Cf. LOYN, Governance (as in n. 92), pp. 154–160.

⁹⁴ On the manifold spiritual and secular tasks of bishops in early Norman England see Frank BARLOW, The English Church (1066–1154), London & New York 1979, pp. 134–144. Many of the bishops who came from the continent were church reformers, and the Norman rulers continued to recruit upright clerics from abroad to invest them with English sees; cf. Björn WEILER, Bishops and Kings in England, c.1066–c.1215, in: Religion und Politik im Mittelalter. Deutschland und England im Vergleich, ed. by Lutger KÖRNTGEN and Dominik WASSENHOVEN, Berlin 2013 (Prinz-Albert Studien 29), pp. 157–204, at p. 188–89.

⁹⁵ On city rule see KAISER, Bischofsstadt (as in n. 65), col. 244; Susan REYNOLDS, An Introduction to the History of English Medieval Towns, Oxford 1977, esp. p. 92.

⁹⁶ Cf. Maurice Willmore BARLEY and Robin Lindsay STOREY, [Art.] Durham, in: Lexikon des Mittelalters 3, Munich 1986, cols. 1477–1481.

⁹⁷ For examples see Alan HARDING, England in the Thirteenth Century, Cambridge 1993, pp. 233–250.

Heisterbach as a model for own *Vita* of Archbishop Engelbert I of Cologne, whose turbulent involvement in secular affairs, it seems, was not so singular for a bishop in Latin Europe.⁹⁸

3 Bishops in Medieval Jewish-Christian Relations

By combining the roles as protagonists of the Church militant and their multiple, if varying functions in secular affairs, bishops have always occupied a prominent position in Jewish-Christian relations. Ever since the times of the Church Fathers, for example, they made key contributions to the literature of *Adversus Judaeos* apologetics and polemical writings against Judaism. It should be noted that many of the early polemics appear in treatises that are mainly concerned with the doctrinal quarrels inside the church. From Bishops Eusebius of Caesarea and Hilary of Poitiers in the fourth century to Archbishops Ildefonsus and Julian of Toledo in the seventh, the figure of the ‘Jew’ appears in writings primarily aimed at the refutation of (presumed) heresies.⁹⁹ Next to these, there is a larger body of exegetical literature, much of which was produced by authors of episcopal rank, aimed at demonstrating the superiority of a Christological reading of the “Old Testament” and the failings of the Jewish, “carnal” understanding of the Law. Much of this argument draws on typology and allegory and revolves around a set of biblical *testimonia*.¹⁰⁰ Augustine, bishop of Hippo Regius (d. 430), whose numerous writings display an ongoing concern with the indispensable value of the Old Testament, famously worked these readings into an overarching narrative, *De Civitate Dei*.¹⁰¹ From such exegetical concerns emerged a tradition of *Adversus Judaeos* writings in the more circumscribed sense of the term, touching on issues like God’s presumed rejection of the Jewish people.¹⁰² It should

⁹⁸ Cf. KLEINE, Thomas (as in n. 14).

⁹⁹ See, for example, Heinz SCHRECKENBERG, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (1.–11. Jh.)*, Frankfurt am Main 1993 (Europäische Hochschulschriften, XXIII 172), pp. 276 (Eusebius), 278–281 (Hilary); 447–449 (Ildefonsus); 459–60 (Julian). See also pp. 293–94 (Basilios of Caesarea), 296 (Kyrillos, bishop of Jerusalem), 314–316 (Epiphanius, bishop of Salamis), 396 (Fulgentius, bishop of Ruspe); furthermore, Bernhard BLUMENKRANZ, *Les auteurs chrétiens latins du Moyen Âge sur les juifs et le judaïsme*, Paris, Louvain & Dudley 2007 (Collection de la Revue des Études juives 43), pp. 20–22 (Quodvultdeus, bishop of Carthage).

¹⁰⁰ See, for example, SCHRECKENBERG, *Adversus-Judaeos-Texte 1* (as in n. 99), p. 303–310 (Ambrose, archbishop of Milan), 350–51 (Theodoros, bishop of Mopsuestia), 375–76 (Eucherius, bishop of Lyons), 377–8 (Peter Chrysologus, bishop of Ravenna), 484 (Claudius, bishop of Turin).

¹⁰¹ Cf. *ibid.*, pp. 352–362. Research on Augustine’s ideas concerning Jews and Judaism is plentiful. Jeremy COHEN, *Living Letters of the Law. Ideas of the Jew in Medieval Christianity*, Berkeley, CA 1999, provides a good starting point.

¹⁰² SCHRECKENBERG, *Adversus-Judaeos-Texte 1* (as in n. 99), pp. 298 (Diodoros, bishop of Tarsos), 329 (Antiochos, bishop of Ptolemais), 331–333 (Maximinus, bishop of the Goths), 352

be kept in mind that these were rarely based on actual encounters with Jews or on a Jewish presence in local society. Where Jewish communities did exist, however, bishops took it upon themselves to address it.¹⁰³ In the fourth and fifth centuries some of them even orchestrated violent attacks on pagan temples and pogroms against Jews and synagogues, defying the intentions of the imperial rulers in their quest for control over public space in their cities.¹⁰⁴ In writings addressed to the Carolingian king Louis I the Pious (813/14–840), archbishops Agobard (d. c.840) and Amolo (d. c.850) combined their complaints over the presumed liberties of the Jews in Lyons with attacks on Jewish “superstitions”.¹⁰⁵

A new emphasis on the potentials of rational argument emerged at the turn of the twelfth century, much inspired by Anselm of Canterbury’s *Cur Deus homo* (which in itself did not address the issue of Judaism).¹⁰⁶ The twelfth-century engagement with the Christian-Jewish debate often took the form of more or less serene ‘dialogues’ (*collationes*). Among the authors of such works, bishop Odo of Cambrai (d. 1113) deserves mention.¹⁰⁷ ‘Dialogues against the Jews’, to be sure, also continued to be written, by bishops and others, according to the traditional pattern of *testimonia* collections and *vindicta* narratives. A growing number of such writings, however, were no longer authored by bishops, though sometimes dedicated to them.¹⁰⁸ From the

(Severianos, bishop of Gabala), 384 (Basileios, archbishop of Seleukia), 402–03 (Caesarius, archbishop of Arles), 438–41 (Isidore, archbishop of Sevilla), 445 (Leontios, bishop of Neapolis on Cyprus), 465 (Stephanos, [bishop?] of Bostra).

¹⁰³ John Chrysostom, later to become bishop of Constantinople (d. 407), polemicized against them when still in Antioch; cf. *ibid.*, pp. 320–329.

¹⁰⁴ Cf. Johannes HAHN, *Gewalt und religiöser Konflikt. Studien zu den Auseinandersetzungen zwischen Christen, Heiden und Juden im Osten des Römischen Reiches (von Konstantin bis Theodosius II.)*, Berlin 2004 (Klio, n.s. 8), pp. 276–280.

¹⁰⁵ SCHRECKENBERG, *Adversus-Judaeos-Texte 1* (as in n. 99), 491–499 (Agobard), 502–506 (Amolo); cf. Johannes HEIL, Agobard, Amolo, das Kirchengut und die Juden von Lyon, in: *Francia* 25 (1998), pp. 39–76; Amolo von Lyon, *Liber de perfidia Iudaeorum*, ed. by Cornelia HERBERS-RAUHUT, Wiesbaden 2017 (MGH Quellen zur Geistesgeschichte des Mittelalters 29).

¹⁰⁶ Cf. Anna Sapir ABULAFIA, *Christians and Jews in the Twelfth-Century Renaissance*, London 1995; EAD., *Christians and Jews in Dispute. Disputational Literature and the Rise of Anti-Judaism in the West (c. 1000–1150)*, Aldershot [etc.] 1998 (Variorum Collected Studies 621).

