

Empress Agnes of Poitou (1043-1077). Reflections on the Legal Basis of Her Regency

by

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Introduction

During the 10th and 11th century Ottonian and Salian queens and empresses became more influential than ever before in the East-Frankish and German Empire.¹ Evidence of female participation in governance is documented by the large number of interventions in royal charters, in addition to the designation of the empress as *consors regni*, as the co-partner in the reign.² However, female rulers were not accepted on an equal footing with male rulers. Agobard of Lyon described already in the 9th century the empress as an essential assistant to the ruler, helping him in ruling and managing the court and empire.³ At the beginning of the 11th century, Wipo, a writer at the royal court, denoted queen Gisela as *necessaria comes*, an indispensable companion of Conrad II.⁴ In her role as *necessaria comes* she was first and foremost the wife who proved to be an eminently efficient counsellor. To her 11th century contemporaries, a queen not only had the right but also the duty to be involved in ruling. However, she could not legally claim her share in power.

The only possibility of legal female rulership was when a queen ruled for a minor son after the king had died.⁵ In the Ottonian and Salian Empire women assumed regency, vice regency or governorship.⁶ However, this possibility was not always utilized. Other potential guardians, such as the closest male relative, could assume this position besides the mother. The guardianship of the young king did not, however, automatically make that person a regent. The early death of a ruler could evolve into a political crisis for the royal dynasty and also for the empire: other magnates might take opportunity for seizing power. We see this

¹ Thilo Vogelsang, *Die Frau als Herrscherin im hohen Mittelalter: Studien zur „consors regni“ Formel*, Göttingen, „Musterschmidt“ Wissenschaftlicher Verlag, 1954; Franz-Reiner Erkens, *Die Frau als Herrscherin in ottonisch-frühsalischer Zeit*, in *Kaiserin Theophanu. Die Begegnung des Westens mit dem Osten*, Kongreßakten des 4. Symposiums des Mediävistenverbandes in Köln aus Anlaß des 1000. Todesjahres der Kaiserin Theophanu, ed. Odilo Engels, Sigmaringen, Jan Thorbecke Verlag, 1993, 245-259; Amalie Föbel, *Die Königin im mittelalterlichen Reich: Herrschaftsausübung, Herrschaftsrechte, Handlungsspielräume*, Stuttgart, Jan Thorbecke Verlag, 2000

² Föbel, *Die Königin* (note 1) 375-376

³ *Agobardi archiepiscopi Lugdunensis Libri duo pro filiis et contra Iudith uxorem Ludovici Pii*, ed. Georg Waitz, in MGH SS 15, Stuttgart, Anton Hiersemann Verlag, 1992, Nachdruck der Ausgabe von 1887, 276, ... *quae ei posset adiutrix palatii et regni*; Erkens, *Die Frau als Herrscherin* (note 1) 246

⁴ [Gisela] *necessaria comes regem sequebatur*, *Wiponis Gesta Chuonradi II. imperatoris*, ed. Harry Breßlau, MGH SS rer. Germ. in usum scholarum, Hannover, Hahnsche Buchhandlung, ³1915, 25-26

⁵ Erkens, *Die Frau als Herrscherin* (note 1) 253-256

⁶ Föbel, *Die Königin* (note 1) 317-372

occurring in 983 when the minor king Otto III acceded to the throne. His mother, Empress Theophanu, competed against duke Henry of Bavaria, who was the *patronus legalis*, the legitimate guardian of Otto III. Theophanu obtained the regency and secured the throne for the Ottonian family.⁷ Thus, by the 10th century, regency was not always linked to male guardianship.

In 1056, Agnes of Poitou became regent for her underage son Henry IV.⁸ Her reign and her political actions seem to be inconsistent and contradictory, especially from a legal perspective. The transfer of royal power to her was based on the acceptance of the princes of the kingdom. A few years later, Anno, the archbishop of Cologne, grabbed the regency, pushing Agnes from power. After more than a decade of serving as a papal diplomat, Agnes was buried in the Cathedral of St. Peter in Rome. In scholarly writing, the appraisal of Agnes' personality and her political performance was for a long time dominated by the image of a weak and indecisive woman.⁹ However, Mechthild Black-Veldtrup has demonstrated that Agnes acted independently and successfully as empress. I will take up on Black-Veldtrup's analysis, and discuss the relationship between individual agency and the legal standing of female rulership and regency in the Salian empire of the 11th century, taking Agnes of Poitou as an example.

