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The Holy Roman Empire (1864) by James Bryce

Reading suggestion

As background, a chapter from Oded Y. Steinberg, *Race, Nation, History: Anglo-German Thought in the Victorian Era* (2019), pp. 134-156.

From Bryce's *Holy Roman Empire*, 'Conclusion: General Summary' (pp. 369-396, in the 1901 edition, which follows).

CHAPTER 5

Teutonism and Romanism

James Bryce's Holy Roman Empire

Freeman's Teutonic unity enduring throughout modernity was also exemplified in the institutional legacy of the Holy Roman Empire (HRE). The interest in the HRE had emerged in Freeman's early writings. On November 19, 1865, Freeman told Bryce: "I have believed in the H.R.E. much as you do for years. Of course, it was [Francis] Palgrave who first set me really thinking."[1] James Bryce, as Freeman noted and as will be illustrated throughout this chapter, also accentuated the institutional Romano-Teutonic legacy of the HRE. Bryce, born to a Presbyterian Ulster-Scot family, engaged in both academic and political/diplomatic spheres throughout his long career. Following the conclusion of his studies at Trinity College, Oxford, in 1862, he received a fellowship at Oriel College that lasted until 1889. It was at the beginning of his fellowship that Bryce began to write *The Holy Roman Empire* (1864), which would eventually be published to great acclaim.[2] From 1870 and until 1893, Bryce was regius professor of civil law at Oxford University. At the beginning of his professorship, law and modern history were still incorporated under the same honorary degree, but in 1872, with Bryce's support, law and modern history were finally separated. Bryce also enjoyed a thriving political career. He was first elected to Parliament for the constituency of Tower Hamlets in 1880, and in 1885 he moved to the constituency of South Aberdeen. In 1886 he was nominated by Gladstone to the role of undersecretary of state for foreign affairs, an appointment that lasted for only six months owing to the dissolution of the Liberal government. Bryce remained in Parliament until 1907, when he was appointed British ambassador to the United States, a role he filled until 1913.[3] Later, upon returning to Britain at the outbreak of World

War I, Bryce headed two of the most significant investigations of the war. One examined the German invasion of Belgium.[4] The other, known by the generic title of the "Blue Book," reported on the Armenian genocide of 1915.[5]

This chapter highlights the similarities between Bryce's and Freeman's historical perceptions. The two shared a mutual admiration of Teutonism (see Chapter 1) and both cherished the HRE, which they deemed the "institutional by-product" of Teutonic supremacy. Bryce, as an expert in constitutional law, emphasized the institutional durability of the HRE and its central role in the shaping of the modern "West."[6] The chapter elaborates Bryce's long-term historical scheme and its likeness to Freeman's exceptional periodization. Due attention, however, is also given to the differences in their views. One such was that, while employing a notion of historical longevity in his *Holy Roman Empire*, Bryce, or so I argue, did not fully accept Freeman's unity theory, which was anchored on the innate racial supremacy of the Aryan race. Bryce, it will be shown, although including "race" in his scheme, mainly stressed the endurance of Teutonic institutions.[7] In exploring this difference, this chapter will also delve into Bryce's mutable understandings of the concept of "race." Freeman, although accepting the fluidity of any notion of "race," remained loyal to the narrative supporting Aryan and Teutonic dominance. Bryce did implement racial explanations and usually adhered to the Teutonic narrative. Occasionally, however, mainly in the 1900s, he also voiced other, less enthusiastic perceptions of "race."

The "Legacy" of Sir Francis Palgrave

Before delving into Bryce's *Holy Roman Empire* and his unique historical periodization, I return to the authority mentioned in Freeman's letter—Sir Francis Palgrave (1788–1861). Palgrave apparently retained a vast influence on the historical perceptions of both Freeman and Bryce. Palgrave, originally Cohen, was born to a Jewish family and converted to Anglicanism in 1823. As the first deputy keeper of the Public Records Archive, Palgrave was thoroughly engaged with historical and juristic themes.[8] Two main themes dominated his historical writings: Romanism and Teutonism and Palgrave moved between the two, which he deemed the most significant forces in history. Freeman, as seen in the previous chapter, advocated a similar but not identical historical argument. He adopted Palgrave's notion of Rome's endurance after AD 476: "The man [Palgrave] who discovered that the Roman Empire did not terminate in

A.D. 476, but that the still living and acting imperial power formed an historical centre for centuries later, merits a place in the very highest rank of historical inquirers."[9] In a letter to George Finlay (1799–1875), the historian of the Byzantine Empire, Freeman, once again, accentuated Palgrave's influence on the insignificance of AD 476. However, on this occasion, Freeman also voiced certain criticisms:

> On Sir F. Palgrave's Normandy and England. Are you up in his writings? I do not remember that either of you ever refers to the other; I am not sure that you would appreciate one another but you always go together in my mind. I make my historical system out of a union of you two. Between you, you work out the fact that the Roman Empire did not die in 476, but lived on as long as you please after. You do the East, which has been forgotten, he the West, which has been misconceived. But he does it only by hints and fragments, and in his present book, he has gone half wild in the form of his composition. I should rather like to write the history of the Western Empire myself; i.e. not so much the history of Germany or of Italy as the history of the Imperial idea.[10]

Palgrave, in Freeman's eyes, was a pioneer in the study of the Western Roman Empire, yet he was also inclined toward certain exaggerations. This was especially evident in Palgrave's overdramatization of Rome's role in the shaping of modernity. As seen, it was Teutonism rather than Romanism that was for Freeman and his circle the dominant force of modern European and world history. Palgrave, as Roger Smith shows, initially (until the late 1820s) argued for Teutonic dominance in the establishment of the European states and especially in the foundation of England.[11] During these years, Palgrave, like his contemporary, Thomas Arnold (Chapter 2), and John Mitchell Kemble, a pioneer of Anglo-Saxon studies, was under the influence of German scholars, such as the Grimm brothers and the poet F. H. von der Hagen (1780–1856).[12]

However, from the 1830s Palgrave began to identify the Roman element as the most dominant carrier in the history of Europe.[13] This "Roman shift" is evident in Palgrave's *History of England* (1831).[14] In his introduction to *The History of Normandy and England* (1851), Palgrave commented that the Germanic tribes had perhaps ruined physical Rome but in fact they "humbly knelt before their Captive."[15] The tribes had embraced Rome's culture and

heritage: "This devolution of authority from Rome, this absorption of Roman authority by the Barbarians, this political, and more than political, this moral unity, this confirmation of a dominion which they seemed to subvert . . . is the great truth upon which the whole history of European society, and more than European society, European civilization, depends."[16] Rome, ruled by several emperors of foreign descent, absorbed "external" influences for centuries: "The Romans taught their Vassals to become their Lords. They educated Goth and Celt and Teuton and Iberian for the Imperial throne."[17] The Teutonic barbarians merged into Rome not only through political, institutional, and cultural influences but also through a racial fusion. The blending of races, however, was not equal and included a more dominant Roman/Latin character.[18] For Palgrave, even the origins of the English nation were not to be found in the German woods but rather the Roman Capitol: "We have been told to seek in the Forests of Germany the origin of the feudal system and the conception of the Gothic aisle. We shall discover neither there. . . . Rome imparted to our European civilization her luxury, her grandeur, her richness, her splendour, her exaltation of human reason, her spirit of free enquiry, her ready mutability, her unwearied activity, her expansive and devouring energy, her hardness of heart, her intellectual pride, her fierceness, her insatiate cruelty."[19] This intense pro-Roman sentiment was, no doubt, at the bottom of Freeman's belief, relayed to Finlay, that Palgrave "has gone half wild."

In another volume of his *History of Normandy and of England*, however, Palgrave intimated that Rome's victory over the Teutonic tribes was far from decisive. In this passage, Palgrave, like many of his contemporaries, acknowledged the direct transfer of power from Rome to the Teutonic tribes: "The Teutonic races, succeeding as inheritors to the fierceness of the Roman Eagle, have in the later ages of the world been most fearfully predominant."[20] The key word here is "fearfully" because, in Palgrave's view, the Teutonic conquest had devastating consequences for other, non-Teutonic tribes: "Gifted with mighty intellectual vigour, they reject, they punish all others and themselves, by their intolerant, fanatic, and contemptuous pride, which takes the sweetness out of their very kindness. Amongst the Teutonic tribes, none so deeply involved in guilt as the 'Anglo-Saxon race.'" The worst of the Teutonic tribes were Palgrave's "own" Anglo-Saxons: "In their treatment of the Celtic nations, they have exceeded all others in iniquity, even degraded Spain."[21] The ferocity, intolerance, and superior innate capabilities of the tribes stood in contrast to the unifying and universal character of Rome. While Rome integrated other cultures and races, the Teutons crushed them.