¹⁰⁷ Odo served as master of the cathedral school in Tournai, before converting to the monastic life by 1092. He was elected bishop of Cambrai in 1105 and managed to assume office in 1107, only to withdraw soon afterwards. See the editor’s introduction in: Odo of Tournai, *Original Sin and A Disputation with the Jew, Leo, Concerning the Advent of Christ, the Son of God. Two Theological Treatises*, ed. by Irven M. RESNICK, Philadelphia, PA 1994, pp. 1–21.

¹⁰⁸ For an anonymous *Dialogus*, erroneously ascribed to William of Champeaux, bishop of Châlons-en-Champagne (d. 1122), see SCHRECKENBERG, *Adversus-Judaeos-Texte 1* (as in n. 99), pp. 85–87. The work is dedicated to Bishop Alexander of Lincoln. On bishop Bartholomew of Exeter and archbishop Baldwin of Canterbury, as well as on Peter of Cornwall’s treatise dedicated

mid-thirteenth century onwards, it appears that the field of anti-Jewish polemics was largely occupied by the mendicant friars and their new themes and methods, while bishops were withdrawing from literary exercises in general. Still, individual figures like Pedro Pascual, bishop of Jaén (d. 1300), and Stephan Bodeker, bishop of Brandenburg (d. 1459) did produce new *Contra Judaeos* texts.¹⁰⁹

Of the writers named thus far, Augustine of Hippo was certainly the one to reach the most lasting impact. His conception of the Jew as a “living witness of the Law” helped to circumscribe a place and role for Jews in the *societas christiana*, and set them apart from heretics. “Slay them not!”, an injunction taken from Psalms 59:12, became a cornerstone of the Church’s teaching regarding Jews, traceable in papal and episcopal policies throughout the medieval period.¹¹⁰ This legacy was complemented by the more legally-inspired guidelines formulated by Pope Gregory the Great (d. 604) in his numerous pastoral letters, most of which were addressed to contemporary bishops and archbishops.¹¹¹ It was Gregory who phrased the core of what later became the papal bull *Sicut Judaeis*, issued to Jewish recipients from the twelfth century onwards.¹¹² It is possible that the Augustinian principle of according the Jews an essential, if circumscribed role in the Christian *civitas* inspired those German bishops who, from around the mid-tenth century, sought to settle Jews at their episcopal sees. These prelates found it essential “to also convene Jews” in their cities, as bishop

to Archbishop Stephen Langton, see Gerd Mentgen’s contribution to the present collection, pp. 75–79. An early-fourteenth-century example is represented by Nicholas of Strasbourg OP, who dedicated a (mostly plagiarized) treatise *De adventu Christi et Antichristi et finde mundi* to Archbishop Baldwin of Trier in 1323 and then to Pope John XXII in 1326; cf. Eugen HILLENBRAND and Kurt RUH, Nikolaus von Straßburg OP, in: *Verfasserlexikon* (as in n. 8), vol. 6 (1987), cols 1153–1162.

¹⁰⁹ Heinz SCHRECKENBERG, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld* (13.–20. Jh.), Frankfurt am Main [etc.] 1994 (Europäische Hochschulschriften III 497), pp. 327–28 (Pedro Pascual, *Disputa del Bispe de Jaén contra los jueus sobre la fe católica*); 515–518 (Stephan Bodeker, *Contra Iudaeos*). On Bodeker, see Annette WIGGER, Stephan Bodeker O. Praem., Bischof von Brandenburg (1421–1459). Leben, Wirken und ausgewählte Werke, Frankfurt a. M. 1992 (Europäische Hochschulschriften III 532).

¹¹⁰ For medieval echoes of Augustine’s teaching, see Christoph CLUSE, “Töte sie nicht!” Echos der augustiniischen Theologie über die jüdische ‘Zeugenschaft’ im Mittelalter, in: *Augustinus – Christentum – Judentum. Ausgewählte Stationen einer Problemgeschichte*, ed. by Christof MÜLLER and Guntram FÖRSTER, Würzburg 2018 (Res et signa 13), pp. 113–155.

¹¹¹ SCHRECKENBERG, *Adversus-Judaeos-Texte* 1 (as in n. 99), pp. 424–435; BLUMENKRANZ, *Auteurs* (as in n. 99), pp. 75–80; *The Apostolic See and the Jews*, [vol. 1:] *Documents: 492–1404*, ed. by Shlomo SIMONSOHN, Toronto 1988 (Studies and Texts 94), nos. 3–28, pp. 3–24. See also COHEN, *Living Letters* (as in n. 101), pp. 73–94.

¹¹² SIMONSOHN, *Apostolic See* (as in n. 111), no. 19, pp. 15–16 (Gregory the Great); no. 44, p. 44 (Calixtus II); no. 46, p. 47 (Eugenius III), no. 49, p. 51 (Alexander III). The *Liber Extra* (X 5.6.9) cites a version issued by Clement III (1080–1100).

Rudiger of Speyer famously phrased it in 1084. Their episcopal sees were at the same time styled as ‘holy cities’ on the model of Rome, the papal city where a Jewish community had been present ever since the first century of the Christian era.¹¹³

The *vitae* and *gesta* of early and high medieval bishops, mostly written by members of their cathedral chapters or by monks, reveal much about the expectations contemporaries harboured towards bishops and about the episcopal self-image. Bishops are depicted as rulers and builders of cities, as patrons of monasteries and collegiate churches, as fathers of the poor, and as preachers of the faith.¹¹⁴ These roles and expectations also extend to Jews and sometimes appear as conflicting and contradictory. On the one hand, Jews are presented as objects of missionary activities¹¹⁵, down even to forced baptism campaigns.¹¹⁶ The issue was by no means purely a matter of literary convention¹¹⁷, and as late as 937–39 Archbishop Frederick of Mainz inquired from Pope Leo VII whether it was his duty to force the Jews of his city to convert. Leo spoke out against forced baptism but allowed for the possibility of expelling Jews who refused to yield to conversionary preaching.¹¹⁸ On the other hand, the ideal of

¹¹³ HAVERKAMP, *Beziehungen* (as in n. 7); ID., *Beginning* (as in n. 7).

¹¹⁴ Cf. Stephanie HAARLÄNDER, *Vitae episcoporum*. Eine Quellengattung zwischen Hagiographie und Historiographie, untersucht an Lebensbeschreibungen von Bischöfen des Regnum Teutonicum im Zeitalter der Ottonen und Salier, Stuttgart 2000 (Monographien zur Geschichte des Mittelalters 47).

¹¹⁵ See, for example, Immacolata AULISA, *Giudei e cristiani nell’agiografia dell’Alto Medioevo*, Bari 2009 (Quaderni di Vetera Christianorum 32), pp. 82–83 (Leucius of Brindisi), 51–52 and 300 (Atticus of Constantinople), 88 (Willibald of Eichstätt); also BLUMENKRANZ, *Auteurs* (as in n. 99), pp. 66 (Germanus of Auxerre), 67–96 (Gregory of Tours); Gilbert DAHAN, *Saints, demons et juifs*, in: *Santi e demoni nell’alto medioevo occidentale (secoli V–XI)*, vol. 2, Spoleto 1989 (Settimane di studio del Centro Italiano di Studi sull’Alto Medioevo 36,2), pp. 610–645, at pp. 618 (Eleutherius of Tournai), 622–23 (Gerland of Agrigento). Some early medieval bishops appear as patrons of converted Jews; see AULISA (as above), p. 140. On Archbishop Egilbert of Trier (d. 1101) and his conversionary efforts in 1096, see “*Gesta Treverorum*”, in: MGH SS VIII, Hannover 1848, pp. 190–91, as well as below, p. 31.