Agnes, wife of King Henry III

Agnes of Poitou was born into one of the most powerful families in France. Shortly before her wedding to the Salian Henry III, German king and later emperor, in November 1043, she was crowned queen.¹⁰ Although the medieval coronation ceremonies did not indicate any kind of presentation of regalia beyond the liturgical acts of consecration, anointing and coronation, the visual evidence shows Agnes with a sceptre. The message of a full-page miniature in the Goslar gospel book is reinforced by the inscription *per me*

⁷ *Die Chronik des Bischofs Thietmar von Merseburg und ihre Korveier Übertragung (Thietmari Merseburgensis episcopi Chronicon)*, ed. R. Holtzmann, MGH SS NS 9, München, Monumenta Germaniae Historica, 1992, Nachdruck der Ausgabe von 1935, 312; Ludger Körntgen, *Starke Frauen: Edgith – Adelheid – Theophanu*, in *Otto der Große: Magdeburg und Europa*, ed. Matthias Puhle, Band 1, Mainz, Philipp von Zabern, 2001, 119-132 with further references

⁸ Mechthild Black-Veldtrup, *Kaiserin Agnes (1043-1077): Quellenkritische Studien*, Köln, Böhlau, 1995

⁹ This opinion based on the research of Marie-Luise Bulst-Thiele, *Kaiserin Agnes*, Beiträge zur Kulturgeschichte des Mittelalters und der Renaissance, 52, Leipzig-Berlin, Teubner Verlag, 1933

¹⁰ Gertrud Thoma, *Kaiserin Agnes*, in *Frauen des Mittelalters in Lebensbildern*, ed. Karl Schnith, Graz, Styria, 1997, 124-128; Föbel, *Die Königin* (note 1) 25; Franz-Reiner Erkens, *Fecit nuptias regio, ut decuit, apparatus: Hochzeitsfeste als Akte monarchischer Repräsentation in salischer Zeit*, in *Feste und Feiern im Mittelalter: Paderborner Symposium des Mediävistenverbandes*, ed. Detlef Altenburg, Jörg Jarnut, Hans-Hugo Steinhoff, Sigmaringen, Jan Thorbecke Verlag, 1991, 401-421; Generally Egon Boshof, *Die Salier*, Stuttgart, UTB, ²1992; Stefan Weinfurter, *Herrschaft und Reich der Salier: Grundlinien einer Umbruchszeit*, Sigmaringen, Jan Thorbecke Verlag, ³1992, 97-112

regnantes vivant (illustration 1). The power of reign is attributed to both Henry and Agnes, to the king and the queen. Agnes' participation in governance is also visible in the intervention formula to be found in about 45% of the royal charters. In most cases she is the only person named in this function.¹¹ Other middlemen came from the group of the king's advisors. These advisors at the royal court were recruited among the ecclesiastical and secular princes. Agnes' active role in the government, as shown by the charters, indicates her accepted position in the royal regime and her own political influence.

The famous *consors-regni*-phrase appears in her case for the first time in 1048, two years after the elevation of Henry and Agnes to Emperor and Empress in Rome.¹² In the new formula *nostra thori nostrique regni consors Agneta imperatrix augusta*¹³ matrimony and holding royal power are combined in the consort of the emperor. However, the title *consors* does not denote a legal rank from which a right to rule by the queen could be derived. In fact, the participation of the queen and empress in rulership is inseparably linked to the crown of her husband.¹⁴

Besides her responsibilities in ruling the queen also had the duty to secure the royal power of the dynasty by giving birth to a male heir to the throne. Agnes gave birth to six children, four girls and two boys. Henry IV was born in 1050 as the first son of Agnes and Henry.¹⁵ Even before he was baptized, his father ensured that the magnates swore an oath of loyalty to safeguard the reign for the Salian family.¹⁶ A few years later he installed his son, with the approval of the aristocracy, as co-ruler.¹⁷ In 1054 Henry IV was crowned at Aachen.¹⁸ His father secured the power of the Salian dynasty by establishing Agnes as an integral part of royal power and by installing his young heir on the throne.¹⁹ Thus, the early death of the king in 1056 and the minority of the designated successor did not lead to a crisis in the empire.²⁰

