CHAPTER VIII.

THE ROMAN EMPIRE AND THE GERMAN KINGDOM.

This was the office which Otto the Great assumed in A.D. 962. But it was not his only office. He was already a German king; and the new dignity by no means superseded the old. This union in one person of two characters, a union at first personal, then official, and which became at last a fusion of the two into something different from either, is the key to the whole subsequent history of Germany and the Empire.

Of the German kingdom little need be said, since it differs in no essential respect from the other kingdoms of Western Europe as they stood in the tenth century. The five or six great tribes or tribe-leagues which composed the German nation had been first brought together under the scepter of the Carolingians; and though still retaining marks of their independent origin, were prevented from separating by community of speech and a common pride in the great Frankish Empire. When the line of Charles the Great ended in A.D. 911, by the death of Lewis the Child (son of Arnulf), Conrad, duke of the Franconians, and after him Henry (the Fowler), duke of the Saxon, was chosen to fill the vacant throne. By his vigorous yet conciliatory action, his upright character, his courage and good fortune in repelling the Hungarians, Henry laid deep the foundations of royal power; under his more
famous son it rose into a stable edifice. Otto's coronation feast at Aachen, where the great nobles of the realm did him menial service, where Franks, Bavarians, Suabians, Thuringians and Lorrainers, gathered round the Saxon monarch, is the inauguration of a true Teutonic realm, which, though it called itself not German but East Frankish, and claimed to be the lawful representative of the Carolingian monarchy, had a constitution and a tendency in many respects different.

There had been under those princes a singular mixture of the old German organization by tribes or districts (the so-called Gauverfassung), such as we find in the earliest records, with the method introduced by Charles of maintaining by means of officials, some fixed, others moving from place to place, the control of the central government. In the suspension of that government which followed his days, there grew up a system whose seeds had been sown as far back as the time of Clovis, a system whose essence was the combination of the tenure of land by military service with a peculiar personal relation between the landlord and his tenant, whereby the one was bound to render fatherly protection, the other aid and obedience. This is not the place for tracing the origin of feudality on Roman soil, nor for showing how, by a sort of contagion, it spread into Germany, how it struck firm root in the period of comparative quiet under Pipin and Charles, how from the hands of the latter it took the impress which determined its ultimate form, how the weakness of his successors allowed it to triumph everywhere. Still less would it be possible here to examine its social and moral influence. Politically it might be defined as the system which made the owner of a piece of land, whether large or small, the sovereign of those who dwelt thereon: an annexation of personal to territorial authority more familiar to Eastern despotism than to the free races
of primitive Europe. On this principle were founded, and by it are explained, feudal law and justice, feudal finance, feudal legislation, each tenant holding toward his lord the position which his own tenants held toward himself. And it is just because the relation was so uniform, the principle so comprehensive, the ruling class so firmly bound to its support, that feudalism has been able to lay upon society that grasp which the struggles of more than twenty generations have scarcely shaken off.

Now by the middle of the tenth century, Germany, less fully committed than France to feudalism’s worst feature, the hopeless bondage of the peasantry, was otherwise thoroughly feudalized. As for that equality of all the freeborn save the sacred line which we find in the Germany of Tacitus, there had been substituted a gradation of ranks and a concentration of power in the hands of a landholding caste, so had the monarch lost his ancient character as leader and judge of the people, to become the head of a tyrannical oligarchy. He was titular lord of the soil, could exact from his vassals service and aid in arms and money, could dispose of vacant fiefs, could at pleasure declare war or make peace. But all these rights he exercised far less as sovereign of the nation than as standing in a peculiar relation to the feudal tenants, a relation in its origin strictly personal, and whose prominence obscured the political duties of prince and subject. And great as these rights might become in the hands of an ambitious and politic ruler, they were in practice limited by the corresponding duties he owed to his vassals, and by the difficulty of enforcing them against a powerful offender. The king was not permitted to retain in his own hands escheated fiefs, must even grant away those he had held before coming to the throne; he could not interfere with the jurisdiction of his tenants in their own lands, nor pre-
vented them from waging war or forming leagues with each other like independent princes. Chief among the nobles stood the dukes, who, although their authority was now delegated, theoretically at least, instead of independent, territorial instead of personal, retained nevertheless much of that hold on the exclusive loyalty of their subjects which had belonged to them as hereditary leaders of the tribe under the ancient system. They were, with the three Rhenish archbishops, by far the greatest subjects, often aspiring to the crown, sometimes not unable to resist its wearer. The constant encroachments which Otto made upon their privileges, especially through the institution of the Counts Palatine, destroyed their ascendancy, but not their importance. It was not till the thirteenth century that they disappeared with the rise of the second order of nobility. That order, at this period far less powerful, included the counts mar- graves or marquises and landgraves, originally officers of the crown, now feudal tenants; holding their lands of the dukes, and maintaining against them the same contest which they in turn waged with the crown. Below these came the barons and simple knights, then the diminishing class of freeman, the increasing one of serfs. The institutions of primitive Germany were almost all gone; supplanted by a new system, partly the natural result of a formation of a settled from a half-nomad society, partly imitated from that which had arisen upon Roman soil, west of the Rhine and south of the Alps. The army was no longer the Heerban of the whole nation, which had been wont to follow the king on foot in distant expeditions, but a cavalry militia of barons and their retainers, bound to service for a short period, and rendering it unwillingly where their own interest was not concerned. The fre-
quent popular assemblies, whereof under the names of the Mallum, the Placitum, the Mayfield, we hear so much under Clovis and Charles, were now never summoned, and the laws that had been promulgated there were, if not abrogated, practically obsolete. No national council existed, save the Diet in which the higher nobility, lay and clerical, met their sovereign, sometimes to decide on foreign war, oftener to concur in the grant of a fief or the proscription of a rebel. Every district had its own rude local customs administered by the court of the local lord: other law there was none, for imperial jurisprudence had in these lately civilized countries not yet filled the place left empty by the disuse of the barbarian codes.