¹¹⁶ For bishops offering Jews the choice of baptism or expulsion see, for example, BLUMENKRANZ, *Auteurs* (as in n. 99), pp. 64 and 70 (Avitus of Clermont), 66 (Germanus of Auxerre), 70–72 (Gregory of Tours), 106–10 (Severus of Minorca), 110 (Sulpicius of Bourges), 131–32 (Ferreolus of Uzès), 250–51 (Auduin of Limoges). See also AULISA, *Giudei e cristiani* (as in n. 115), pp. 302–03.

¹¹⁷ The fact that at least some early Frankish bishops took recourse to force for baptizing Jews is confirmed by the letters of Gregory the Great; see SIMONSOHN, *Apostolic See* (as in n. 111), no. 5, p. 4–5 (Virgil of Arles and Theodore of Marseille, 591). DAHAN, *Saints* (as in n. 115), p. 621, speaks of a possible “wave of conversions” in the late sixth to early seventh centuries.

¹¹⁸ SIMONSOHN, *Apostolic See* (as in n. 111), no. 34, pp. 32–33. HAVERKAMP, *Beziehungen* (as in n. 7), pp. 75–76, shows how Frederick’s concerns connect to previous discussions at a church council in Erfurt in 932, fuelled by reports (of apparently Byzantine origin) of a miraculous mass conversion.

the bishop as *pater civitatis* demanded, at least in terms of a proper *vita*, that Jews would be present at a bishop's ceremonial entry¹¹⁹ or—as is more often the case—at his funeral.¹²⁰ Researchers tend to regard such reports as literary *topoi*, and Michael Toch has forcefully argued that they relate not to social realities but to “virtual” Jews.¹²¹ In light of the eulogy for Bishop John I of Speyer (d. 1104) contained in the Hebrew narrative on the foundation of the local Jewish community—“may his memory be blessed and exalted for ever”—the idea that medieval Jews at least on some occasions ritually mourned the death of a Christian bishop should not be altogether ruled out.¹²² Taken together, the Latin sources, too, present Jews as a matter of concern for bishops. In at least some cases, they can safely be read as evidence of frequent encounters and friendly relations.¹²³

From the tenth century onwards, bishops appear as protectors and rulers over Jews. This is clearly the case in the Eastern Frankish kingdom of Germany¹²⁴, though it would be an oversimplification to reduce it to an aspect of the so-called “imperial church system” of the Ottonian and Salian kings.¹²⁵ Regional and local studies have highlighted that bishops in the Kingdom of Sicily, in Spain and Southern France were also endowed with rights of jurisdiction over Jews (especially those living in

¹¹⁹ BLUMENKRANZ, Auteurs (as in n. 99), p. 56 (Meletios of Antioch). On the importance of episcopal entries (*adventus*) and burials see Timothy REUTER, Reuter, A Europe of Bishops. The Age of Wulfstan of York and Burchard of Worms, in: Patterns of Episcopal Power: Bishops in Tenth and Eleventh Century Western Europe, ed. by Ludger KÖRNTGEN and Dominik WASSENHOVEN, Berlin 2011 (Prince Albert Research Publications 6), pp. 17–38, at pp. 17–21.

¹²⁰ Michael TOCH, Mehr Licht: eine Entgegnung zu Friedrich Lotter, in: Aschkenas 11 (2001), pp. 465–487, on pp. 470–71 provides the following list: Ambrose of Milan (d. 397), Paulinus of Nola (d. 431), Hilary of Arles (d. 449), Caesarius of Arles (d. 542), Gallus of Clermont (d. 551), Adalbero II of Metz (d. 1004), Walthard of Magdeburg (d. 1012), Bardo of Mainz (d. 1051) and Anno of Cologne (d. 1075). See also the *vitae* of St Gallus (written by a bishop, Gregory of Tours) and of abbess Rusticula of Arles, listed *ibid.*

¹²¹ BLUMENKRANZ, Auteurs (as in n. 99), p. 63 n. 6; DAHAN, Saints (as in n. 115), p. 628; TOCH, Mehr Licht (as in n. 120). On Hugh of Avalon, bishop of Lincoln (d. 1200), see Mentgen's contribution to the present collection, below, p. 82.

¹²² Cf. Hebräische Berichte über die Judenverfolgungen während des Ersten Kreuzzugs, ed. by Eva HAVERKAMP, Hannover (MGH Hebräische Texte aus dem mittelalterlichen Deutschland 1), p. 493: יתברך ויתעלה זכרו לעד. Bishop John died just weeks after the ceremonious opening of Speyer's synagogue, described in the Hebrew source in question.

¹²³ BLUMENKRANZ, Auteurs (as in n. 99), pp. 43–44 (Sidonius Apollinaris), 49–52 (Caesarius of Arles), 72–73 (Cautinus of Clermont), 214 (a bishop at Charlemagne's court); See also HAARLÄNDER, *Vitae episcoporum* (as in n. 114), p. 233 (*Vita Heriberti*).

¹²⁴ See the articles cited above, n. 6, and the contributions by Jörg Müller, Birgit Wiedl and Ewa Wołkiewicz in the present collection.

¹²⁵ Cf. above, n. 24.

their episcopal cities)¹²⁶, and that in Northern France, too, at least some prelates harboured close relations with Jewish individuals at their courts.¹²⁷ At the same time, studies on the kingdoms of France and England also show that bishops tended to take a more rigorous stance vis-à-vis the Jewish community of the realm when they had no direct share in the system of protection and taxation. They rather used their presence at the royal court and in the estates of the kingdom to press for stricter adherence to the demands of canon law and conciliar legislation.¹²⁸

In all of these settings, spatial proximity created opportunities for encounter and interaction. While kings may have claimed immediate jurisdiction and fiscal control over Jews in most of Latin Europe, the fact is that the larger, traditional communities almost exclusively lived in cathedral cities. The phenomenon occurs not only in the Eastern Frankish/German kingdom but in Western Europe in general—even in England, where royal control over the Jewry remained exceptionally strong until the expulsion of 1290.¹²⁹ Jewish cemeteries were usually found outside the walls of an episcopal *civitas*, and a French document of the early fourteenth century even demanded that there should be no more than one Jewish cemetery *per diocese*.¹³⁰ In fourteenth-century Germany a clear correlation between cathedral cities, Jewish cemeteries, and the royal Jewry-tax system has been observed.¹³¹ In Spain, too, the system of royal taxation by means of *collectae* was focused on the central *aljamas*, which were situated at the episcopal sees.¹³²

The early medieval role models set the stage for later developments in the attitudes of bishops towards the Jews at their sees or in their dioceses at large. They reached

¹²⁶ See the contributions by Lukas Clemens, Lucy Pick and Juliette Sibon (all with further bibliography) in the present collection; also Maya Soifer IRISH, *Jews and Christians in Medieval Castile. Tradition, Coexistence, and Change*, Washington, D.C. 2016, pp. 132–147.

¹²⁷ For an example, see below, p. 36.

¹²⁸ For England's bishops see Gerd Mentgen's contribution in the present collection; for Castile, see Javier CASTAÑO GONZÁLEZ, *Las comunidades judías en el Obispado de Sigüenza en la baja edad media: Transformación y disgregación del judaísmo en Castilla a fines del medievo*, Ph.D. dissertation, Madrid 1994, pp. 191–211; IRISH, *Jews and Christians* (as in n. 126), pp. 103–131.

¹²⁹ Cf. Robert MUNDILL, *England's Jewish Solution. Experiment and Expulsion, 1262–1290*, Cambridge 1998, pp. 17–26.

¹³⁰ Cited in J. Müller's contribution in the present volume, p. 124, n. 40.

¹³¹ The seminal studies are those of Franz-Josef ZIWES, *Studien zur Geschichte der Juden im mittleren Rheingebiet während des hohen und späten Mittelalters*, Hannover 1995 (FGJ A 1), pp. 77–84, esp. p. 83, and Rainer BARZEN, Friedhelm BURGARD and Rosemarie KOSCHE, *The Hierarchy of Medieval Jewish Settlements seen through Jewish and Non-Jewish Sources*, in: *Jewish Studies* 40 (2000), pp. 57*–67*.