A question, of course, arises concerning Palgrave's remarks. His views on the Teutonic emergence contradict his argument that Rome, rather than the tribes, continued to shape European history, including England, during "modernity." Despite these last quoted remarks and when considering the full scope of Palgrave's writings, the inevitable conclusion is that Rome's inheritance was the cornerstone of his historical scheme. Yet, to claim that Palgrave totally abandoned the Teutonic narrative is far-fetched, and it seems that he imagined a certain unity between Rome and Teutonism. It is possible, of course, that Palgrave's narrative included certain inconsistencies, and therefore his scheme was not totally coherent. Hence, he sometimes interchanged between Roman and Teutonic narratives. In any case, it is important to note that the Teutonic scholars did not adopt Palgrave's less favorable view of the Teutonic tribes. However, his emphasis on the insignificance of AD 476 was received as a seed and grew into the root of the periodization of both Freeman and Bryce.

Palgrave's periodization of world history was bound up in the famous prophecy of Daniel.[22] From the very beginning of his general introduction to *The History of Normandy and of England,* he focused on the notion of the "fourth kingdom." This term, injected with a religious meaning, appeared in the subtitle of the book's introduction. Due to our ignorance of past ages, Palgrave wrote, we must depend on the holy scriptures. In this case, the prophecy of Daniel holds the key to historical understanding since revelation, Palgrave stressed, is the foundation of universal history.[23] The four empires symbolize four consecutive world ages and include "all the history we know, all we really need to know, all we can ever really know."[24] According to Palgrave, the four monarchies had been Assyria, Persia, Greece, and Rome. Thus, Rome represented the last of the monarchies and the period from its establishment until Palgrave's own days was in fact one single continuation of Roman dominance: "We, therefore, all live in the Roman world: the departed generations are not distinguishable in these reasonings from ourselves; the 'dark ages' and the 'middle ages' are merely bights and bends in the great stream of Time."[25] The tribes, according to this perspective, preserved the essence of Rome and so did not commence a totally new period. In his *History of the Anglo-Saxons* (1831), Palgrave even criticized the beacons of the eighteenth century, Robertson and Gibbon, for "missing" the linkage between the fourth monarchy/Rome and modern Europe. Palgrave, however, did praise, in his succeeding sentence, the works of Jean-Baptiste Dubos, Friedrich Carl von Savigny, and John Allen, who all recognized the continuous influence of

Rome.[26] Through the adoption of the four monarchies scheme, the coming of the Germanic tribes in the fifth century became less prominent. One long and unified historical period merged Rome with modernity. This vision, in effect, amounts to an earlier variation on Freeman's "unity of history."

From our glance at Palgrave's writings, several conclusions may be drawn. Primarily, it is obvious why Freeman named him a source of inspiration. Freeman cherished Palgrave's innovative historical scheme, arguing for a certain historical unity and the continuance of certain Roman mores among the modern Teutonic kingdoms. Indeed, Palgrave's "attack" on the false and artificial division of AD 476 became central to Freeman's and—as now will be discussed—Bryce's historical perception. But, to conclude, a major difference still separated Palgrave from the likes of Arnold and Freeman. While the latter, especially Freeman, regarded Teutonism as superior, Palgrave, in most cases, favored Rome's heritage. For him, the "fourth empire" merged the two elements, yet Romanism still prevailed.

Bryce: Imperial Unity from Augustus to AD 1804

Like Palgrave, Bryce stressed the fusion of Teutonism and Romanism. Unlike Palgrave, Bryce continued to regard Teutonism as a central component in the shaping of modernity. Together with Freeman, Bryce belonged to the Teutonic circle of scholars. But where Freeman founded his arguments on the alleged racial dominance of the Aryans, Bryce, primarily emphasized the juristic-institutional inheritance of the Romano-Teutonic civilization. While some scholarly attention has been given to Freeman's historical method (see Chapter 4), Bryce's historical scheme remains largely forgotten. There are, indeed, some studies focusing on Bryce's prolific academic and diplomatic/political career, but his *Holy Roman Empire*, including his personal correspondence and notes on this work, have never been thoroughly studied, let alone examined in the context of what will be defined as his unique periodization.[27]

Freeman regarded Bryce as an authority on the history of the German lands. In a letter of October 22, 1864, he described Bryce's *Holy Roman Empire* favorably.[28] This was not so surprising since a year or so before it had been Freeman who had encouraged Bryce to submit an essay about imperial Germany to the Arnold Essay Prize competition.[29] In his letter, Freeman mentioned two uncertainties regarding Bryce's book: one concerning the style

of reference (footnotes); and the other, Bryce's "Germanism," which was "better anyhow than a Gallicism."[30] Freeman's words illustrate, once again, his aversion toward France/Celticism. More important, and like Freeman's review of Mommsen (see Chapter 2), together with his respect toward Germany, Freeman also criticized German scholarship. His Teutonic affinity did not mean that he automatically approved of all German scholarship. For Freeman, since the English were the purest of all the Teutonic nations, they ought to preserve and cherish their original customs.