This condition of things was indeed better than that utter confusion which had gone before, for a principle of order had began to group and bind the tossing atoms; and though the union into which it drove men was a hard and narrow one, it was something that they should have learned to unite themselves at all. Yet nascent feudality was but one remove from anarchy; and the tendency to isolation and diversity continued, despite the efforts of the Church and the Carolingian princes, to be all-powerful in Western Europe. The German kingdom was already a bond between the German races, and appears strong and united when we compare it with the France of Hugh Capet, or the England of Ethelred II; yet its history to the twelfth century is little else than a record of disorders, revolts, civil wars, of a ceaseless struggle on the part of the monarch to enforce his feudal rights, a resistance by his vassals equally obstinate and more frequently successful. What the issue of the contest might have been if Germany had been left to take her own course is matter of speculation, though the example of every European state except England and Poland may incline the balance
in favor of the crown. But the strife had scarcely begun when a new influence was interposed; the German king became Roman Emperor. No two systems can be more unlike than those whose headship became thus vested in one person: the one centralized, the other local; the one resting on a sublime theory, the other the rude offspring of anarchy; the one gathering all power into the hands of an irresponsible monarch, the other limiting his rights and authorizing resistance to his commands; the one demanding the equality of all citizens as creatures equal before Heaven, the other bound up with an aristocracy the proudest, and in its gradations of rank the most exact that Europe had ever seen. Characters so repugnant could not, it might be thought, meet in one person, or if they met must strive till one swallowed up the other. It was not so. In the fusion which began from the first, though it was for a time imperceptible, each of the two characters gave and each lost some of its attributes: the king became more than German, the Emperor less than Roman, till at the end of six centuries, the monarch in whom two "persons" had been united, appeared as a third different from either of the former, and might not inappropriately be entitled "German Emperor."* The nature and progress of this change will appear in the after history of Germany, and cannot be described here without in some measure anticipating subsequent events. A word or two may indicate how the process of fusion began.

It was natural that the great mass of Otto's subjects, to whom the imperial title, dimly associated with Rome and

* Although this was, of course, never his legal title. Till 1806 he was "Romanorum Imperator semper Augustus;" "Römischer Kaiser."
the Pope, sounded grander than the regal, without being known as otherwise different, should in thought and speech confound them. The sovereign and his ecclesiastical advisers, with far clearer views of the new office and of the mutual relation of the two, found it impossible to separate them in practice, and were glad to merge the lesser in the greater. For as lord of the world, Otto was Emperor north as well as south of the Alps. When he issued an edict, he claimed the obedience of his Teutonic subjects in both capacities; when as Emperor he led the armies of the gospel against the heathen, it was the standard of their feudal superior that his armed vassals followed; when he founded churches and appointed bishops, he acted partly as suzerain of feudal lands, partly as protector of the faith, charged to guide the Church in matters temporal. Thus the assumption of the imperial crown brought to Otto as its first result an apparent increase of domestic authority; it made his position by its historical associations more dignified, by its religious more hallowed; it raised him higher above his vassals and above other sovereigns; it enlarged his prerogative in ecclesiastical affairs, and by necessary consequence gave to ecclesiastics a more important place at court and in the administration of government than they had enjoyed before. Great as was the power of the bishops and abbots in all the feudal kingdoms, it stood nowhere so high as in Germany. There the Emperor's double position, as head both of Church and State, required the two organizations to be exactly parallel. In the eleventh century a full half of the land and wealth of the country, and no small part of its military strength, was in the hands of Churchmen; their influence predominated in the Diet; the archchancellorship of the Empire, highest of all offices, was held by, and eventually came to belong of right to, the Archbishop
of Mentz as primate of Germany. It was by Otto, who in resuming the attitude must repeat the policy of Charles, that the greatness of the clergy was thus advanced. He is commonly said to have wished to weaken the aristocracy by raising up rivals to them in the hierarchy. It may have been so, and the measure was at any rate a disastrous one, for the clergy soon approved themselves not less rebellious than those whom they were to restrain. But in accusing Otto’s judgment, historians have often forgotten in what position he stood to the Church, and how it behoved him, according to the doctrine received, to establish in her an order like in all things to that which he found already subsisting in the State.

The style which Otto adopted showed his desire thus to merge the king in the Emperor.* Charles had called himself “Imperator Caesar Carolus rex Francorum invictissimus;” and again, “Carolus serenissimus Augustus, Pius, Felix, Romanorum gubernans Imperium, qui et per misericordiam Dei rex Francorum atque Langobardorum.” Otto and his first successors, who until their coronation at Rome had used the titles of “Rex Francorum,” or “Rex Francorum Orientalium,” or oftener still “Rex” alone, discarded after it all titles save the highest of “Imperator Augustus;” seeming thereby, though they too had been crowned at Aachen and Milan, to claim the authority of Cæsar through all their dominions. Tracing as we are the history of a title, it is needless to dwell on the significance of the change.†

*Pütter, Dissertationes de Instauratione Imperii Romani; cf. Goldast’s Collection of Constitutions; and the proclamations and other documents collected in Pertz, M. G. H. (legg. I.)