¹³² For the *collecta* system see Yom Tov ASSIS, *Jewish Economy in the Medieval Crown of Aragon 1213–1327: Money and Power*, Leiden [etc.] 1997 (Brill's Series in Jewish Studies 18), pp. 183–205.

from relationships of protection and trust, through matter-of-fact economic relationships, down to missionary preaching coupled with threats of expulsion. By the High Middle Ages, bishops in all of Latin Europe disposed of secular rights and duties to varying degrees. All of them, however, could claim authority, including jurisdiction, on account of their ecclesiastical rank and functions. In local or provincial synods¹³³ and at ecumenical councils they contributed to the Latin Church's general policies towards the Jewish minority. With the coalescence of canon law over the course of the tenth to thirteenth centuries, episcopal synods also became, to some extent, a forum for the papal Curia to enforce their views in matters touching the Jewry. It has been noted, for example, that local synods tended to enact stricter guidelines when they were convoked by papal legates¹³⁴, and the effect is significant when we look at statutes relating to Jews and Christian-Jewish relations.¹³⁵

In many parts of Europe, Christian kings, who in principle claimed exclusive jurisdiction over the Jews of their kingdom, not only granted away some of their rights (and income) to bishops and ecclesiastical houses; they also conceded that there were questions that by nature pertained to the domain of episcopal authority.¹³⁶ For example, the kings of Aragón would in principle accept that Jews needed authorization from the local bishop when they wanted to repair or extend their synagogues, let alone build a new one, a claim anchored in the *Decretals* of Pope Gregory IX (*Liber Extra*, 5.6.3 and 5.6.7). Jaume Riera i Sans has collected a rich array of documents showing that the bishops in this kingdom sometimes made precise demands regarding

¹³³ Excepting the cases of England and Poland, editorial work on diocesan and provincial synods is still unsatisfactory, since scholars have too long relied on the collections of their eighteenth-century predecessors (notably, Giovanni Domenico Mansi, d. 1769). See Nathalie KRUPPA, Einführung, in: Partikularsynoden (as in n. 57), pp. 11–27; JOHANEK, Synodaltätigkeit (as in n. 57).

¹³⁴ Peter JOHANEK, Synodalia. Untersuchungen zur Statutengesetzgebung in den Kirchenprovinzen Mainz und Salzburg während des Spätmittelalters, Habilitation thesis, Universität Würzburg, 1978/79, vol. 1, pp. 95–96.

¹³⁵ Recall, for example, the influence of the Paris synod convoked by cardinal Robert Courson in 1213 on the decrees of the Fourth Lateran Council of 1215 (Jessalynn BIRD, Heresy, Crusade and Reform in the Circle of Peter the Chanter, c.1187–c.1240, Ph.D. dissertation, University of Oxford, 2001); the provincial synod of Salzburg at Vienna, and of Gniezno at Wrocław under Guy of San Lorenzo, in 1267 (cf. the contributions by Birgit Wiedl and Ewa Wołkiewicz, below, pp. 286 and 308). On Cardinal Nicholas of Cusa and his legation to Germany in 1451/52, cf. Karl-Heinz ZAUNMÜLLER, Nikolaus von Cues und die Juden. Zur Stellung der Juden in der christlichen Gesellschaft um die Mitte des 15. Jahrhunderts in den deutschen Landen, Ph.D. dissertation, Universität Trier 2005.

¹³⁶ When the Aragonese kings of Sicily contested the episcopal rights of jurisdiction over Jews in Mazara (1321) and Palermo (1331), they had to concede that these rights were founded on Staufen royal privilege; cf. The Jews in Sicily, vol. 2: 1302–1391, ed. by Shlomo SIMONSOHN, Leiden, Boston & Cologne 2000 (A documentary history of the Jews of Italy 16), nos. 347, 350, 358, 399 and 438–441, pp. 624–25, 626–27, 642–43, 672–73 and 688–699.

the size and even the interior design of synagogues.¹³⁷ Similar conditions obtained in Castile and elsewhere in Europe.¹³⁸ Arguing perhaps from analogy, or by recourse to the ecclesiastical protection of Jewish cemeteries expressed in *Sicut Judaeis* (X 5.6.9), some bishops also claimed the right to decide on the permissibility of founding or extending a Jewish burial site.¹³⁹ Church courts moreover interfered in matters touching conversion and the marriage of converts, but also on other issues. Surprisingly, they would sometimes order a Jewish ban (*herem*) to be pronounced in the synagogue, apparently at the behest of Jewish claimants.¹⁴⁰ Wherever Christian laypeople resorted to ecclesiastical jurisdiction in matters concerning business and finance, Jews also became involved in such proceedings, both as creditors and debtors.¹⁴¹ Many of the church courts had long established routines that worked without the bishops' (or archdeacons') direct involvement. The prelates, however, sought to maintain a degree of personal influence by reserving certain cases (including usury¹⁴²) for themselves and by appointing new judges (such as vicars general *in spiritualibus*) to adjudicate them. At the same time, a new judicial system was built up in the (papal) Inquisition, whose personnel was mostly recruited from the mendicant orders, especially the Dominicans. These tribunals emerged in parallel to the "ordinary" jurisdiction of the bishops and often competed with it.¹⁴³

¹³⁷ Cf. Jaume RIERA I SANS, *Els poders públics i les sinagogues, segles XIII–XV*, Girona 2006 (Girona Judaica 3), pp. 83–113, and the numerous documents published *ibid*.

¹³⁸ Maya Soifer IRISH, *Tamquam domino proprio: Contesting Ecclesiastical Lordship over Jews in the Thirteenth Century*, in: *Medieval Encounters* 19 (2013), pp. 534–566; EAD., *Jews and Christians* (as in n. 126), pp. 77–102; MEYERSON, Ramon Despont (as in n. 4), p. 644; LUZZATI, Vescovi (as in n. 6), pp. 1120. On bishop Richard of Chichester, see Mentgen's contribution below, pp. 92–93.

¹³⁹ See Cluse's contribution, below, p. 389, n. 283. It should be noted that many plots for Jewish cemeteries were acquired from ecclesiastical institutions.

¹⁴⁰ Cf. Cluse's contribution, below, p. 389.

¹⁴¹ See, for example, Elizabeth L. HARDMAN, *Conflicts, Confessions, and Contracts: Diocesan Justice in Late Fifteenth-Century Carpentras*, Leiden 2017 (Studies in Medieval and Reformation Traditions 205), pp. 169–70 and 173, as well as Cluse's contribution, below, pp. 394–406.

¹⁴² For usury cases pressed by bishops against the Jews of their city or diocese, see, for example, MEYERSON, Ramon Despont (as in n. 4). See also the German cases presented in Cluse's contribution below, pp. 364–65.

¹⁴³ Cf. Daniela MÜLLER, *L'inquisiteur et l'évêque. Différences et rassemblements dans les registres de Geoffroy d'Ablis et de Jacques Fournier*, in: 1209–1309. *Un siècle intense au pied des Pyrénées. Actes du colloque tenu à Foix*, ed. by Claudine PAILHES, Foix 2010, pp. 267–280. In 1369 King Frederick III of Sicily instructed his officials to assist the inquisitor Simone del Pozzo in carrying out his tasks—prosecuting heretics and "destroying newly constructed synagogues": SIMONSOHN, *Jews in Sicily 2* (as in n. 136), no. 899, pp. 1006–07 (*nec non et destruendas sinagogas Iudeorum de novo constructas contra canonica instituta*).