It is also possible that when Freeman criticized Bryce's "Germanism" he was not yet sufficiently acquainted with German scholarship because his knowledge of German scholarship only developed later. This argument is corroborated by the fact that in the early 1860s Freeman acknowledged Bryce as an authority on German scholarship and asked Bryce to introduce him to various German books. When Bryce traveled in Germany in 1863 he wrote several letters to Freeman. The letters described contemporary German studies on federalism and the system of the German *Mark*. Among many German works, Bryce mentioned the names of the scholars (mainly jurists) Karl Friedrich Eichhorn (1781–1854), Waitz, Grimm, and Maurer.[31] Due to his German expertise, Freeman urged Bryce to pay him a visit in his house in Wales, so Bryce could assist him with the study of Germany.[32] Freeman, as described earlier, while considering himself an English expert on Swiss federalism, was eager to acquire greater knowledge of German scholarship.

Bryce's *Holy Roman Empire* is a clear example of his affinity and expertise in the history of the German lands. The book presents a very long history of the German-Roman imperial idea and may be viewed as Bryce's own interpretation of the "unity of history," or at least his version of the link between antiquity and modernity. Already in the opening pages of the book he included a list of the emperors from Augustus (27 BC) down to the nineteenth century. In the first editions, the list concluded with the abdication of the last Holy Roman emperor, Francis II (ruled until 1806).[33] However, in later editions, such as the sixth edition of 1904, the list ended with the German emperor William II.[34] A long imperial continuum of almost two millennia had dominated western Europe. In all editions, next to the name of Romulus Augustulus and the year AD 476, Bryce wrote: "End of the Western line in Romulus Augustulus. Henceforth, till A.D. 800, Emperors reigning at Constantinople."[35] According to Bryce, the West had merged with the East until the final division occurred when Charles I (the Great) restored the empire. For that reason, since the imperial lineage had continued in the East, Bryce pre-

sented a list of the ruling emperors of Constantinople, beginning with Anastasius I (ruled AD 491–518) and ending with Irene's removal of Constantine VI in the East (AD 797), which occurred almost parallel with Charles's coronation in the West (AD 800). From this stage, the emperors of Byzantium were omitted from Bryce's list and he names only the Western rulers. Thus, in AD 800, the East and the West finally went their separate ways. This long endurance of imperial rule is also apparent in another list in the opening pages of *The Holy Roman Empire*, where Bryce lists the central events in the empire's history from the battle of Pharsalus, when Caesar became tribune for life (48 BC), to the war of 1871 between France and Germany.[36]

For Bryce, the tribal leaders who conquered the West in the fifth century had not become an integral part of the Roman Empire. Accordingly, Odoacer and Clovis and other barbaric chieftains were not included in Bryce's imperial genealogy. Considering these tribal leaders merely as tribal kings, Bryce's view on this issue was common, and, indeed, most scholars did not classify the Germanic barbarian rulers as continuing the imperial lineage. Freeman, in one of his early letters to Bryce, asked Bryce why he mentioned Odoacer as the king of Italy.[37] Bryce in response wrote that this was an error, and in fact: "Odoacer was merely *rex* . . . not [*rex*] *Italiae*,— I don't know how that can have been in, unless it was copied from Gibbon when I just wrote the essay and never corrected after."[38] Freeman responded that the barbaric kings who had conquered Rome remained tribal kings without any additional title: "I cannot find that either Odoacer or Theodoric formally called himself king of Italy. They were kings, i.e., kings of their own people, and imperial lieutenants as well, but not territorial kings. You don't find historical titles for ages."[39]

Bryce did acknowledge the role of the tribes in the decline of the Western Roman Empire. In handwritten comments (ca. 1863) preceding the publication of his *Holy Roman Empire*, he argued that the tribes were part of Western decline: they had damaged the political structure and inflicted general havoc. Yet, the tribes were only the symptom of a graver illness. The main cause of the decline, Bryce argued, was an internal financial crisis that harmed Rome for centuries. The crisis originated from inefficient governance and exhaustion of resources. In addition, there was a general "social feebleness," evident in the absence of a true aristocracy, growing poverty, and want of troops.[40] This conclusion was recapitulated thirty or so years later in Bryce's 1901 essay "The Roman Empire and the British Empire in India." Referring generally to the decadence of empires in history, Bryce commented that empires die either from "disease" or "violence." In the case of Rome, it was a common mistake to single

out "violence"—namely, the invasion of the tribes—as the sole reason for the fall.[41] However, it was mainly the "disease" of the Roman economy that instigated the decadence. As Bryce describes the problem in his *Holy Roman Empire*:

> The crowd that filled her [Rome's] streets was composed partly of poor and idle freemen, unaccustomed to arms and debarred from political rights; partly of a far more numerous herd of slaves, gathered from all parts of the world, and morally even lower than their masters. There was no middle class, and no system of municipal institutions, for although the senate and consuls with many of the lesser magistracies continued to exist, they had for centuries enjoyed no effective power, and were nowise fitted to lead and rule the people. Hence, it was that when the Gothic war and the subsequent inroads of the Lombards had reduced the great families to beggary, the framework of society dissolved and could not be replaced.[42]

The "fall" was mostly a consequence of internal Roman anarchy. The tribes only gave the final blow. Interestingly, both in his early notes and in his 1901 essay, Bryce included the Teutonic and the Arab-Muslim invasions as part of the same external "violence." For him, there were two main barbarian waves: the northern wave of the Germanic and Slavonic tribes, on the one hand; and on the other, the eastern wave mainly including the Muslim hordes. Both waves lasted for several centuries and constantly threatened the empire until "the north [Teutonic] and the east [Muslims] ultimately destroyed Rome."[43] Yet again, for Bryce, it was mainly about the economy: "But the dissolution and dismemberment of the Western Roman Empire, beginning with the abandonment of Britain in A.D. 411, and ending with the establishment of the Lombards in Italy in A.D. 568, with the conquest of Africa by the Arab chief Sidi Okba in the seventh century, and with the capture of Sicily by Musulman fleets in the ninth, were really due to internal causes which had been for a long time at work."[44]

Bryce's views on Western Rome's final destruction require further clarification. Did Rome really "fall" with the arrival of the invaders or, as Bryce stated in *The Holy Roman Empire*, had it been integrated with the Eastern Roman branch prior to Charles's restoration? It seems that Bryce's arguments were inconsistent. Bryce perhaps changed his opinion between the first appearance of his *Holy Roman Empire* (1864) and the publication of his *Studies*

in History and Jurisprudence (1901). This, however, is not a satisfactory explanation, since in his new fourth edition of the *The Holy Roman Empire* (1901), he maintained his original narrative of an enduring Eastern and Western Roman unity. Thus, Bryce did not alter his opinion and another explanation is needed for this supposed inconsistency.

Bryce, I argue, did acknowledge a certain physical destruction of the Western Empire in the fourth and fifth centuries, which had forced it to unite with the Eastern Empire. In *The Holy Roman Empire*, Bryce stressed that following the tribal invasions, the imperial line had continued in Constantinople. The Western "destruction," however, was both complex and gradual. In a letter to Freeman, Bryce chose to describe the Western collapse as "disintegration rather than destruction."[45] Most important, there was a continuation of the imperial notion in the Eastern Roman Empire. Furthermore, even the Germanic kingdoms adopted certain Roman mores and institutions. In a letter of 1862, where Bryce set down the fundamental notions of his future publication, he told Freeman that cooperation and union, rather than devastation, defined the relations between the Romans and Teutons: "I think of beginning with an attempt at changing the relation of Roman and Teuton in the fifth century: How to trace penetration of Romans from in Teutonic Kingdoms."[46] Bryce's view was unique, since in place of constant strife between the two entities, he adopted a less dichotomist approach. The tribes, hence, did not obliterate everything, and as Bryce emphasized later in his book, they had adopted Roman law, titles as well as some institutions. Most important, the tribes embraced Christianity, the official Roman religion, while abandoning their ancient Aryan beliefs:

> But the idea of a Roman Empire as a necessary part of the world's order had not vanished: it had been admitted by those who seemed to be destroying it; it had been cherished by the Church; it was still recalled by laws and customs; it was dear to the subject populations, who fondly looked back to the days when despotism was at least mitigated by peace and order. We have seen the Teuton endeavouring everywhere to identify himself with the system he overthrew. As Goths, Burgundians, and Franks sought the title of consul or patrician, as the Lombard kings when they renounced their Arianism styled themselves Flavii, so even in distant England the fierce Saxon and Anglian conquerors used the names of Roman dignities, and before long began to call themselves *imperatores* and *basileis* of Britain.[47]

Christianity became the main force defining the longevity of the Roman Empire. Consequently, parallel to his list of emperors, Bryce introduced a list of the popes. The list included all the "bishops of Rome" from Petrus down to Pius IX (elected 1846).[48] Hence, the church and the Holy Roman Empire marched side by side. The two institutions, despite years of rivalry, could not exist separately and both shaped Europe. It was a gradual development, but eventually "Christianity as well as civilization became conterminous with the Roman Empire."[49]