†Pütter (De Instauratione Imperii Romani) will have it that upon this mistake, as he calls it, of Otto’s, the whole subsequent history of the empire turned; that if Otto had but continued to style himself “Francorum Rex,” Germany would have been spared all her Italian wars.
Charles, son of the Ripuarian allies of Probus, had been a Frankish chieftain on the Rhine; Otto, the Saxon, successor of the Cheruscan Arminius, would rule his native Elbe with a power borrowed from the Tiber.

Nevertheless, the imperial element did not in every respect predominate over the royal. The monarch might desire to make good against his turbulent barons the boundless prerogative which he acquired with his new crown, but he lacked the power to do so; and they, disputing neither the supremacy of that crown nor his right to wear it, refused with good reason to let their own freedom be infringed upon by any act of which they had not been the authors. So far was Otto from embarking on so vain an enterprise, that his rule was even more direct and more personal than that of Charles had been. There was no scheme of mechanical government, no claim of absolutism; there was only the resolve to make the energetic assertion of the king's feudal rights subserve the further aims of the Emperor. What Otto demanded he demanded as Emperor, what he received he received as king; the singular result was that in Germany the imperial office was itself pervaded and transformed by feudal ideas. Feudality needing, to make its theory complete, a lord paramount of the world, from whose grant all ownership in land must be supposed to have emanated, and finding such a suzerain in the Emperor, constituted him liege lord of all kings and potentates, keystone of the feudal arch, himself, as it was expressed, "holding" the world from God. There were not wanting Roman institutions to which these notions could attach themselves. Constantine, imitating the courts of the East, had made the dignitaries of his household great officials of the State: these were now reproduced in the cup-bearer, the seneschal, the marshal, the chamberlain of the Empire, so soon to become its electoral princes.
The holding of land on condition of military service was Roman in its origin: the divided ownership of feudal law found its analogies in the Roman tenure of emphyteusis. Thus while Germany was Romanized the Empire was feudalized, and came to be considered not the antagonist but the perfection of an aristocratic system. And it was this adaption to existing political facts that enabled it afterward to assume an international character. Nevertheless, even while they seemed to blend, there remained between the genius of imperialism (if one may use a now preverted word) and that of feudalism a deep and lasting hostility. And so the rule of Otto and his successors was in a measure adverse to feudal polity, not from knowledge of what Roman government had been, but from the necessities of their position, raised as they were to an unapproachable height above their subjects, surrounded with a halo of sanctity as protectors of the Church. Thus were they driven to reduce local independence, and assimilate the various races through their vast territories. It was Otto who made the Germans, hitherto an aggregate of tribes, a single people, and welding them into a strong political body taught them to rise through its collective greatness to the consciousness of national life, never thenceforth to be extinguished.

One expedient against the land-holding oligarchy which Roman traditions as well as present needs might have suggested, it was scarcely possible for Otto to use. He could not invoke the friendship of the Third Estate, for as yet none existed. The Teutonic order of freemen, which two centuries earlier had formed the bulk of the population, was now fast disappearing, just as in England all who did not become thanes were classed as ceorls, and from ceorls sank for the most part, after the Conquest, into villeins. It was only in the Alpine valleys and along the shores of the ocean that free democratic communities maintained themselves. Town-
life there was none, till Henry the Fowler forced his forest-loving people to dwell in fortresses that might repel the Hungarian invaders; and the burgher class thus beginning to form was too small to be a power in the state. But popular freedom, as it expired, bequeathed to the monarch such of its rights as could be saved from the grasp of the nabes; and the crown thus became what it has been wherever an aristocracy presses upon both, the ally, though as yet the tacit ally, of the people. More, too, than the royal could have done, did the imperial name invite the sympathy of the commons. For in all, however ignorant of its history, however unable to comprehend its functions, there yet lived a feeling that it was in some mysterious way consecrated to Christian brotherhood and equality, to peace and law, to the restraint of the strong and the defense of the helpless.
CHAPTER IX.

SAXON AND FRANCONIAN EMPERORS.

He who begins to read the history of the Middle Ages is alternately amused and provoked by the seeming absurdities that meet him at every step. He finds writers proclaiming amid universal assent magnificent theories which no one attempts to carry out. He sees men who are stained with every vice full of sincere devotion to a religion which, even when its doctrines were most obscured, never sullied the purity of its moral teaching. He is disposed to conclude that such people must have been either fools or hypocrites. Yet such a conclusion would be wholly erroneous. Everyone knows how little a man’s actions conform to the general maxims which he would lay down for himself, and how many things there are which he believes without realizing; believes sufficiently to be influenced, yet not sufficiently to be governed by them. Now in the Middle Ages this perpetual opposition of theory and practice was peculiarly abrupt. Men’s impulses were more violent and their conduct more reckless than is often witnessed in modern society; while the absence of a criticizing and measuring spirit made them surrender their minds more unreservedly than they would now do to a complete and imposing theory. Therefore it was, that while everyone believed in the rights of the Empire as a part of divine truth, no one would yield to them where his own passions or interests interfered. Resistance to God’s Vicar might be and indeed was admitted to be a deadly sin, but it was one which nobody hesi-
tated to commit. Hence, in order to give this unbounded imperial prerogative any practical efficiency, it was found necessary to prop it up by the limited but tangible authority of a feudal king. And the one spot in Otto's empire on which feudality had never fixed its grasp, and where therefore he was forced to rule merely as Emperor, and not also as king, was that in which he and his successors were never safe from insult and revolt. That spot was his capital. Accordingly an account of what befell the first Saxon Emperor in Rome is a not unsightly comment on the theory expounded above, as well as a curious episode in the history of the Apostolic Chair.