4 *Hegmon*: Images of the Bishop in Jewish Writings

If bishops are so central to the Church's relations with Jews, how then did Jews view them, how is their figure portrayed in Hebrew writings? Historians have rarely addressed this question, and a study is sadly lacking in the present collection.

The technical term for a Christian bishop in the Hebrew writings of European Jews was *hegmon* (הגמון). Like *archisynagogus* (which appears, for example in a Latin document in Speyer, 1084) and like certain liturgical and narrative traditions, the term betrays a Byzantine (Southern Italian) Jewish heritage. Surprisingly, however, we have found no evidence that bishops in Byzantium were termed *ἡγεμών*.¹⁴⁴ In Talmudic literature the loan-word *hegmon* frequently appears but is generally understood by modern translators to denote an 'officer' or other representative of secular rule. By contrast, *Megillat Ahima'az*, a Jewish 'family chronicle' from Southern Italy (10th/11th centuries) speaks of the *hegmoniya* (הגמוניא) of Oria when referring to the local bishop's palace and court of law.¹⁴⁵ Ever since the millennium, European Jews quite consistently spoke of *hegmonim* (הגמונים) when speaking of bishops—in other words, they appropriated the Greek term for a (secular) government officer despite the fact that all surrounding languages used derivatives of another Greek term, namely *episkopos* (ἐπίσκοπος) to denote the bishop's role as 'supervisor' or head of the Christian community. It has been suggested that this usage might be derived from a related Greek term, the verb *ἡγεμονεύω*, used for the functions of an abbot (hence, *ἡγεμονεῖον* denotes 'the residence of the abbot').¹⁴⁶ Given the importance of abbots in the Greek church and the ways in which the monastic ideal informed the image of the bishop in both East and West during the early medieval period, this is plausible. It is also possible that Jews more or less consciously chose the more neutral term *hegmon* in order to downplay the religious office of the bishop. At the same time, we should not forget that bishops indeed played a central role for many Jews in their daily lives, focused on the cities under episcopal rule. Particularly in the Ottonian and Salian kingdom of Germany (though not only here), bishops were the most tangible local representatives of royal rule; what is more, they were the Jews' nearest protectors.

The story in *Megillat Ahima'az* centring on the bishop's palace in Oria tells of a certain R. Hananel, who had incautiously offered to convert to Christianity in case

¹⁴⁴ Charles Du Fresne DU CANGE, *Glossarium ad Scriptores Mediae et Infimae Graecitatis*, vol. 1, Lyon 1688, col. 471, translates *ἡγεμών* with 'praeses', 'judex'.

¹⁴⁵ Robert BONFIL, *History and Folklore in a Medieval Jewish Chronicle. The family chronicle of Ahima'az ben Paltiel*, Leiden 2009 (*Studies in Jewish History and Culture* 22), p. 285.

¹⁴⁶ *Lexikon zur byzantinischen Gräzität*, ed. by Erich TRAPP, fasc. 4, Vienna 2001 (*Veröffentlichungen der Kommission für Byzantinistik* 6,4), p. 650. These terms more clearly point towards a religious office than *ἡγεμών*, as noted by BONFIL, *History* (as in n. 145), p. 284, n. 298.

his calculation on the impending entry of the New Moon should turn out to be incorrect. Unfortunately it was, and Ḥananel was only saved by God's intervention in the course of nature.¹⁴⁷ The narrative later reappears in a new setting in the Rhineland, in the famous story of R. Amnon of Mainz.¹⁴⁸ Rabbi Amnon does not enter a gambit like Ḥananel did. He merely gives in to the entreaties of his (arch-)bishop in so far as to ask for a three-day period of reflection, before pronouncing his decision not to accept baptism. Taking up another story from *Megillat Ahima'az*¹⁴⁹, the Amnon legend goes on to relate the gruesome revenge at the hands of the frustrated bishop, and Amnon's 'disappearance' into the heavenly *yeshiva*.¹⁵⁰

The Ḥananel-Amnon narrative offers a new perspective on the importance for Jews of close relations with the episcopal court¹⁵¹, where political protection and a certain intimacy were coupled with the ruler's powers over life and limb. In both cases it is infused with the concerns of Jewish communities traumatized by the threat of forced conversion.¹⁵² The tale of R. Amnon, in particular, addresses the dangers of even thinking about conversion. In the twelfth-century Rhineland, these concerns also find expression in the highly ambiguous figure of the *hegmon* in the Hebrew narratives relating the persecutions of 1096. Caught up in the tension between their legal obligation and promises of protection, on the one hand, and their ecclesiastical duties of advancing the faith, on the other, the Rhenish bishops display a broad

¹⁴⁷ BONFIL, History (as in n. 145), pp. 284–291.

¹⁴⁸ Cf. Lucia RASPE, Jüdische Hagiographie im mittelalterlichen Aschkenas, Tübingen 2006 (Texts and Studies in Medieval and Early Modern Judaism 19), pp. 130–198. While the Amnon legend is best known from the *Mayse-Bukh* (1602) and Gedalyah Ibn Yahya's *Shalshet ha-Qabbalah* (1587), it can be traced back to the late-twelfth century (ibid., pp. 130–31). Raspe observes (p. 146) that where the Ashkenazi tradition speaks of a bishop (הגמון or, in Yiddish, פֿישׁן), Ibn Yahya, who hailed from a Sefardi family, writes of a 'lord' (אדון) or sometimes 'king' (מלך).

¹⁴⁹ See the account immediately following the Ḥananel story, of the mutilation and execution of one Tofilo: BONFIL, History (as in n. 145), pp. 290–293.

¹⁵⁰ RASPE, Hagiographie (as in n. 148), p. 152. Amnon then appears to R. Qalonymos b. Meshulam in a dream, passing on to him the words of the famous piyyuṭ, *Untanneh Tokef*, which became part of the liturgy for *Rosh ha-Shana* and *Yom Kippur*. Modern scholarship has cast doubts on its attribution to either 'R. Amnon' or Qalonymos b. Meshulam.

¹⁵¹ As noted by Alfred HAVERKAMP, Baptised Jews in German Lands during the Twelfth Century, in: Jews and Christians in Twelfth-Century Europe, ed. by Michael A. SIGNER and John VAN ENGEL, Notre Dame, IN 2001 (Notre Dame Conferences in Medieval Studies 10), pp. 255–310, at pp. 278–79.

¹⁵² The memories of forced conversion decrees in Byzantine Southern Italy appear in *Megillat Ahima'az* too; cf. BONFIL, History (as in n. 145), pp. 270–71. See also HAVERKAMP, Beziehungen (as in n. 7), pp. 61, 75. For Ashkenaz, see Ivan G. MARCUS, Une communauté pieuse et le doute. Mourir pour la Sanctification du Nom (*Qiddouch ha-Chem*) en Ashkenaz (Europe du Nord) et l'histoire de rabbi Amnon de Mayence, in: Annales E.S.C. 49 (1994), pp. 1031–1047, and RASPE, Hagiographie (as in n. 148), p. 200, n. 2.

spectrum of reactions¹⁵³—from resolute (and mostly effective) punishment of the attackers, as in the case of Bishop John of Speyer¹⁵⁴, down to helpless pleas for conversion, as in Archbishop Egilbert of Trier.¹⁵⁵ In one episode concerning the events in Worms, the local bishop takes up Jews in his “chamber” (*heder*).¹⁵⁶ The situation changes after the first onslaught, however, and the chamber now threatens to become a stage of forced baptism.¹⁵⁷ The deeds of Archbishop Ruthard of Mainz are depicted in great detail—his deliberations with the Jewish community leaders, his pledges of protection, his efforts at evacuation, and his joy in meeting a survivor at his castle in Rüdesheim.¹⁵⁸ However, when Ruthard’s endeavours fail in the face of the overwhelming crusader forces, he turns to entreating the surviving Jews to accept baptism.¹⁵⁹ Whereas the shorter anonymous account concludes that “ultimately he failed”¹⁶⁰, the more extensive reworking by Solomon bar Simson moves the agency and responsibility away from the archbishop—“in the end, all the bribery and all the diplomacy did not avail in protecting us *on the day of wrath* (Proverbs 11:4) from catastrophe”. It is God’s inescapable wrath that has fallen on the chosen generation of the martyrs of 1096.