The merger of state and church reached its zenith with Charles's coronation at Rome. Following the coronation, the West once again merged with the church and empire: "The Frank [Charles] had been always faithful to Rome: his baptism was the enlistment of a new barbarian auxiliary. His services against Arian heretics and Lombard marauders, against the Saracen of Spain and the Avar of Pannonia, had earned him the title of Champion of the Faith and Defender of the Holy See. He was now unquestioned lord of Western Europe."[50] From the reunification, both civilizations (Roman and Teuton), instead of engaging in conflict, finally joined forces. For Bryce, one of the main causes for the sustainability of the HRE was the comingling of Rome and Germany under the roof of the church. Charles became the heir of Augustus, and subsequently there was a "union, so long in preparation, so mighty in its consequences, of the Roman and the Teuton, of the memories and the civilization of the South with the fresh energy of the North, and from that moment modern history begins."[51] The restoration of Rome, as Bryce named this event, had been the most dramatic event in history. Other monumental events, such as the assassination of Caesar, the conversion of Constantine and the reformation of Luther were significant, but stood in the shadow of Charles's Roman restoration. The convergence of Teuton and Roman was only made possible through the acts of Charles. Indeed, a transformation befell the empire with the invasion of the Teutonic tribes, but with the new emperor Rome regained its control of the West. Most important, Charles's empire altered historical periodization as it carried a "new spirit" and marked the "end of decaying civilization."[52]

A direct line linked the Roman Empire with the HRE. Still, from the coronation, a new era had commenced, which Bryce defined as the beginning of modernity. This last point is crucial for the discussion, since Bryce, as in the case of Thomas Arnold and Freeman, identified AD 800 as a monumental date. Like Freeman, Bryce also asserted that too much importance had been awarded to AD 476. Nevertheless, Bryce identified certain crucial developments that had begun in the fifth century, such as the integration of the

Western Empire into the Eastern one: "To those who lived at the time, this year (476 A.D.) was no such epoch as it has since become, nor was any impression made on men's mind commensurate with real significance of the event. For though it did not destroy the Empire in idea, nor wholly even in fact, its consequences were from the first great."[53]

When visiting Aachen, the coronation site of thirty-one Holy Roman emperors, Bryce stressed to Freeman the longevity of the imperial institution and the linkage between Charles, Otto III, and later emperors: "The basilica at Aachen, the stone bright under the dome inscribed Carlus Magnus, the sarcophagus where his bones lay, the marble chair in which Otto III formed his sitting . . . and in which every king of the Romans was crowned till Ferdinand I, it is a singular building in every way."[54] The cathedral in Aachen connected not only Charles and Otto, but also Charles and Ferdinand I (crowned in 1558), who were separated by more than seven hundred years yet ruled the same political-institutional entity. More important, from Charles, the heart of the empire moved to the north, into the German lands: "The Teutonic Emperors . . . in the seven centuries from Charles the Great to Charles the Fifth, have left fewer marks of their presence in Rome than Titus or Hadrian alone have done."[55]

Bryce noted in his handwritten comments that the Carolingians had revived the Teutonic assemblies and that the empire had a Teutonic rather than French-Celtic kernel. Teutonism, therefore, became the dominant factor in the empire: "The inheritance of the Roman Empire made the Germans the ruling race of Europe, and the brilliance of that glorious dawn has never faded and can never fade entirely from their name."[56] Bryce also used the term "race" to describe Teutonic prevalence. For that reason, he mocked the French claim that their own "Charlemagne" (rather than Charles or Carl) and his empire had been French. For Bryce, as seen in Freeman's case, the French imperial claim was an absurdity. Charles's empire was "European not French." Due to their tribal Teutonic ancestry, which promoted the notions of freedom and equality, the German states "have been little more successful than their neighbours [France] in the establishment of free constitutions."[57]

There was also an innate, rooted difference between the Teutonic and the Romano-Celtic races. While the Teutons signified particularism, the Romano-Celtic races were the carriers of universalism: "The tendency of the Teuton was and is to the independence of the individual life . . . as contrasted with Keltic and so-called Romanic peoples, among which the unit is more completely absorbed in the mass."[58] Bryce, I argue, is here wavering between