After his coronation Otto had returned to North Italy, where the partisans of Berengar and his son Adalbert still maintained themselves in arms. Scarcely was he gone when the restless John XII, who found too late that in seeking an ally he had given himself a master, renounced his allegiance, opened negotiations with Berengar, and even scrupled not to send envoys pressing the heathen Magyars to invade Germany. The Emperor was soon informed of these plots, as well as of the flagitious life of the pontiff, a youth of twenty-five, the most profligate if not the most guilty of all who have worn the tiara. But he affected to despise them, saying, with a sort of unconscious irony, "He is a boy, the example of good men may reform him." When, however, Otto returned with a strong force, he found the city gates shut, and a party within furious against him. John XII was not only Pope, but as the heir of Alberic, the head of a strong faction among the nobles, and a sort of temporal prince in the city. But neither he nor they had courage enough to stand a siege: John fled into the Campagna to join Adalbert, and Otto entering convoked a synod in St. Peter's, Himself presiding as temporal head.
of the Church, he began by inquiring into the character and manners of the Pope. At once a tempest of accusations burst forth from the assembled clergy. Liudprand, a credible although a hostile witness, gives us a long list of them:—“Peter, cardinal-priest, rose and witnessed that he had seen the Pope celebrate mass and not himself communicate. John, bishop of Narnia, and John, cardinal-deacon, declared that they had seen him ordain a deacon in a stable, neglecting the proper formalities. They said further that he had defiled by shameless acts of vice the pontifical palace; that he had openly diverted himself with hunting; had put out the eyes of his spiritual father Benedict; had set fire to houses; had girt himself with a sword, and put on a helmet and hauberk. All present, laymen as well as priests, cried out that he had drunk to the devil’s health; that in throwing the dice he had invoked the help of Jupiter, Venus, and other demons; that he had celebrated matins at uncannonical hours, and had not fortified himself by making the sign of the cross.” After these things the Emperor, who could not speak Latin, since the Romans could not understand his native, that is to say, the Saxon tongue, bade Liudprand bishop of Cremona interpret for him, and adjured the council to declare whether the charges they had brought were true, or sprang only of malice and envy. Then all the clergy and people cried with a loud voice, “If John the Pope hath not committed all the crimes which Benedict the deacon hath read over, and even greater crimes than these, then may the chief of the Apostles, the blessed Peter, who by his word closes heaven to the unworthy and opens it to the just, never absolve us from our sins, but may we be bound by the chain of anathema, and on the last day may we stand on the left hand along with those who have said to the Lord God, ‘Depart from us, for we will not know Thy ways.’”

The solemnity of this answer seems to have satisfied
Otto and the council: a letter was despatched to John, couched in respectful terms, recounting the charges brought against him, and asking him to appear to clear himself by his own oath and that of a sufficient number of compurgators. John's reply was short and pithy.

"John the bishop, the servant of the servants of God, to all the bishops. We have heard tell that you wish to set up another Pope; if you do this, by Almighty God I excommunicate you, so that you may not have power to perform mass or to ordain no one."*

To this Otto and the synod replied by a letter of humorous expostulation, begging the Pope to reform both his morals and his Latin. But the messenger who bore it could not find John: he had repeated what seems to have been thought his most heinous sin, by going into the country with his bow and arrows; and after a search had been made in vain, the synod resolved to take a decisive step. Otto, who still led their deliberations, demanded the condemnation of the Pope; the assembly deposed him by acclamation, "because of his reprobate life," and having obtained the Emperor's consent, proceeded in an equally hasty manner to raise Leo, the chief secretary and a layman, to the chair of the Apostle.

Otto might seem to have now reached a position loftier and firmer than that of any of his predecessors. Within little more than a year from his arrival in Rome, he had exercised powers greater than those of Charles himself,

*"Iohannes episcopus, servus servorum Dei, omnibus episcopis. Nos audivimus dicere quia vos vultis alium papam facere, si hoc facitis, da Deum omnipotentem excommunico vos, ut non habeatis licentiam missam celebrare aut nullum ordinare."—Liudprand, ut supra. The "da" is curious, as showing the progress of the change from Latin to Italian. The answer sent by Otto and the council takes exception to the double negative.
ordering the dethronement of one pontiff and the installation of another, forcing a reluctant people to bend themselves to his will. The submission involved in his oath to protect the Holy See was more than compensated by the oath of allegiance to his crown which the Pope and the Romans had taken, and by their solemn engagement not to elect nor ordain any future pontiff without the Emperor’s consent.* But he had yet to learn what this obedience and these oaths were worth. The Romans had eagerly joined in the expulsion of John; they soon began to regret him. They were mortified to see their streets filled by a foreign soldiery, the habitual license of their manners sternly repressed, their most cherished privilege, the right of choosing the universal bishop, grasped by the strong hand of a master who used it for purposes in which they did not sympathize. In a fickle and turbulent people, disaffection quickly turned to rebellion. One night, Otto’s troops being most of them dispersed in their quarters at a distance, the Romans rose in arms, blocked up the Tiber bridges, and fell furiously upon the Emperor and his creature the new Pope. Superior valor and constancy triumphed over numbers, and the Romans were overthrown with terrible slaughter; yet this lesson did not prevent them from revolting a second time, after Otto’s departure in pursuit of Adalbert. John XII returned to the city, and when his pontifical career was speedily closed by the sword of an injured husband,† the people chose a new Pope in defiance of the

* "Cives fidelitatem promittunt hac addentes et firmiter iurantes nunquam se papam electuros aut ordinatos praeter consensus electionem domini imperatoris Ottonis Caesaris Augusti filiique ipsius Ottonis."—Lindprand, Gesta Ottonis, lib. vi.

