THE HOLY ROMAN EMPIRE.

CHAPTER I.

INTRODUCTORY.

Of those who in August, 1806, read in the English newspapers that the Emperor Francis II had announced to the Diet his resignation of the imperial crown, there were probably few who reflected that the oldest political institution in the world had come to an end. Yet it was so. The Empire which a note issued by a diplomatist on the banks of the Danube extinguished, was the same which the crafty nephew of Julius had won for himself, against the powers of the East, beneath the cliffs of Actium; and which had preserved almost unaltered, through eighteen centuries of time, and through the greatest changes in extent, in power, in character, a title and pretensions from which all meaning had long since departed. Nothing else so directly linked the old world to the new—nothing else displayed so many strange contrasts of the present and the past, and summed up in those contrasts so much of European history. From the days of Constantine till far down into the middle ages it was, conjointly with the Papacy, the recognized center and head of Christendom, exercising over the minds of men an influence such as its material strength could never have commanded. It is of this influence and of the causes that gave it power rather than of the external history of the Empire, that the following pages are designed to treat. That history is indeed full of
interest and brilliancy, of grand characters and striking situations. But it is a subject too vast for any single canvas. Without a minuteness of detail sufficient to make its scenes dramatic and give us a lively sympathy with the actors, a narrative history can have little value and still less charm. But to trace with any minuteness the career of the Empire, would be to write the history of Christendom from the fifth century to the twelfth, of Germany and Italy from the twelfth to the nineteenth; while even a narrative of more restricted scope, which should attempt to disengage from a general account of the affairs of those countries the events that properly belong to imperial history, could hardly be compressed within reasonable limits. It is therefore better, declining so great a task, to attempt one simpler and more practicable though not necessarily inferior in interest; to speak less of events than of principles, and endeavor to describe the Empire not as a State but as an Institution, an institution created by and embodying a wonderful system of ideas. In pursuance of such a plan, the forms which the Empire took in the several stages of its growth and decline must be briefly sketched. The characters and acts of the great men who founded, and guided and overthrew it must from time to time be touched upon. But the chief aim of the treatise will be to dwell more fully on the inner nature of the Empire, as the most signal instance of the fusion of Roman and Teutonic elements in modern civilization: to show such a combination was possible; how Charles and Otto were led to revive the imperial title in the West; how far during the reigns of their successors it preserved the memory of its origin, and influenced the European commonwealth of nations.

Strictly speaking, it is from the year 800 A.D., when a King of the Franks was crowned Emperor of the Romans by Pope Leo III, that the beginning of the Holy Roman
INTRODUCTION.

Empire must be dated. But in history there is nothing isolated, and just as to explain a modern Act of Parliament or a modern conveyance of lands we must go back to the feudal customs of the thirteenth century, so among the institutions of the Middle Ages there is scarcely one which can be understood until it is traced up either to classical or to primitive Teutonic antiquity. Such a mode of inquiry is most of all needful in the case of the Holy Empire, itself no more than a tradition, a fancied revival of departed glories. And thus, in order to make it clear out of what elements the imperial system was formed, we might be required to scrutinize the antiquities of the Christian Church; to survey the constitution of Rome in the days when Rome was no more than the first of the Latin cities; nay, to travel back yet further to that Jewish theocratic policy whose influence on the minds of the mediæval priesthood was necessarily so profound. Practically, however, it may suffice to begin by glancing at the condition of the Roman world in the third and fourth centuries of the Christian era. We shall then see the old Empire with its scheme of absolutism fully matured; we shall mark how the new religion, rising in the midst of a hostile power, ends by embracing and transforming it; and we shall be in a position to understand what impression the whole huge fabric of secular and ecclesiastical government which Roman and Christian had piled up made upon the barbarian tribes who pressed into the charmed circle of the ancient civilization.
CHAPTER II.

THE ROMAN EMPIRE BEFORE THE INVASIONS OF THE BARBARIANS.