¹¹ Black-Veldtrup, *Kaiserin Agnes* (note 8) 21; Föbel, *Die Königin* (note 1) 123-132; Tilman Struve, Die Interventionen Heinrichs IV. in den Diplomen seines Vaters: Instrumente der Herrschaftssicherung des salischen Hauses, in *Archiv für Diplomatik* 28, 1982, 190-222

¹² Claudia Zey, Imperatrix, si venerit Romam...: Zu den Krönungen von Kaiserinnen im Mittelalter, in *Deutsches Archiv* 60, 2004, 28-30; Föbel, *Die Königin* (note 1) 61-64

¹³ Föbel, *Die Königin* (note 1) 61 note 20 with references to the diplomata

¹⁴ Erkens, Die Frau als Herrscherin (note 1) 249

¹⁵ Gerold Meyer von Knonau, *Jahrbücher des Deutschen Reiches unter Heinrich IV. und Heinrich V.*, Neudruck der 1. Auflage 1890, Berlin, Duncker & Humblot, 1964

¹⁶ Regesta Imperii III. Salisches Haus: 1024-1125, Zweiter Teil: 1056-1125, Dritte Abteilung: Die Regesten des Kaiserreiches unter Heinrich IV. 1056 (1050) – 1106, ed. Tilman Struve, Köln, Böhlau Verlag, 1984, nr 2

¹⁷ Regesta Imperii (note 16) nr 13

¹⁸ Regesta Imperii (note 16) nr 18

¹⁹ Föbel, *Die Königin* (note 1) 332

²⁰ Egon Boshof, Das Reich in der Krise: Überlegungen zum Herrschaftsausgang Heinrichs III., in *Historische Zeitschrift* 228, 1979, 265-287

The acceptance of the guardianship regency

In addition to the precautions Henry III had taken earlier in his life he had the magnates sanction the transfer of the reign to his heir again before he died. Many of the ecclesiastical and secular princes repeated the election of Henry IV in Bodfeld near Quedlinburg. Then the Emperor committed his son to Pope Victor II, the former bishop of Eichstätt, who was at the court.²¹ After the death of Henry III the Pope crowned the minor king and he was acknowledged by the princes of the Empire. The transition from co-ruler to full king was complete. Presumably Pope Victor II also secured an oath from the magnates concerning Empress Agnes. This is known from a letter of the later Pope Gregory VII.²² The Pope reminded the German princes of their promise to give Agnes the right to designate a new king if her son would die during her lifetime.²³ It is also known that the Lotharingian princes held a meeting to discuss the new situation in the empire after the death of Henry III and decided to support Agnes.²⁴ Bruno of Magdeburg wrote in his history of the Saxon War, that Agnes assumed the regency on orders from the magnates.²⁵ When Pope Victor II returned to Rome in the spring of 1057, Agnes held the regency without any problems. But what was the legal basis for Agnes running the country?

Neither as crowned queen and empress nor as widow of the king and emperor was Agnes entitled to rule. Nor did her title as *consors regni* give her the right of regency. It was only her domestic authority within her family that enabled her to assume guardianship of her son. The explicit acceptance of the Lotharingian princes and the oath of the magnates were the real basis of her reign; not only did they recognize her as agent for her son, they also gave her far-reaching responsibilities for the kingship. The guardianship could be called a matter of “private law”, but the oath of the princes added a “constitutional” component.²⁶ This combi-

²¹ Regesta Imperii (note 16) nr 72, 82; Ulrich Reuling, *Die Kur in Deutschland und Frankreich: Untersuchungen zur Entwicklung des rechtsförmlichen Wahlaktes bei der Königserhebung im 11. und 12. Jahrhundert*, Veröffentlichungen des Max-Planck-Instituts für Geschichte, 64, Göttingen, Vandenhoeck & Ruprecht, 1979, 131-133

²² The role of Pope Victor is discussed by Tilman Struve, Regesta Imperii (note 16) nr 75, 25