† "In timoribus adeo a dyabulo est percussus ut infra dierum octo spacidum eodem sit in vulnere mortuis," says the chronicler, crediting with but little of his wonted cleverness the supposed
Emperor and his nominee. Otto again subdued and again forgave them, but when they rebelled for a third time, in A.D. 966, he resolved to show them what imperial supremacy meant. Thirteen leaders, among them the twelve tribunes, were executed, the consuls were banished, republican forms entirely suppressed, the government of the city entrusted to Pope Leo as viceroy. He, too, must not presume on the sacredness of his person to set up any claims to independence. Otto regarded the pontiff as no more than the first of his subjects, the creature of his own will, the depositary of an authority which must be exercised according to the discretion of his sovereign. The citizens had yielded to the Emperor an absolute veto on papal elections in A.D. 963. Otto obtained from his nominee, Leo VIII, a confirmation of this privilege, which it was afterward supposed that Hadrian I had granted to Charles, in a decree which may yet be read in the collections of the canon law.* The vigorous exercise of such a power might be expected to reform as well as to restrain the apostolic see; and it was for this purpose, and in noble honesty, that the Teutonic sovereigns employed it. But the fortunes of Otto in the city are a type of those which his successors are destined to experience. Notwithstanding their clear rights and the momentary enthusiasm with which they were greeted in Rome, not all the efforts of Emperor after Emperor could gain any firm hold on the capital they were so proud of. Visiting it only once or twice in their reigns, they must be supported among a

author of John's death, who well might have desired a long life for so useful a servant. He adds a detail too characteristic of the time to be omitted: "Sed eucharistiae viaticum, ipsius instinctu qui eum percusserat, non percepit."

*Corpus Iuris Canonici, Dist. Ixiii., "In synodo." A decree which is probably substantially genuine, although the form in which we have it is evidently of later date.
fickle populace by a large army of strangers, which melted away with terrible rapidity under the sun of Italy amid the deadly hollows of the Campagna.* Rome soon resumed her turbulent independence.

Causes partly the same prevented the Saxon princes from gaining a firm footing throughout Italy. Since Charles the Bald had bartered away for the crown all that made it worth having, no Emperor had exercised substantial authority there. The missi dominici had ceased to traverse the country; the local governors had thrown off control, a crowd of petty potentates had established principalities by aggressions on their weaker neighbors. Only in the dominions of great nobles, like the Marquis of Tuscany and Duke of Spoleto, and in some of the cities where the supremacy of the bishop was paving the way for a republican system, could traces of political order be found, or the arts of peace flourish. Otto, who, though he came as a conqueror, ruled legitimately as Italian king, found his feudal vassals less submissive than in Germany. While actually present he succeeded by progresses and edicts, and stern justice, in doing something to still the turmoil; on his departure Italy relapsed into that disorganization for which her natural features are not less answerable than the mixture of her races. Yet it was at this era, when the confusion was wildest that there appeared the first rudiments of an Italian nationality, based partly on geographical position, partly on the use of a common language and the slow growth of peculiar customs and modes of thought. But though already jealous of the Tedescan, national feeling was still very far from disputing his sway. Pope, princes and

* Cf. St. Peter Damiani’s lines—

"Roma vorax hominum domat ardua colla virorum,
Roma ferax februm necis est uberrima frugum,
Romanae febres stabili sunt iure fideles."
cities bowed to Otto as King and Emperor; nor did he bethink himself of crushing while it was weak a sentiment whose development threatened the existence of his empire. Holding Italy equally for his own with Germany, and ruling both on the same principles, he was content to keep it a separate kingdom, neither changing its institutions, nor sending Saxons, as Charles had sent Franks, to represent his government.*

The lofty claims which Otto acquired with the Roman crown urged him to resume the plans of foreign conquest which had lain neglected since the days of Charles: the growing vigor of the Teutonic people, now definitely separating themselves from surrounding races (this is the era of the Marks—Brandenburg, Meissen, Schleswig), placed in his hands a force to execute those plans which his predecessors had wanted. In this, as in his other enterprises, the great Emperor was active, wise, successful. Retaining the extreme south of Italy, and unwilling to confess the loss of Rome, the Greeks had not ceased to annoy her German masters by intrigue, and might now, under the vigorous leadership of Nicephorus and Tzimiskes, hope again to menace them in arms. Policy, and the fascination which an ostentatiously legitimate court exercised over the Saxon stranger, made Otto, as Napoleon wooed Maria Louisa, seek for his heir the hand of the princess Theophano. Liudprand’s account of his embassy represents in an amusing manner the rival pretensions of the old and new Empires.† The Greeks, who fancied that with the name they preserved the character and rights of Rome, held it

* There was a separate chancellor for Italy, as afterward for the kingdom of Burgundy.

† Liudprand, *Legatio Constantinopolitana.*
almost as absurd as it was wicked that a Frank should insult their prerogative by reigning in Italy as Emperor. They refused him that title altogether; and when the Pope had, in a letter addressed "Imperatori Graecorum," asked Nicephorus to gratify the wishes of the Emperor of the Romans, the Eastern was furious. "You are no Romans," said he, "but wretched Lombards: what means this insolent Pope? with Constantine all Rome migrated hither." The wily bishop appeased him by abusing the Romans, while he insinuated that Byzantium could lay no claim to their name, and proceeded to vindicate the Francia and Saxonia of his master. "'Roman' is the most contemptuous name we can use—it conveys the reproach of every vice, cowardice, falsehood, avarice. But what can be expected from the descendants of the fratricide Romulus? to his asylum were gathered the offscourings of the nations: thence came these κοσμοκράτορες." Nicephorus demanded the "theme" or province of Rome as the price of compliance;* Tzimiskes was more moderate, and Theophano became the bride of Otto II.