Hebrew narratives relating to the persecutions of the twelfth century continue to present bishops in changing lights. This is the case both in R. Ephraim of Bonn’s “Book of Remembrance” (*Sefer Zekhirah*) on the persecutions between 1146 and 1187¹⁶¹, and in R. El’azar b. Judah’s report of the anti-Jewish unrest in and around

¹⁵³ Cf. Sarah SCHIFFMANN, *Die deutschen Bischöfe und die Juden zur Zeit des ersten Kreuzzuges*, in: *Zeitschrift für die Geschichte der Juden in Deutschland* 3 (1931), pp. 233–250.

¹⁵⁴ Cf. HAVERKAMP, *Hebräische Berichte* (as in n. 122), pp. 266–67, where the narrator underlines that Bishop John did all this without taking a bribe.

¹⁵⁵ Cf. *ibid.*, pp. 474–477.

¹⁵⁶ Cf. *ibid.*, pp. 272–73 (where in n. 15 the editor highlights the association of Hebr. *חדר* and Lat. *camera*).

¹⁵⁷ See the story of Simḥa ha-Kohen, who when faced with the demand to convert rather killed a “bishop’s relative”, *ibid.*, pp. 286–87.

¹⁵⁸ As Robert CHAZAN, *European Jewry and the First Crusade*, Berkeley, CA 1987, p. 93, points out, the report “leaves little room to doubt the sincerity of Archbishop Ruthard.”

¹⁵⁹ HAVERKAMP, *Hebräische Berichte* (as in n. 122), pp. 292–295, 308–09, 346–47, 392–93.

¹⁶⁰ *Ibid.*, p. 294–95 (German translation: “am Ende kippte er um”). The phrase alludes to bT Rosh ha-Shana 3b (see *ibid.*, n. 15), and the term *החניף* in this passage is sometimes rendered ‘he became corrupt’.

¹⁶¹ *Hebräische Berichte über die Judenverfolgung während der Kreuzzüge*, ed. by Adolf NEUBAUER and Moritz STERN, coll. S. BAER, Berlin 1892 (*Quellen zur Geschichte der Juden in Deutschland* 2), pp. 60–63, 69 and 71 (Hebrew text), 190–94, 203, 206–07 and 210 (German translation). On Ephraim’s narrative concerning the persecution in Würzburg in February 1147 and the origins of the local Jewish cemetery in the bishop’s “garden” (*בגנו*), cf. Karlheinz MÜLLER, *Die Geschichte des mittelalterlichen Friedhofs der Juden in Würzburg*, in: *Die Grabsteine vom*

Mainz in 1187/88.¹⁶² The ambiguous image is also conveyed in some of the *exempla* contained in *Sefer Hasidim* (“The Book of the Pious”, Rhineland and Regensburg, 12th/13th century).¹⁶³ Here again, bishops above all exemplify the danger of forced baptism and the even greater danger for Jews of giving in to the threats rather than remaining steadfast and die “for the sanctification of the divine name”.¹⁶⁴

In a fifteenth century collection of Hebrew tales, known as the *Ninety-Nine Tales*, one story relates how a cleric belonging to the court of the bishop of Speyer entered the local synagogue and spat R. Judah (b. Qalonymos) in the face. When the rabbi ordered the cleric to be whipped, the Jewish community was cited before the bishop, who unexpectedly vindicated R. Judah’s sentence.¹⁶⁵ Another tale in the same collection takes up a motif from local folklore, relating how in a dispute over the election of the bishop of Würzburg, a fool is finally raised to the see. The story can be found in Lorenz Fries’s chronicle of the bishops of Würzburg, but the “Jewish” variant ascribes the turn of events to the sagacity of R. Eliezer b. Nathan of Mainz (the *Ra’avan*, d. c. 1170).¹⁶⁶ Eli Yassif, editor of the *Ninety-Nine Tales*, concludes that such stories bespeak the necessity for Jewish communities in medieval Ashkenaz to actively engage with the surrounding Christian societies.¹⁶⁷

Satire thus formed part and parcel of the ambiguous ways in which Jewish writers spoke about bishops. This is also apparent in polemical writings, most clearly in *Sefer*

jüdischen Friedhof Würzburg aus der Zeit vor dem Schwarzen Tod (1147–1346), ed. by ID. et al., 3 vols, Würzburg 2011 (Veröffentlichungen der Gesellschaft für Fränkische Geschichte IX 58), vol. 1, pp. 175–211, at pp. 175–181.

¹⁶² Cf. NEUBAUER & STERN, *Berichte* (as in n. 161), pp. 76 and 78 (Hebrew text), 214 and 218–19 (German translation), where El’azar notes that “the bishops threatened with their bans (החרים)” anyone who dared harm a Jew, i.e., that they were using the threat of excommunication against them.

¹⁶³ We have made use of the Princeton University *Sefer Hasidim* Database, available online at <etc.princeton.edu/sefer_hasidim/> (last consulted in December 2022): *Sefer Hasidim*, Parma MS H 3280, nos 58 (a prudent bishop and town lord), 272 and 619 (bishops seen in hell by a Christian lady returned from death, also in the Bologna edition of 1538, no. 270), 1798 and 1862 (on which see next note).

¹⁶⁴ Cf. CHAZAN, *European Jewry* (as in n. 158), pp. 143–44 (on *Sefer Hasidim*, Parma, no. 1862), p. 147 (on no. 1798).

¹⁶⁵ Cf. *Ninety-Nine Tales: The Jerusalem Manuscript Cycle of Legends in Medieval Jewish Folklore* [in Hebrew], ed. by Eli YASSIF, Tel Aviv 2013, no. 38, p. 203.

¹⁶⁶ YASSIF, *Ninety-Nine Tales* (as in n. 165), no. 41, pp. 193–94; English translation in ID., *Local Identity, Spatial Consciousness and Social Tensions in Hebrew Legends from Medieval Ashkenaz*, in: *Jüdische Kultur in den SchUM-Städten: Literatur, Musik, Theater*, ed. by Karl Erich GRÖZINGER, Wiesbaden 2014 (*Jüdische Kultur* 26), pp. 39–54, at p. 50. R. Eliezer certainly had family ties with Würzburg; see the epitaph for his daughter, recovered from the local Jewish cemetery, in: *Grabsteine Würzburg* (as in n. 161), vol. 2, pp. 31–33 (no 4).

¹⁶⁷ YASSIF, *Local Identity* (as in n. 165), p. 51.