²³ *De iuramento autem, quod factum est karissime filie nostre Agneti imperatrici auguste, si filius eius ex hac vita ante ipsam migraret, non est opus adhuc dubitare*, *Das Register Gregors VII.*, MGH Epp. sel. 2, Teil 1, ed. Erich Casper, München, Monumenta Germaniae Historica, 1990, Nachdruck der Ausgabe von 1920, 299; Wilhelm Berges, Gregor VII. und das deutsche Designationsrecht, in *Studi Gregoriani* 2, 1947, 189-209

²⁴ Meyer von Knouau, *Jahrbücher* (note 15) Band 1, 17; Regesta Imperii (note 16) nr 80 with further references

²⁵ *Brunos Buch vom Sachsenkrieg*, ed. Hans-Eberhard Lohmann, MGH Dt. MA 2, Stuttgart, Anton Hiersemann Verlag, 1980, Nachdruck der Ausgabe von 1937, 13. Compare the discussion of Struve, Regesta Imperii (note 16) 25; Hans Fricke, *Reichsvikare, Reichsregenten und Reichsstatthalter des deutschen Mittelalters: Ein Kapitel aus der Verfassungs- und Verwaltungsgeschichte des Deutschen Reiches vom 10. bis zum 14. Jahrhundert*, Göttingen, ms. Diss. phil., 1949, 52

²⁶ Regesta Imperii (note 16) nr 75 with further references; Boshof, *Salier* (note 10) 167 -168; Thilo Offergeld, *Reges pueri: Das Königtum Minderjähriger im frühen Mittelalter*, MGH Schriften, 50, Hannover, Hahnsche Buchhandlung, 2001, 789 note 13, doubts that the private guardianship was the starting point of Agnes' regency.

nation established the foundation for transferring governance to Empress Agnes. Lampert of Hersfeld reports in the *Annales*: “The supremacy and the administration of the governance remained with the empress who secured the stability of the endangered empire with skilfulness, so that major changes did not result in disturbances and challenges.”²⁷

In the eyes of the public Henry ruled himself. Charters were written in his name and he signed them. Contemporary historians indicate that it was Henry who installed dukes and invested bishops.²⁸ Only the intervention formula shows that Agnes was ruling,²⁹ but now no longer referred to as *consors regni* but *mater nostra*, *genetrix noster* and *imperatrix augusta*. Beyond her administrative responsibilities Agnes acted as chief justice and military commander-in-chief, both key duties of the ruler.³⁰ As a regent her queenship was linked to the position of the actual king, and her temporary reign was based on the claims of her son.³¹

The abduction of Henry IV in 1062

Lampert of Hersfeld described the first years of Agnes’ reign in quite favourable terms, but after a while the leadership of the empress was criticized by the magnates, who accused Agnes of following only the advice of bishop Henry of Augsburg. There was a rumour that the widow and the bishop had an immoral liaison. The other princes of the empire felt barred from their advisory functions at the royal court.³² They plotted in order to separate the king from his mother and to usurp the regency. In 1062 Henry was kidnapped at Kaiserswerth, an island in the middle of the Rhine near Cologne. The details of this so-called “Coup of Kaiserswerth” are passed down by Lampert.³³ Archbishop Anno of Cologne and other princes sailed with a ship to the island, where the young king and his mother sojourned. They lured Henry onto the ship, hoisted anchor and brought him to Cologne, where he was kept under the control of the archbishop. The conspirators not only took the twelve-year-old king; they also stole the *regalia*.³⁴ Agnes did not react publicly to the kidnapping of her son. Instead

Generally he refuses the idea that the mother got a private guardianship of the king on the base of domestic authority in the family (Hausrecht)

²⁷ *Summa tamen rerum et omnium quibus facto opus erat administratio penes imperatricem remansit quae tanta arte periclitantis rei publicae statum tutata est, ut nihil in ea tumultus, nihil simultatis tantae rei novitas generaret*, Lamperti Annales, in *Lamperti monachi Hersfeldensis Opera*, ed. Oswald Holder-Egger, unveränderter Nachdruck der Ausgabe von 1895, Hannover, Hahnsche Buchhandlung, 1984, 69