Holding the two capitals of Charles the Great, Otto might vindicate the suzerainty over the West Frankish kingdom which it had been meant that the imperial title should carry with it. Arnulf had asserted it by making Eudes, the first Capetian king, receive the crown as his feudatory: Henry the Fowler had been less successful. Otto pursued the same course, intriguing with the discontented nobles of Louis d'Outremer, and receiving their fealty as Superior of Roman Gaul. These pretensions, however, could have been made effective only by arms, and the feudal militia of the tenth century was no such instrument of conquest

* "Sancti imperii nostri olim servos principes, Beneventanum silicet, tradat," etc. The epithet is worth noticing.
as the hosts of Clovis and Charles had been. The star of
the Carolingian of Laon was paling before the rising great-
ness of the Parisian Capets: a Romano-Keltic nation had
formed itself, distinct in tongue from the Franks, whom
it was fast absorbing, and still less willing to submit to a
Saxon stranger. Modern France* dates from the acces-
sion of Hugh Capet, a.d. 987, and the claims of the
Roman Empire were never afterward formally admitted.

Of that France, however, Aquitaine was virtually inde-
pendent. Lotharingia and Burgundy belonged to it as
little as did England. The former of these kingdoms had
adhered to the West Frankish king, Charles
the Simple, against the East Frankish Conrad:
but now, as mostly German in blood and speech,
threw itself into the arms of Otto, and was
thenceforth an integral part of the Empire. Burgundy,
a separate kingdom, had, by seeking from Charles the Fat
a ratification of Boso’s election, by admitting, in the
person of Rudolph the first Transjurane king, the feudal
superiority of Arnulf, acknowledged itself to be dependent
on the German crown. Otto governed it for thirty years,
nominally as the guardian of the young king Conrad (son
of Rudolf II).

Otto’s conquests to the North and East approved him a
worthy successor of the first Emperor. He penetrated far
into Jutland, annexed Schleswig, made Harold the Blue-
toothed his vassal. The Slavic tribes were obliged to
submit, to follow the German host in war, to allow the

* Liudprand calls the Eastern Franks, “ Franci Teutonici” to dis-
tinguish them from the Romanized Franks of Gaul or “Francigenae”
as they were frequently called. The name “ Frank” seems even so
early as the tenth century to have been used in the East as a general
name for the Western peoples of Europe. Liudprand says that the
Greek Emperor included “ sub Prancorum nomine tam Latinos quam
Teutonicos.” Probably this use dates from the time of Charles.
free preaching of the Gospel in their borders. The Hungarians he forced to forsake their nomad life, and delivered Europe from the fear of Asiatic invasions by strengthening the frontier of Austria. Over more distant lands, Spain and England, it was not possible to recover the commanding position of Charles. Henry, as head of the Saxon name, may have wished to unite its branches on both sides the sea,* and it was perhaps partly with this intent that he gained for Otto the hand of Edith, sister of the English Athelstan. But the claim of supremacy, if any there was, was repudiated by Edgar, when, exaggerating the lofty style assumed by some of his predecessors, he called himself "Basilicus and imperator of Britain," † thereby seeming to pretend to a sovereignty over all the nations of the island similar to that which the Roman Emperor claimed over the states of Christendom.

This restored Empire, which professed itself a continuation of the Carolingian, was in many respects different. It was less wide, including, if we reckon strictly, only Germany proper and two-thirds of Italy; or counting in subject but separate kingdoms, Burgundy, Bohemia, Moravia, Poland, Denmark, perhaps Hungary. Its character was less ecclesiastic.

* Conring, De Finibus Imperii.

† Basileus was a favorite title of the English kings before the Conquest. Titles like this used in these early English charters prove, it need hardly be said, absolutely nothing as to the real existence of any rights or powers of the English king beyond his own borders. What they do prove (over and above the taste for florid rhetoric in the royal clerks) is the impression produced by the imperial style, and by the idea of the Emperor's throne as supported by the thrones of kings and other lesser potentates. See hereon Freeman, Hist. of Norm. Conquest, vol. i. ch. 3, § 4; who however surely draws from the use of such titles in England conclusions graver than they warrant.
tical. Otto exalted indeed the spiritual potentates of his realm, and was earnest in spreading Christianity among the heathen: he was master of the Pope and Defender of the Holy Roman Church. But religion held a less important place in his mind and his administration: he made fewer wars for its sake, held no councils, and did not, like his predecessor, criticize the discourses of bishops. It was also less Roman. We do not know whether Otto associated with that name anything more than right to universal dominion and a certain oversight of matters spiritual, nor how far he believed himself to be treading in the steps of the Cæsars. He could not speak Latin, he had few learned men around him, he cannot have possessed the varied cultivation which had been so fruitful in the mind of Charles. Moreover, the conditions of his time were different, and did not permit similar attempts at wide organization. The local potentates would have submitted to no missi dominici; separate laws and jurisdictions would not have yielded to imperial capitularies; the placita at which those laws were framed or published would not have been crowded, as of yore, by armed freemen. But what Otto could he did, and did it to good purpose. Constantly traversing his dominions, he introduced a peace and prosperity before unknown, and left everywhere the impress of an heroic character. Under him the Germans became not only a united nation, but were at once raised on a pinnacle among European peoples as the imperial race, the possessors of Rome and Rome’s authority. While the political connection with Italy stirred their spirit, it brought with it a knowledge and culture hitherto unknown, and gave the newly-kindled energy an object. Germany became in her turn the instructress of the neighboring tribes, who trembled at Otto’s scepter; Poland and Bohemia received from her their arts
and their learning with their religion. If the revived Romano-Germanic Empire was less splendid than the Empire of the West had been under Charles, it was, within narrower limits, firmer and more lasting, since based on a social force which the other had wanted. It perpetuated the name, the language, the literature, such as it then was, of Rome; it extended her spiritual sway; it strove to represent that concentration for which men cried, and became a power to unite and civilize Europe.