That ostentation of humility which the subtle policy of Augustus had conceived, and the jealous hypocrisy of Tiberius maintained, was gradually dropped by their successors, till despotism became at last recognized in principle as the government of the Roman Empire. With an aristocracy decayed, a populace degraded, an army no longer recruited from Italy, the semblance of liberty that yet survived might be swept away with impunity. Republican forms had never been known in the provinces at all, and the aspect which the imperial administration had originally assumed there, soon reacted on its position in the capital. Earlier rulers had disguised their supremacy by making a slavish senate the instrument of their more cruel or arbitrary acts. As time went on, even this veil was withdrawn; and in the age of Septimus Severus, the Emperor stood forth to the whole Roman world as the single center and source of power and political action. The warlike character of the Roman state was preserved in his title of General; his provincial lieutenants were military governors; and a more terrible enforcement of the theory was found in his dependence on the army, at once the origin and support of all authority. But, as he united in himself every function of government, his sovereignty was
civil as well as military. Laws emanated from him; all officials acted under his commission; the sanctity of his person bordered on divinity. This increased concentration of power was mainly required by the necessities of frontier defence, for within there was more decay than disaffection. Few troops were quartered through the country: few fortresses checked the march of armies in the struggles which placed Vespasian and Severus on the throne. The distant crash of war from the Rhine or the Euphrates was scarcely heard or heeded in the profound quiet of the Mediterranean coasts, where, with piracy, fleets had disappeared. No quarrels of race or religion disturbed that calm, for all national distinctions were becoming merged in the idea of a common Empire. The gradual extension of Roman citizenship through the coloniae, the working of the equalized and equalizing Roman law, the even pressure of the government on all subjects, the movement of population caused by commerce and the slave traffic, were steadily assimilating the various peoples. Emperors who were for the most part natives of the provinces cared little to cherish Italy or conciliate Rome: it was their policy to keep open for every subject a career by whose freedom they had themselves risen to greatness, and to recruit the senate from the most illustrious families in the cities of Gaul, Spain and Asia. The edict by which Caracalla extended to all natives of the Roman world the rights of Roman citizenship, though prompted by no motives of kindness, proved in the end a boon. Annihilating legal distinctions, it completed the work which trade and literature and toleration to all beliefs but one were already performing, and left, so far as we can tell, only one nation still cherishing a national feeling. The Jew was kept apart by his religion: but the Jewish people were already dispersed over the world. Speculative philosophy lent her aid to this general assimil-
lation. Stoicism, with its doctrine of a universal system of nature, made minor distinctions between man and man seem insignificant: and by its teachers the idea of cosmopolitanism was for the first time proclaimed. Alexandrian Neo-Platonism, unifying the tenets of many schools, first bringing the mysticism of the East into connection with the logical philosophies of Greece, had opened up a new ground of agreement or controversy for the minds of all the world. Yet Rome's commanding position was scarcely shaken. Her actual power was indeed confined within narrow limits. Rarely were her senate and people permitted to choose the sovereign: more rarely still could they control his policy; neither law nor custom raised them above other subjects, or accorded to them any advantage in the career of civil or military ambition. As in time past Rome had sacrificed domestic freedom that she might be the mistress of others, so now to be universal, she, the conqueror, had descended to the level of the conquered. But the sacrifice had not wanted its reward. From her came the laws and language that had overspread the world: at her feet the nations laid the offerings of their labor: she was the head of the Empire and of civilization, and in riches, fame and splendor far outshone as well the cities of that time as the fabled glories of Babylon or Persepolis.

Sarcely had these slowly-working influences brought about this unity, when other influences began to threaten it. New foes assailed the frontiers; while the loosening of the structure within was shown by the long struggles for power which followed the death or deposition of each successive emperor. In the period of anarchy after the fall of Valerian, generals were raised by their armies in every part of the Empire, and ruled great provinces as monarchs apart, owning no allegiance to the possessor of the capital.
THE EMPIRE BEFORE THE INVASIONS.