Yosef ha-Meqaneh, written by R. Joseph b. Nathan, by-named *Official*, in the mid-thirteenth century. Consider, for example, the following story:

Once my lord and father Rabbi Nathan—may his soul be in Eden—was riding with the Bishop of Sens. On the way the Bishop dismounted from his horse [and walked] over to a thorn bush to urinate. My lord and father saw him, and he too dismounted [and walked] over to an abomination [cross] and urinated on it. The Bishop saw this and was angry, and said to him: “It is not fitting to do this, desecrating the crossed thing [= the cross].” My father answered: “On the contrary, *you* have acted foolishly! The thorn bush on which the Holy One—blessed be He—let His *shekhinah* [radiance] rest, for the sake of salvation alone, on *that* you urinated. According to what you say—that your idol was exhausted on [the cross], and stank on it, and was destroyed on it—it would be no more than reasonable if you exposed yourselves to urinate on it.”¹⁶⁸

The bishop of Sens, most certainly to be identified with Archbishop Gauthier Cornu (d. 1241)¹⁶⁹, appears in dialogue with Joseph’s father several times over in the collection.¹⁷⁰ In fact, bishops are the typical interlocutors of R. Nathan in *Sefer Yosef ha-Meqaneh*.¹⁷¹ Joseph “the zealot” (*ha-Meqaneh*) was a student of R. Yehiel of Paris and most likely also wrote the Hebrew account (*Vikkuah*) of the Paris disputation of 1240.¹⁷² Against this background, the particular licence of speech that R. Joseph ascribes to his father’s encounters with bishops, above all with the archbishop of Sens, bespeaks a certain degree of friendly relations—quite distinct from the aggressive atmosphere prevalent at the royal court of France, where mendicant friars possibly exerted greater influence than the bishops of the realm. In this context we may place

¹⁶⁸ Sepher Joseph Hamekane auctore R. Joseph b. R. Nathan Official (Saec. XIII) [in Hebrew], ed. by Judah ROSENTHAL, Jerusalem 1970, p. 14; English translation in Hanne TRAUTNER-KROMANN, *Shield and Sword. Jewish Polemics against Christianity and the Christians in France and Spain from 1100–1500*, Tübingen 1993 (Texts and Studies in Medieval and Early Modern Judaism 8), p. 101. See also Harvey J. HAMES, *Urinating on the Cross. Christianity as Seen in the Sefer Yosef Ha-mekaneh* (ca. 1260) and in Light of Paris 1240, in: *Ritus infidelium. Miradas interconfesionales sobre las prácticas religiosas en la Edad Media*, ed. by José MARTÍNEZ GÁZQUEZ and John V. TOLAN, Madrid 2013 (Collection de la Casa de Velázquez 138), pp. 209–220.

¹⁶⁹ Cf. M.-C. GASNAULT, [Art.] Cornu, Gautier, in: *Lexikon des Mittelalters* 3 (as in n. 96), col. 245.

¹⁷⁰ ROSENTHAL, *Sepher Joseph Hamekane* (as in n. 168), nos 39, 83, 92 and 93a, pp. 55–56, 78, 85 and 87.

¹⁷¹ *Ibid.*, no. 25, p. 46 (the bishop of מאנש, Le Mans?), no. 30, p. 49 (מיון, Meaux?); no. 38, p. 55 (“the king’s bishop”), nos 54 (55), 58 and 106b, pp. 65, 67 and 99 (וונש, Vannes), no. 70, pp. 71–72 (אניור, Anjou?), no. 85 (אנגולימא, Angoulême, and פייטירש, Poitiers), no. 113, p. 104 (קדש מילא, Saint-Malo) and no. 130 (an unnamed bishop). In no. 114 (pp. 104–05), R. Nathan even replies to “the Pope” (האפפיור).

¹⁷² HAMES, *Urinating* (as in n. 168), p. 210.

the Latin story, told by the Dominican friar Thomas of Cantimpré (d. 1270 or 1272), of a certain archbishop who intervened on behalf of the Jews to save the Talmud manuscripts from burning at the stake and who was punished for his corruptness by sudden death.¹⁷³

The few examples cited here may suffice to show that bishops played an important role in the ways in which Jews looked on the surrounding Christian world in medieval times. The ambiguity of the figure could only be sketched here in very general terms and certainly deserves more extensive scrutiny, taking into account, for example, the numerous mentions of *hegmonim* in the rabbinic responsa literature and including more later medieval evidence.

5 Overview

The session at the 16th World Congress of Jewish Studies (Jerusalem, 2013), which provided the point of departure for the present collection, was entitled “Who protected the Jews in the Middle Ages, and why? Relations between Jews and bishops in comparative perspective”. To be sure, the title was meant as a provocation. Opposing a prevailing view, according to which kings appear as protectors of Jews and ‘the Church’ as a continuous source of oppression and persecution¹⁷⁴, the organizers sought to establish a forum for case-studies highlighting the pervasive influence of Christianity in securing a place (however precarious) for Jews and Judaism in Latin Europe. This was in large measure an outcome of Haverkamp’s previous studies on the role of bishops in the early settlement of Jews in tenth-century Germany. Here bishops appeared as a positive force in European Jewish history. In Haverkamp’s vision, the prelates of the time were not only concerned with their temporal duties as representatives of the crown and as town builders but equally motivated by religious concerns when they decided to settle Jews in their cathedral cities.¹⁷⁵ Following Professor Haverkamp’s lead, the authors of the individual contributions presented in this collection offer new perspectives on the roles of bishops in a variety of contexts, thus providing new material towards a synthesis that still needs to be written. The case studies, arranged in roughly chronological order, cover the eleventh through

¹⁷³ Cf. Von Bienen lernen: Das Bonum universale de apibus des Thomas von Cantimpré als Gemeinschaftsentwurf. Analyse, Edition, Übersetzung, Kommentar, part 2: Edition, Übersetzung, Kommentar, ed. by Julia BURKHARDT, Regensburg 2020 (Klöster als Innovationslabore 7,2), pp. 36–38 (*Bonum universale de apibus*, 1.3.6).

¹⁷⁴ A call to revise this “common myth” is already expressed in ROTH, Bishops (as in n. 5). The short article, however, provides no more than a selection of instances without in-depth analysis.

¹⁷⁵ See the studies cited in n. 7, as well as Alfred HAVERKAMP, Germany, in: The Cambridge History of Judaism, vol. 6: The Middle Ages: The Christian World, ed. by Robert CHAZAN, New York 2018, pp. 239–281, esp. pp. 243–251. Cf. also Haverkamp’s early study on the fourteenth-century archbishop Baldwin of Trier: ID., Balduin (as in n. 4).

sixteenth centuries and extend from the Mediterranean South of Europe to England, then eastward to the German kingdom with its western (Trier and Cologne) and eastern provinces (Salzburg), and beyond to Silesia (Wrocław).

As Lukas CLEMENS and Lucy PICK are able to show, the practice of according royal rights of income and jurisdiction over Jews to bishops and ecclesiastical houses was by no means unique to the Ottonian and Salian kings of Germany. In situations of political change—after the Norman conquest of Sicily and in the Spanish kingdoms in the wake of the *Reconquista*—rulers were relying on episcopal support and therefore unable to maintain strictly exclusive rights over the Jews (and ‘Saracens’) of their “chamber”. Viewed in this light, the case of England, here analysed by Gerd MENTGEN, appears as a startling exception rather than the rule. Here the Norman Conquest had offered the kings a clear-slate situation, in which control over the Jewish community was tightly integrated in the structures of royal government. Twelfth and thirteenth-century bishops thus found a means of exerting influence on matters touching the Jewry mainly by voicing strongly anti-Jewish positions.

By contrast, the archbishops of the Rhineland were tightly enmeshed in the secular affairs of the German kingdom. They were endowed with extensive territorial rights and could claim a significant degree of control over the Jews who lived in their lands. As Jörg R. MÜLLER demonstrates, they found themselves entangled in the processes of territory-building and urbanization, competing with the secular barons of the surrounding areas, whether these formed part of their archdioceses or not. Similar conditions of competing interests obtained in the eastern stretches of the Empire. However, the bishops here generally held fewer temporal dominions and the regions were less intensely urbanized. In these contexts, the Jewish settlements were smaller and generally younger than in the Rhineland and the Southwest of the Empire. As appears from the analyses presented by Birgit WIEDL and Ewa WÓŁKIEWICZ in this volume, the ecclesiastical lords of Salzburg and Wrocław (Breslau) consequently accorded a lower priority to matters concerning the Jews living in their cities and towns. Their policies towards the minority—as appears, for example, from the letters of safe-conduct they issued—were generally modelled on what was common in the respective region. In both cases the Jewish communities were decimated by persecution (in Salzburg in 1404, in Wrocław in 1453), and the prelates were ready to give away what little fiscal profit they had from the Jews when, towards the end of the fifteenth century, they expelled them from their lands. As Wólkiewicz has underlined, the 1468 decree of expulsion was shaped by the experience of the new bishop, Rudolph of Rüdesheim, formerly Dean of Worms cathedral, in the Rhineland.