these universal and particularistic tendencies. As shown, he admired the Teutonic contribution yet on many occasions praised Rome's influence on world history, its homogeneous character, and its abolishment of racial differences. The empire, through law and culture, transformed gradually into a unified entity. A process intensified by the spread of Christianity, uniting the empire under one religion and morality: "The Roman dominion giving to many nations a common speech and law, smote this feeling on its political side; Christianity more effectually banished it from the soul by substituting for the variety of local pantheons the belief in one God, before whom all men are equal."[59] It was Christianity and not paganism that formed the notion of human equality. This development benefited the "backward races" within the Roman territory because they were elevated to the "level of the more advanced [races]."[60] The HRE, which carried Roman law, religion, and notions to modernity, signified fusion rather than strife. No continuous conflict persisted between the Teutonic and Latin races. The empire, indeed, had suffered physical and political destruction following the tribal invasions, but it eventually remained intact and even prospered after the fifth century. Rome symbolized a utopian model of just governance, which due to its universal characteristics could never be demolished: Rome "was imperishable because it was universal."[61] The ideas embedded within the empire were far more powerful than its military might. Paradoxically, when its political power diminished, its culture and values only became stronger: "When the military power of the conquering city had departed, her sway over the world of thought began . . . her language, her theology, her laws, her architecture made their way where the eagles of war had never flown. And with the spread of civilization have found new homes on the Ganges and the Mississippi."[62]

The Roman and British Empires

The Romano-Teutonic civilization reached America (Mississippi) and India (Ganges) through the expansion of what Bryce named the "English race living on both sides of the Atlantic."[63] For Bryce, there were similarities and even continuities between the Roman and British Empire (with its American sister nation), despite the thousand or so years that set these entities apart. Through this analogy, Bryce's view of historical unity or the merger of antiquity and modernity becomes mostly evident. British rule in India, he asserted, was especially akin to the Roman control of the provinces.[64] Rome was the only an-

cient empire resembling modern empires. Naturally, some differences existed. Rome, a territorial power, conquered the lands bordering the Italian peninsula and gradually expanded to other areas. England, on the contrary, was a naval force, and its focus was on distant regions such as India, six thousand miles away. Yet, a few central resemblances still linked Rome and England. Neither empire had intended to conquer such vast lands, and both had advanced somewhat accidentally. But following their expansion, both civilized the "barbarous or semi-civilized races," as Bryce titled them, until the savage customs were neglected and the "old native life dies out."[65] Thus, Bryce viewed the civilizing mission of Rome and Britain as constructive, since it reinvigorated the life of the autochthonic inhabitants: "There is an imperialism which is rash, boastful, and aggressive . . . and there is also an Imperialism which is reasonable."[66] A certain enlightened imperialism, resembling John Stuart Mill's vision, characterized the spirit of both empires.[67]

Apropos of the last point, Bryce did find a major distinction between the two empires. Britain, dissimilar to Rome, could never fully assimilate the Indians. This was due to major racial distinctions: "The relations of the conquering country to the conquered country, and of the conquering race to the conquered races, are totally different in the two cases. In the case of Rome there was a similarity of conditions which pointed to and ultimately effected a fusion of the peoples. In the case of England there is a dissimilarity which makes the fusion of her people with the peoples of India impossible."[68] Rome, as detailed here and above, incorporated most of the races living within its territories. Several emperors had even been of non-Latin origin. For this reason, the union of the Roman and Teuton even survived the physical devastation of Western Rome.

Bryce also asserted, in a point that will be reemphasized, that "race" played a totally different role for the Romans: "There was no severing line like this in the ancient world."[69] The Romans, he continued, had hardly engaged with other "dark races" (excluding the Egyptians and the Nubians). Even if they had more frequently encountered these races, it is probable that the Romans would have mixed with them. The Latins, as also seen in the Spanish and Portuguese conquests of South America, had freely blended with members of other races. This was almost an innate character of the Latins, absent among the Teutonic stock: "the Romans would have felt and acted not like Teutons, but rather as the Spanish and Portuguese have done. Difference of colour does not repel members of these last-named nations. Among them, unions, that is to say legitimate unions, of whites with dark-skinned people, are not uncommon,

nor is the mulatto or quadroon offspring kept apart and looked down upon as he is among the Anglo-Americans."[70] Bryce criticized the conduct of his own Anglo-Americans. Discrimination against the "darker races" was the main source of slavery, which Bryce strictly opposed: "nothing did more to mitigate the horrors of slavery than the fact that the slave was usually of a tint and type of features not markedly unlike those of his master."[71] In his "Empire in India" essay, Bryce referred to the tendency of those of Teutonic stock as a *force majeure* because they could not resist their natural aversion toward the "dark races": "Now to the Teutonic peoples, and especially to the English and Anglo-Americans, the difference of colour means a great deal. It creates a feeling of separation, perhaps even of a slight repulsion. Such a feeling may be deemed unreasonable or unchristian, but it seems too deeply rooted to be effaceable in any time we can foresee."[72] Bryce, therefore, attempted to "distance" himself from such a clear racial-physical typology, mainly because this contradicted his moral/Christian values.