The time of Otto the Great has required a fuller treatment, as the era of the Holy Empire's foundation: succeeding rulers may be more quickly dismissed. Yet Otto III's reign cannot pass unnoticed: short, sad, full of bright promise never fulfilled. His mother was the Greek princess Theophano; his preceptor, the illustrious Gerbert; through the one he felt himself connected with the old Empire, and had imbibed the absolutism of Byzantium: by the other he had been reared in the dream of a renovated Rome, with her memories turned to realities. To accomplish that renovation, who so fit as he who with the vigorous blood of the Teutonic conqueror inherited the venerable rights of Constantinople? It was his design, now that the solemn millennial era of the founding of Christianity had arrived, to renew the majesty of the city and make her again the capital of a world-embracing Empire, victorious as Trajan's, despotic as Justinian's, holy as Constantine's. His young and visionary mind was too much dazzled by the gorgeous fancies it created to see the world as it was: Germany rude, Italy unquiet, Rome corrupt and faithless. In A.D. 995, at the age of fifteen, he took from his grandmother's hands the reins of government, and entered Italy to receive his crown, and quell the turbu-
lence of Rome. There he put to death the rebel Crescen-
tius, in whom modern enthusiasm has seen a patriotic
republican, who, reviving the institutions of Alberic, had
ruled as consul or senator, sometimes entitling himself
Emperor. The young monarch reclaimed, perhaps ex-
tended, the privilege of Charles and Otto the Great, by
nominating successive pontiffs: first Bruno his cousin
(Gregory V), then Gerbert, whose name of
Sylvester II recalled significantly the ally of
Constantine: Gerbert, to his contemporaries a
marvel of piety and learning, in later legend
the magician who, at the price of his own soul, purchased
preferment from the Enemy, and by him was at last car-
rried off in the body. With the substitution of these men
for the profligate priests of Italy, began that Teutonic
reform of the Papacy which raised it from the abyss of the
tenth century to the point where Hildebrand found it.
The Emperors were working the ruin of their power by
their most disinterested acts.

With his tutor on Peter’s chair to second or direct
him, Otto labored on his great project in a spirit almost
mystic. He had an intense religious belief in
the Emperor’s duties to the world—in his proclama-
tions he calls himself “Servant of the
Apostles,” “Servant of Jesus Christ”*—to-
gether with the ambitious antiquarianism of
a fiery imagination, kindled by the memorials
of the glory and power he represented. Even the wording
of his laws witnesses to the strange mixture of notions that
filled his eager brain. “We have ordained this,” says an
edict, “in order that, the Church of God being freely and
firmly established, our Empire may be advanced and the
crown of our knighthood triumph; that the power of the

* Proclamation in Pertz, M. G. H. ii.
Roman people may be extended and the commonwealth be restored; so may we be found worthy after living righteously in the tabernacle of this world, to fly away from the prison of this life and reign most righteously with the Lord.” To exclude the claims of the Greeks he used the title “Romanorum Imperator” instead of the simple “Imperator” of his predecessors. His seals bear a legend resembling that used by Charles, “Renovatio Imperii Romanorum;” even the “commonwealth,” despite the results that name had produced under Alberic and Crescentius, was to be re-established. He built a palace on the Aventine, then the most healthy and beautiful quarter of the city; he devised a regular administrative system of government for his capital—namely a patrician, a prefect and a body of judges, who were commanded to recognize no law but Justinian’s. The formula of their appointment has been preserved to us: in it the Emperor delivering to the judge a copy of the code bids him “with this code judge Rome and the Leonine city and the whole world.” He introduced into the simple German court the ceremonious magnificence of Byzantium, not without giving offence to many of his followers.* His father’s wish to draw Italy and Germany more closely together, he followed up by giving the chancellorship of both countries to the same churchman, by maintaining a strong force of Germans in Italy, and by taking his Italian retinue with him through the Transalpine lands. How far these brilliant and far-reaching plans were capable of realization, had their author lived to attempt it, can be but guessed at. It is reasonable to suppose that whatever power he might have gained in the South he would have lost in the North. Dwelling

* "Imperator antiquam Romanorum consuetudinem iam ex magna parte delatam suis cupiens renovare temporibus multa faciebat quae diversi diverse sentiebant."—Thietmar, Chron. ix. ap. Pertz, M. G. H. iii.
rarely in Germany, and in sympathies more a Greek than a Teuton, he reined in the fierce barons with no such tight hand as his grandfather had been wont to do; he neglected the schemes of northern conquest; he released the Polish dukes from the obligation of tribute. But all, save that those plans were his, is now no more than conjecture, for Otto III, "the wonder of the world," as his own generation called him, died childless on the threshold of manhood; the victim, if we may trust a story of the time, of the revenge of Stephanie, widow of Crescentius, who ensnared him by her beauty, and slew him by a lingering poison. They carried him across the Alps with laments whose echoes sound faintly yet from the pages of monkish chroniclers, and buried him in the choir of the basilica at Aachen some fifty paces from the tomb of Charles beneath the central dome. Two years had not passed since, setting out on his last journey to Rome, he had opened that tomb, had gazed on the great Emperor sitting on a marble throne, robed and crowned, with the Gospel-book open before him; and there, touching the dead hand, unclasping from the neck its golden cross, had taken, as it were, an investiture of Empire from his Frankish forerunner. Short as was his life and few his acts, Otto III is in one respect more memorable than any who went before or came after him. None save he desired to make the seven-hilled city again the seat of dominion, reducing Germany and Lombardy and Greece to their rightful place of subject provinces. No one else so forgot the present to live in the light of the ancient order; no other soul was so possessed by that fervid mysticism and that reverence for the glories of the past, whereon rested the idea of the mediæval Empire.