An interesting case-study on the use of both temporal and ecclesiastical rights of jurisdiction by late-medieval bishops is offered by Juliette SIBON’s survey concerning the bishops of Marseille. Here the local Jews in 1400 requested a reissue (*vidimus*) of the liberties granted to them by the bishop in 1218. Interestingly, this charter not only granted basic safeguards but also sought to enforce certain papal rulings. The

incident implies that the local Jews “were submitting, to some extent at least, to episcopal jurisdiction”. Indeed the church court of Marseille appears to have interfered in the affairs of the synagogue on various occasions, as the surviving collections of legal formularies suggest. The matter of ecclesiastical jurisdiction in local church courts is addressed by Christoph CLUSE in the final chapter of this book. It demonstrates that late medieval church courts by no means abstained from adjudicating pleas against Jews or even brought by Jewish claimants. Just as in Marseille, some Jews also brought cases against fellow Jews before the ecclesiastical forum in late medieval Germany. As in Wrocław and Salzburg or in Trier (where the Jews were expelled by Bishop Otto of Ziegenhain in 1419), over the course of the fifteenth century the bishops in the ecclesiastical provinces of Mainz and Magdeburg are seen adopting new attitudes towards their Jewish subjects. They now began to use their rights of ecclesiastical jurisdiction for exerting pressure on Jewish individuals and communities—including those who lived outside their temporal dominions but within the diocesan boundaries. By the end of the medieval period, new spiritual concerns were gaining ground in the policies of German ecclesiastical princes, who sought to present themselves as good rulers over their Christian subjects. The issue of Jewish moneylending had come to dominate the ecclesiastical discourse on the status of the Jews in Christian society, and “Augustinian” voices were rarely heard. Other than in the early medieval foundation period of Ashkenazic Jewry, these concerns could barely serve to build a stable foundation for protecting Jews.

Bishops and Jews in Southern Italy during the Eleventh to Thirteenth Centuries

Lukas Clemens

In the German Kingdom north of the Alps, relations of a contractual nature between the royal and episcopal overlords and the local Jewish communities can be observed for a number of cathedral cities from the eleventh century. In return for payments by the Jewish inhabitants, these agreements contained promises of protection and free exercise of Jewish religious rites as well as further regulations, some of which touched on matters of Jewish trade.¹ Despite the fact that the Christian overlords in the important centres of Jewish life on the Moselle, Rhine, and Danube rivers were unable to enforce the protection they had promised against the persecutions by external crusading bands in 1096, their letters of protection served as guidelines for organising the more or less peaceful *convivencia* of Jews and Christians in the urban centres ruled by bishops or by kings and bishops. Thus, the role of episcopal rule was of an eminent importance for the foundations of Ashkenazic Jewry.²

In the following I will try to present a first sketch of the relations between ecclesiastical overlords and Jews or Jewish communities in Southern Italy from the eleventh to thirteenth centuries. In order to give an impression of the structural differences compared with the situation north of the Alps (but also of the northern parts of the

¹ See Michael TOCH, *Die Juden im mittelalterlichen Reich*, Munich ²2003 (Enzyklopädie Deutscher Geschichte 44), pp. 45–48, and Alfred HAVERKAMP, *Beziehungen zwischen Bischöfen und Juden im ottonisch-salischen Königreich bis 1090*, in: *Trier – Mainz – Rom. Stationen, Wirkungsfelder, Netzwerke. Festschrift für Michael Matheus zum 60. Geburtstag*, ed. by Anna ESPOSITO et al., Regensburg 2013, pp. 45–87.

² See Eva HAVERKAMP, *Hebräische Berichte über die Judenverfolgungen während des Ersten Kreuzzuges*, Hannover 2005 (MGH Hebräische Texte aus dem mittelalterlichen Deutschland 1); EAD., *What did the Christians Know? Latin Reports on the Persecutions of Jews in 1096*, in: *Crusades 7* (2008), pp. 59–86.

Apennine Peninsula) I will first present brief overviews concerning the history of Jewish settlement³ and the formation of ecclesiastical hierarchy.

1 Jewish Life in Southern Italy During the Early and High Middle Ages

Other than in the Empire north of the Alps, where reliable evidence of continuing Jewish presence does not antedate the late-ninth century, Jewish communities had existed in the Mediterranean world continuously since the days of late Antiquity. In Southern Italy they included, for example, Bari, Capua, Naples, Oria, Otranto, Taranto and Venosa, while on Sicily we find Agrigento, Catania, Palermo and Syracuse (though on the island only the metropolitan cities of Palermo and Syracuse show evidence of Jewish communities during the period of Arab rule). The number of Jewish settlements rose to no less than 42 by the twelfth century.⁴ Almost all of them were situated in port cities or along major roads used since Antiquity.⁵ The size of some of the communities is mentioned in the famous travelogue written around 1170 by Benjamin of Tudela. In the cities he visited, according to his estimate, there lived between ten adult male Jews (at Brindisi) and one-thousand five-hundred (at Palermo).⁶ In Sicily above all, Jews were focused on the Muslim-ruled Mediterranean

³ Among the early studies, cf. Raphael STRAUS, *Die Juden im Königreich Sizilien unter Normannen und Staufern*, Heidelberg 1910 (*Heidelberger Abhandlungen zur mittleren und neueren Geschichte* 30), as well as the somewhat outdated overview by Attilio MILANO, *Storia degli ebrei in Italia*, Torino 1963 (Einaudi Tascabili. Saggi 79).

⁴ Cf. Michael TOCH, *The Economic History of European Jews. Late Antiquity and Early Middle Ages*, Leiden, Boston 2013 (*Études sur le judaïsme médiéval* 56), pp. 279–88; on the scarcity of Jewish communities on Sicily in the Arab period see: *The Jews in Sicily*, vol. 1: 383–1300, ed. by Shlomo SIMONSOHN, Leiden, New York, London 1997 (*Studia Post-Biblica* 48,3), p. XXVI.

⁵ See Vera von FALKENHAUSEN, *The Jews in Byzantine Southern Italy*, in: *Jews in Byzantium. Dialectics of Minority and Majority Cultures*, ed. by Robert BONFIL et al., Leiden, Boston 2012 (*Jerusalem Studies in Religion and Culture* 14), pp. 271–96, esp. p. 273.

⁶ For Southern Italy including Sicily, Benjamin gives the following figures: for Palermo 1,500, Salerno 600, Naples 500, Otranto 500, Capua 300, Taranto 300, Benevento 200, Melfi 200, Trani 200, Messina 200, Ascoli 40, Satriano 40, Amalfi 20, and Brindisi 10. They probably relate to the number of adult males; see: *The Itinerary of Benjamin of Tudela: Critical Text, Translation and Commentary*, ed. by Marcus Nathan ADLER, London 1907. Cf. also the references in Hubert HOUBEN, *Möglichkeiten und Grenzen religiöser Toleranz im normannisch-staufischen Königreich Sizilien*, in: *Deutsches Archiv* 50 (1994), pp. 159–98, at pp. 187–88 (English translation: *Religious Toleration in the South Italian Peninsula during the Norman and Staufer Periods*, in: *The Society of Norman Italy*, ed. by Graham A. LOUD and Alex METCALFE, Leiden, Boston, Cologne 2002 [*The Medieval Mediterranean* 38], pp. 319–39, at p. 334). On dating Benjamin's itinerary, see David JACOBY, *Benjamin of Tudela and his 'Books of Travels'*, in: *Venezia incrocio*