²⁸ Offergeld, *Reges pueri* (note 26) 786-787, 825-828

²⁹ Synopsis Black-Veldtrup, *Kaiserin Agnes* (note 8) 84-91

³⁰ Föbel, *Die Königin* (note 1) 154-155, 334

³¹ Erkens, *Die Frau als Herrscherin* (note 1) 256

³² *Regesta Imperii* (note 16) nr 238; Black-Veldtrup, *Kaiserin Agnes* (note 8) 351-360

³³ Lampert (note 27) 80-81

³⁴ For Henry IV. see Monika Suchan, *Königsherrschaft im Streit: Konfliktaustragung in der Regierungszeit Heinrichs IV. zwischen Gewalt, Gespräch und Schriftlichkeit*, Monographien zur Geschichte des Mittelalters, 42, Stuttgart, Anton Hiersemann Verlag, 1997; Ian S. Robinson, *Henry IV of Germany 1056-1106*, Cambridge 1999;

she retired from public life and stayed on her own property. Lampert reports that she decided to give up her political duties, and after a while she renounced the world.³⁵ In 1065 she moved to Rome and offered her services to the Pope.

Mechthild Black-Veldtrup shows that there was hardly any connection between the abduction of Henry IV and the renunciation of Agnes.³⁶ Since 1061 Agnes had been involved in papal politics. Then she had supported another candidate in the papal elections that ultimately lead to schism.³⁷ These events seem to have had personal consequences for her. By October 1061, one year before the Coup of Kaiserswerth, Agnes took the veil and was sanctified as widow, living her life dedicated to God, not in a convent but in the world. To address herself to the new task, she retired for longer periods from the daily political life and court life in order to pray by day and night.³⁸ She left practical matters to her confidant, bishop Henry of Augsburg.³⁹ She felt that one of her major duties was the restitution of former ecclesiastical properties, and she even used military power in these matters. This and the fact that the bishop of Augsburg was running the government provoked the other magnates.

In spite of the criticisms raised against the empress, the coup of Kaiserswerth and the kidnapping of the king was not uniformly approved. Many accused Anno of Cologne of acting for the benefit of his own desire for power and not for the well being of the kingdom. It was said that he damaged the reputation of the ruler and deprived him of self-determination.⁴⁰ To allay these concerns, the archbishop offered that every bishop would rule and be regent during the periods, when the minor king resided in their diocese.⁴¹

Apart from being impracticable, this proposal demonstrates that Anno of Cologne based his governance on having control of the person of Henry IV. The reign of the regent was inseparably connected to the physical presence of the minor king. With the abduction of Henry Anno made himself the ruler of the empire. The empress, on the other hand, seems to have lost her power as a ruler with the Kaiserswerth coup. The blatant criticism of Anno's act in Kaiserswerth shows that it was interpreted as an action against the king and the regime. Presumably Agnes could have found support for fighting against Anno by military means.

Tilman Struve, Heinrich IV.: Die Behauptung einer Persönlichkeit im Zeichen der Krise, in *Frühmittelalterliche Studien* 21, 1987, 318-345; Offergeld, *Reges pueri* (note 26) 785-797

³⁵ Lampert (note 27), 81

³⁶ Black-Veldtrup, *Kaiserin Agnes* (note 8) cap. 6, Rückzug oder Scheitern? Die Bedeutung des Schismas für Schleiernahme, Kaiserswerth und Rom, 346-385

³⁷ Black-Veldtrup, *Kaiserin Agnes* (note 8) 373-375

³⁸ Bulst-Thiele, *Kaiserin Agnes* (note 9) 78; Black-Veldtrup, *Kaiserin Agnes* (note 8) 376

³⁹ Black-Veldtrup tries to show, that bishop Henry of Augsburg had after 1061 a position as subregent at the court. Against this Gertrud Thoma, in *Zeitschrift für bayerische Landesgeschichte* 59, 1996, 623-625; Föbel, *Die Königin* (note 1) 336-337; Offergeld, *Reges pueri* (note 26) 789, note 11

⁴⁰ Lampert (note 27) 81, 88, 100 ; Offergeld, *Reges pueri* (not 27) 791, note 19

⁴¹ Lampert (note 27) 80

Several reasons prevented her from this action. Anno's offer to the other bishops to participate in the regency shows that they wanted to share power and that they felt excluded from the court by Agnes. The situation could have led to a military conflict or even civil war, which went against the interests of Agnes in maintaining peace. A major success in her first years as regent had been to pacify the empire after the frictions between some magnates and Henry III.⁴² Another reason for her retreat was the fact that, as a *religiosa*, she wanted to live for God, and without the regency she could attend to this life without any further burden. The final reason was that her son Henry was twelve years old in 1062 and just two years from his majority.