The founding of the kingdoms of modern Europe might have been anticipated by two hundred years, had the barbarians been bolder, or had there not arisen in Diocletian a prince active and politic enough to bind up the fragments before they had lost all cohesion, meeting altered conditions by new remedies. By dividing and localizing authority, he confessed that the weaker heart could no longer make its pulsations felt to the body's extremities. He parcelled out the supreme power among four persons, and then sought to give it a factitious strength, by surrounding it with an oriental pomp which his earlier predecessors would have scorned. The sovereign's person became more sacred, and was removed further from the subject by the interposition of a host of officials. The prerogative of Rome was menaced by the rivalry of Nicomedia, and the nearer greatness of Milan. Constantine trod in the same path, extending the system of titles and functionaries, separating the civil from the military, placing counts and dukes along the frontiers and in the cities, making the household larger, its etiquette stricter, its offices more important, though to a Roman eye degraded by their attachment to the monarch's person. The crown became, for the first time, the fountain of honor. These changes brought little good. Heavier taxation depressed the aristocracy: population decreased, agriculture withered, serfdom spread: it was found more difficult to raise native troops and to pay any troops whatever. The removal of the seat of power to Byzantium, if it prolonged the life of a part of the Empire, shook it as a whole, by making the separation of East and West inevitable. By it Rome's self-abnegation that she might Romanize the world, was completed; for though the new capital preserved her name, and followed her customs

*According to the vicious financial system that prevailed, the curiales in each city were required to collect the taxes, and when there was a deficit, to supply it from their own property.
and precedents, yet now the imperial sway ceased to be connected with the city which had created it. Thus did the idea of Roman monarchy become more universal; for, having lost its local center, it subsisted no longer historically, but, so to speak, naturally, as a part of an order of things which a change in external conditions seemed incapable of disturbing. Henceforth the Empire would be unaffected by the disasters of the city. And though, after the partition of the Empire had been confirmed by Valentinian, and finally settled on the death of Theodosius, the seat of the Western government was removed first to Milan and then to Ravenna, neither event destroyed Rome's prestige, nor the notion of a single imperial nationality common to all her subjects. The Syrian, the Pannonian, the Briton, the Spaniard, still called himself a Roman.*

For that nationality was now beginning to be supported by a new and vigorous power. The Emperors

Christianity.

had indeed opposed it as disloyal and revolutionary; had more than once put forth their whole strength to root it out. But the unity of the Empire, and the ease of communication through its parts, had

---

*See the eloquent passage of Claudian, *In secundum consulatum Stilichonis*, 129, *sqq.*, from which the following lines are taken (150–160):

```
"Hæc est in gremio victos quæ sola recepit,
Humanumque genus communi nomine fovit,
Matris, non dominae, ritu; civesque vocavit
Quos domuit, nexusque pio longinquæ reevinxit.
Hujus pacificis debemus moribus omnes
Quod veluti patriis re ionibus utitur hospes:
Quod sedem mutare licet: quod cernere Thulen
Lusus, et horrendos quondam penetrare recessus:
Quod bibimus passim Rhodanum, potamus Oronten,
Quod cuncti gens una sumus. Nec terminus unquam
Romanae ditionis erit."
```
favored the spread of Christianity: persecution had scattered the seeds more widely had forced on it a firm organization, had given it martyr-heroes and a history. When Constantine, partly perhaps from a genuine moral sympathy, yet doubtless far more in the well-grounded belief that he had more to gain from the zealous sympathy of its professors than he could lose by the aversion of those who still cultivated a languid paganism, took Christianity to be the religion of the Empire; it was already a great political force, able, and not more able than willing, to repay him by aid and submission. Yet the league was struck in no mere mercenary spirit, for the league was inevitable. Of the evils and dangers incident to the system then founded, there was as yet no experience: of that antagonism between Church and State which to a modern appears so natural, there was not even an idea. Among the Jews, the State had rested upon religion; among the Romans, religion had been an integral part of the political constitution, a matter far more of national or tribal or family feeling than of personal*. Both in Israel and at Rome the mingling of religious with civic patriotism had been harmonious, giving strength and elasticity to the whole body politic. So perfect a union was now no longer possible in the Roman Empire, for the new faith had already a governing body of her own in those rulers and teachers whom the growth of sacramentalism, and of sacerdotalism its necessary consequence, was making every day more powerful, and marking off more sharply from the mass of the Christian people. Since therefore the ecclesiastical organization could not be identical with the civil, it became its counterpart. Suddenly called from danger and