The direct line of Otto the Great had now ended, and though the Franks might elect and the Saxons accept Henry II,* Italy was nowise affected by their acts.

*Annales Quedlinb., ad ann. 1002.
Neither the Empire nor the Lombard kingdom could as yet be of right claimed by the German king. Her princes placed Ardoin, marquis of Ivrea, on the vacant throne of Pavia, moved partly by the growing aversion to a Transalpine power, still more by the desire of impunity under a monarch feeblest than any since Berengar. But the selfishness that had exalted Ardoin soon overthrew him. Ere long a party among the nobles, seconded by the Pope, invited Henry;* his strong army made opposition hopeless, and at Rome he received the imperial crown, A.D. 1014. It is, perhaps, more singular that the Transalpine kings should have clung so pertinaciously to Italian sovereignty than that the Lombards should have so frequently attempted to recover their independence. For the former had often little or no hereditary claim, they were not secure in their seat at home, they crossed a huge mountain barrier into a land of treachery and hatred. But Rome’s glittering lure was irresistible, and the disunion of Italy promised an easy conquest. Surrounded by martial vassals, these Emperors were generally for the moment supreme: once their pennons had disappeared in the gorges of Tyrol, things reverted to their former condition, and Tuscany was little more dependent than Southern Italy. In Southern Italy the Greek viceroy ruled from Bari, and Rome was an outpost instead of the center of Teutonic power. A curious evidence of the wavering politics of the time is furnished by the Annals of Benevento, the Lombard town which on the confines of the Greek and Roman realms gave steady obedience to neither. They usually date by and recognize the princes of Constantinople,† seldom mentioning the Franks.

* Henry had already entered Italy in 1004.
† Annales Beneventani, in Pertz, M. G. II.
till the reign of Conrad II; after him the Western becomes Imperator, the Greek, appearing more rarely, is Imperator Constantinopolitanus. Assailed by the Saracens, masters already of Sicily, these regions seemed on the eve of being lost to Christendom, and the Romans sometimes bethought themselves of returning under the Byzantine scepter. As the weakness of the Greeks in the South favored the rise of the Norman kingdom, so did the liberties of the northern cities shoot up in the absence of the Emperors and the feuds of the princes. Milan, Pavia, Cremona, were only the foremost among many populous centers of industry, some of them self-governing, all quickly absorbing or repelling the rural nobility, and not afraid to display by tumults their aversion to the Germans.

The reign of Conrad II, the first monarch of the great Franconian line, is remarkable for the accession of the Empire of Burgundy, or, as it is after this time more often called, the kingdom of Arles.* *Conrad II.

Rudolf III, the last king, had proposed to bequeath it to Henry II, and the states were at length persuaded to consent to its reunion to the crown from which it had been separated, though to some extent dependent, since the death of Lothar I (son of Lewis the Pious). On Rudolf's death in 1032, Eudes, count of Champagne, endeavored to seize it, and entered the north-western districts, from which he was dislodged by Conrad with some difficulty. Unlike Italy, it became an integral member of the Germanic realm: its prelates and nobles sat in imperial diets, and retained till recently the style and title of Princes of the Holy Empire. The central government was, however, seldom effective in these outlying territories, exposed always to the intrigues, finally to the aggressions, of Capetian France.

Under Conrad's son, Henry III, the Empire attained the

* See Appendix, note A.
meridian of its power. At home Otto the Great’s prerogative had not stood so high. The duchies, always the chief source of fear, were allowed to remain vacant or filled by the relatives of the monarch, who himself retained, contrary to usual practice, those of Franconia and (for some years) Swabia. Abbeys and sees lay entirely in his gift. Intestine feuds were repressed by the proclamation of a public peace. Abroad, the feudal superiority over Hungary, which Henry II had gained by conferring the title of king with the hand of his sister Gisela, was enforced by war, the country made almost a province, and compelled to pay tribute. In Rome no German sovereign had ever been so absolute. A disgraceful contest between three claimants of the papal chair had shocked even the reckless apathy of Italy. Henry deposed them all and appointed their successor: he became hereditary patrician, and wore constantly the green mantle and circlet of gold which were the badges of that office, seeming, one might think, to find in it some further authority than that which the imperial name conferred. The synod passed a decree granting to Henry the right of nominating the supreme pontiff; and the Roman priesthood, who had forfeited the respect of the world even more by habitual simony than by the flagrant corruption of their manners, were forced to receive German after German as their bishop, at the bidding of a ruler so powerful, so severe and pious. But Henry’s encroachments alarmed his own nobles no less than the Italians, and the reaction, which might have been dangerous to himself, was fatal to his successor. A mere chance, as some might call it, determined the course of history. The great Emperor died suddenly in A.D. 1056, and a child was left at the helm, while storms were gathering that might have demanded the wisest hand.