Anno of Cologne had acted with foresight. Not only did he take control of the minor king, he also took the royal regalia with him.⁴³ The theft of the regalia brought Anno full symbolic power. Agnes on the other hand was officially bereft of her participation in royal government. Moreover, having lost the *regalia* she could not influence any later elevation.

Royal and imperial authority after 1062

Agnes stayed active after her "retreat" in 1062 and furthermore took part in politics, including the royal court. This may be surprising, if we remember the information given in Lampert's *Annales*. He packed the events of three years into a few sentences and mixed up their order.⁴⁴ Agnes only needed a few weeks to resume her work of restoring former ecclesiastical possessions. For a couple of years she had also been involved in a conflict with bishop Gunther of Bamberg concerning a monastery she supported.⁴⁵ In 1062 she was feuding with Bishop Gunther again. The bishop was a follower of Anno of Cologne and Gunther had asked him to intervene, being the regent. It was not necessary for Agnes to call on the court herself; the royal court moved to Regensburg where Agnes resided at the time, and the feud was temporarily settled there.⁴⁶ At Regensburg she also received the confirmation of a donation to the church of Worms by her son Henry.⁴⁷ Nevertheless, the feud with the bishop of Bamberg was continued in the following year.

⁴² Weinfurter, *Herrschaft* (note 10) 95-96

⁴³ Percy Ernst Schramm, Florentine Mutherich, *Denkmale der deutschen Könige und Kaiser: Ein Beitrag zur Herrscher Geschichte 1*, Veröffentlichungen des Zentralinstituts für Kunstgeschichte in München 2, München, Prestel, 1962, 170, 175

⁴⁴ Black-Veldtrup, *Kaiserin Agnes* (note 8) 367

⁴⁵ This facts are delivered by letters of bishop Gunter and the members of the chapter of the Bamberg cathedral, *Briefsammlungen zur Zeit Heinrichs IV.*, ed. Carl Erdmann, Norbert Fickermann, MGH Briefe der deutschen Kaiserzeit, München, Monumenta Germaniae Historica, 1977, Nachdruck der Ausgabe von 1950, 203-204, 118-119, 210; Black-Veldtrup, *Kaiserin Agnes* (note 8) 28-32

⁴⁶ Briefsammlungen (note 45) 118-119

⁴⁷ D H IV 95, november 26, 1062; Regesta Imperii (note 16) nr 271

In 1064 Agnes returned to the royal court.⁴⁸ The motive for her return may have been the activities of archbishop Adalbert of Bremen-Hamburg. While archbishop Anno was on his way to Rome, Adalbert gained more and more influence on the king.⁴⁹ Like bishop Gunther he had been an opponent of Empress Agnes for years. Her return to the royal court seems to have concerned Adalbert. It was not clear which role she would play there in the future. From the letters of Meinhard of Bamberg, another opponent of Agnes, we know that in 1064 two assemblies planned to discuss and decide upon role of Agnes in her son's reign.⁵⁰ Both meetings were cancelled. At last Agnes decided to support the minor king and his reign as a counsellor based on her *profana sacramenta*.⁵¹ Her goal was not to retain the full power of regent, but to suppress the self-serving mentalities of Anno and Adalbert.

The return of Agnes to the royal court and her position there indicate that she was not a weak and powerless woman without influence. Her authority and her claims to participate in the regency were fully acknowledged.⁵² Perhaps an assembly of the magnates might have given her the full power of regency again. But the political reality was different: the rivals Anno and Adalbert dominated the royal court. The letters of Meinhard suggest that neither regent could not refuse her demand to participate, but Agnes obviously prevented the escalation of the conflict with her decision to be associated with her son's reign as a counsellor only. Thus she was also able to continue living as a pious widow.