*In the Roman jurisprudence, ius sacrum is a branch of ius publicum.
ignominy to the seat of power, and finding her inexperience perplexed by a sphere of action vast and varied, the Church was compelled to frame herself upon the model of the secular administration. Where her own machinery was defective, as in the case of doctrinal disputes affecting the whole Christian world, she sought the interposition of the sovereign; in all else she strove not to sink in, but to reproduce for herself the imperial system. And just as with the extension of the Empire all the independent rights of districts, towns, or tribes had disappeared, so now the primitive freedom and diversity of individual Christians and local Churches, already circumscribed by the frequent struggles against heresy, was finally overborne by the idea of one visible catholic Church, uniform in faith and ritual; uniform, too, in her relation to the civil power and the increasingly oligarchical character of her government. Thus, under the combined force of doctrinal theory and practical needs, there shaped itself a hierarchy of patriarchs, metropolitans and bishops, their jurisdiction, although still chiefly spiritual, enforced by the laws of the state, their provinces and dioceses usually corresponding to the administrative divisions of the Empire. As no patriarch yet enjoyed more than an honorary supremacy, the head of the Church—so far as she could be said to have a head—was virtually the Emperor himself. The apparent right to intermeddle in religious affairs which he derived from the office of Pontifex Maximus was readily admitted; and the clergy, preaching the duty of passive obedience now as it had been preached in the days of Nero and Diocletian,* were well

* Tertullian, writing circ. A.D. 200, says: "Sed quid ego ampliis de religione atque pietate Christiana in imperatorem quem necesse est suspiciamus ut eum quem Dominus noster elegerit. Et merito dixerim, noster est magis Cæsar, ut a nostro Deo constitutus."—Apologet. cap. 34.
pleased to see him preside in councils, issue edicts against heresy, and testify even by arbitrary measures his zeal for the advancement of the faith and the overthrow of pagan rites. But though the tone of the Church remained humble, her strength waxed greater, nor were occasions wanting which revealed the future that was in store for her. The resistance and final triumph of Athanasius proved that the new society could put forth a power of opinion such as had never been known before: the abasement of Theodosius the Emperor before Ambrose the Archbishop admitted the supremacy of spiritual authority. In the decrepitude of old institutions, in the barrenness of literature and the feebleness of art, it was to the Church that the life and feelings of the people sought more and more to attach themselves; and when in the fifth century the horizon grew black with clouds of ruin, those who watched with despair or apathy the approach of irresistible foes, fled for comfort to the shrine of a religion which even those foes revered.

But that which we are above all concerned to remark here is, that this church system, demanding a more rigid uniformity in doctrine and organization, making more and more vital the notion of a visible body of worshipers united by participation in the same sacraments, maintained and propagated afresh the feeling of a single Roman people throughout the world. Christianity as well as civilization became conterminous with the Roman Empire.*

*See the book of Optatus, bishop of Milevis, Contra Donatistas. "Non enim respublica est in ecclesia, sed ecclesia in respublica, id est, in imperio Romano, cum super imperatorem non sit nisi solus Deus:" (p. 999 of vol. ii. of Migne's Patrologia Cursus completus). The treatise of Optatus is full of interest, as showing the growth of the idea of the visible Church, and of the primacy of Peter's chair, as constituting its center and representing its unity.
CHAPTER III.

THE BARBARIAN INVASIONS.

Upon a world so constituted did the barbarians of the North descend. From the dawn of history they show as a dim background to the warmth and light of the Mediterranean coast, changing little while kingdoms rise and fall in the South; only thought on when some hungry swarm comes down to pil- lage or to settle. It is always as foes that they are known. The Romans never forgot the invasion of Brennus; and their fears, renewed by the irruption of the Cimbri and Teutones, could not let them rest till the extention of the frontier to the Rhine and the Danube removed Italy from immediate danger. A little more perseverance under Tiberius, or again under Hadrian, would probably have reduced all Germany as far as the Baltic and the Oder. But the politic or jealous advice of Augustus* was followed, and it was only along the frontiers that Roman arts and culture affected the Teutonic races. Commerce was brisk; Roman envoys penetrated the forests to the courts of rude chieftains; adventurous barbarians entered the provinces, sometimes to admire, oftener, like the brother of Arminius,† to take service under the Roman flag, and rise to a distinction in the legion which some

---

* "Addiderat consilium coercendi intra terminos imperii."—Tac. Ann. i. 2.
† Tac. Ann. ii. 9.