Finally, her personal power and influence is also witnessed on the occasion of the majority of her son Henry. She prevailed against archbishop Anno, who wanted to postpone this official act as long as possible to secure his own influence.⁵³ In March 1065 Henry was declared an adult.⁵⁴ During the ceremony Agnes prevented the assassination of Anno by her son. As the archbishop gave Henry a sword as a sign of majority, the young king raised the weapon against Anno to kill him.⁵⁵ Only the intervention of his mother saved the life of her opponent.

⁴⁸ Black-Veldtrup, *Kaiserin Agnes* (note 8) 32

⁴⁹ Regesta Imperii (note 16) nr 336

⁵⁰ Briefsammlungen (note 45) 218

⁵¹ ... *non ut summam rerum quomodo prius administret – nam hoc nescio que profana sacramenta impediunt - veruntamen ut omnia nutu ipsius et consilio transigantur*, Briefsammlungen (note 45) 218

⁵² Black-Veldtrup, *Kaiserin Agnes* (note 8) 366, Tilman Struve, Die Romreise der Kaiserin Agnes, in *Historisches Jahrbuch* 105, 1985

⁵³ Kurt-Ulrich Jäschke, *Notwendige Gefährtinnen: Königinnen der Salierzeit als Herrscherinnen und Ehefrauen im römisch-deutschen Reich des 11. und beginnenden 12. Jahrhunderts*, Saarbrücken-Scheidt, Dadder, 1991, 133; Regesta Imperii (note 16) nr 360

⁵⁴ Offergeld, *Reges pueri* (note 26) 787 note 8, accentuates that even after this ceremony Henry was not able to become emancipate from his episcopal guardians for years

⁵⁵ Lampert (note 27) 93

Two months later Agnes left the court and moved to Rome to serve the Pope and the Church. From now on she acted with her imperial authority on the highest political level in Europe. In 1072 she mediated between her son Henry and her son-in-law duke Rudolf of Rheinfelden and visited the Diet in Worms.⁵⁶ The foundation for her diplomatic life was the church reform. Even though she was the mother of the king and the future emperor she fought in the Investiture Controversy ultimately on the side of Pope Gregory VII. When she died in 1077 she was buried in Cathedral of St. Peter in Rome.⁵⁷

Conclusion

The medieval German *regnum* did not have any constitutional rules for royal elections and successions to the throne. Before the “Golden Bull” was issued in 1356, kingship was based on dynastical claims and on the support of the magnates. In addition, the king was legitimated by the church, when he was consecrated, anointed and crowned. Traditionally, governance was restricted to male persons. The role of the queen in government was not specified. Instead, it was subject to the changing interpretations of contemporaries and the personalities of rulers. Remarkably, royal women had a wide scope of opportunities in the Ottonian and the Salian eras, often based on the power of their personalities.

The regency of Agnes of Poitou was based on a combination of legal and non-legal elements. As the mother of Henry IV she used the dynastical right of guardianship to continue the reign of the Salian house with herself as agent for the king. The unanimous assent of the magnates was the basis of her governance in a constitutional sense, but there wasn't a clear dividing line between these two aspects. In addition, there is a grey area between imperial authority and Agnes' personality. The dimensions of Agnes' power were defined by these concomitant factors. It is not possible to assess exactly what made her return to the royal court in 1064: oath of the princes in 1056, the role of Agnes as the king's mother, or her imperial authority. However, the imperial authority she had and used after 1065, both at Rome and in the empire, gives a clear idea of her strong personality and her share in securing power for the Salian dynasty.

⁵⁶ Lampert (note 27) 137-138; Jürgen Vogel, Rudolf von Rheinfelden, die Fürstenopposition gegen Heinrich IV. im Jahr 1072 und die Reform des Klosters St. Blasien, in *Zeitschrift für die Geschichte des Oberrheins* 132, 1982, 1-30

⁵⁷ For her Italian activities see Black-Veldtrup, *Kaiserin Agnes* (note 8) 37-61, 336-345, 376-380; Struve, *Romreise* (note 52) 1-29



Goslar Gospelbook, fol 3v. Uppsala, Universitets Biblioteket, Cod. C 93 (Codex Caesareus).

Illustration from *Das Reich der Salier 1024-1125. Katalog zur Ausstellung des Landes Rheinland-Pfalz*, Sigmaringen 1992, 252.