Religion could also bond or separate races. Christianity was crucial in the union of the Teuton and Roman. Religion, in general, he wrote: "held together the Eastern Empire, originally a congeries of diverse races, in the midst of dangers threatening it from every side for eight hundred years. Religion now holds together the Turkish Empire in spite of the hopeless incompetence of its government. Religion split up the Romano-Germanic Empire after the time of Charles the Fifth. The instances of the Jews and the Armenians are even more familiar."[73] Race, nevertheless, was far more prevalent. In the Teutonic-Roman civilization the minor racial variances allowed mixture, while in the case of the English race in America or India, racial hierarchy separated the "civilized" from the "barbarous": "even if colour did not form an obstacle to intermarriage, religion would. Religion, however, can be changed, and colour cannot."[74] The "Blacks" in America, for instance, despite their Christianity, were still treated unequally due to their different physical features. To the Anglo-Saxons, "race," dissimilar to religion, included an inherent stamp that divided human groups.

Nevertheless, other examples in Bryce's writings testify to explicit racial views. Despite his condemnation of the Anglo-Americans, "colour" or "blood," it could be argued, was still very central to his approach.[75] The fact that, even in his rather more universal argumentation above, he stressed the natural distinction between the Latins and Teutons concerning their assimilation with the "dark races" points to a certain implementation of a racial reasoning that assumes that various innate factors characterized the conduct of races from the dawn of history. Another example of Bryce's racial discourse appears at

the end of his "Empire in India" essay. Rome, he maintained, had either integrated races with advanced civilization or stocks of "full intellectual force," such as the Gauls and the Germans, who had been "capable of receiving her lessons, and of rapidly rising to the level of her culture."[76] Some races, following their inborn qualities, could be "advanced," while others, like the Indians, had hardly any hope: "But the races of India were all of them far behind the English in material civilization. Some of them were and are intellectually backward; others, whose keen intelligence and aptitude for learning equals that of Europeans, are inferior in energy and strength of will."[77] Race, together with religious/cultural differences, formed a barrier between the British and the Indians. In many other current examples the gap between the "civilized" and the "semi-barbarous" was not as wide. For instance, the Siberians, Georgians, and Armenians, Bryce commented, will most likely integrate with Russia. A comparable example to the racial breach between the English and the Indians was to be found in the American rule in the Philippines, where the "cultivation" of the autochthonic races will probably never occur.

Bryce, therefore, shared some of the racial views that he himself condemned. Like other scholars (such as Freeman and Kingsley), Bryce was a nineteenth-century liberal scholar opposing slavery who, in the same breath, voiced racial sentiments. However, as I have argued before, despite Bryce's usage of certain racial-physical classifications, his approach also involved dominant universal tendencies. For Bryce, especially in comparison with Freeman, "race" was not especially crucial. While Freeman identified it as an independent factor signifying historical unity, Bryce thought that race was less dominant in antiquity. In the above statements, mainly from his "Empire in India" essay, Bryce expressed a mixed view: mostly criticizing racial explanations, yet, in some cases, also adopting them.

In his *Race Sentiment as a Factor in History* (1915), a lecture Bryce delivered six months after the outbreak of World War I, he voiced a more skeptical view toward "race."[78] In the essay, written eight years before his death, he asserted that although many considered "race" as pivotal, it was not a major factor in history. In Bryce's *Race Sentiment*, which resembles his "Empire in India" essay, he repeated with greater clarity that in the ancient world "race" had mostly been ignored. During antiquity, it had been tribal and national sentiments, which were distinct from race, that determined relations between various groups, such as the Persians, Greeks, and Jews. Ancient civilizations had no consciousness of belonging to a different race, and their struggles, dissimilar to Freeman's perception, had not being founded on innate racial animosities.

Even the *Völkerwanderung* of the Teutonic tribes had not been identified by the men of antiquity as signifying a racial conflict. Concerning this last idea, Bryce himself, it should be noted, still described the tribal invasions as a "gigantic Race Movement."[79] Thus, he did not dismiss the racial kernel altogether but only refuted the view of such contemporaries as Freeman that already in antiquity the "wanderings" had been regarded as part of a racial strife.

When moving into the Middle Ages/early modernity, Bryce continued to downplay the significance of "race" in various conflicts. In his opinion, the lasting wars between the Turks and Christian Europe were chiefly founded on religious differences rather than race. Furthermore, the internal European rivalries of the eighteenth century, such as the conflicts between Spain and the Dutch or between France and Britain, were not racial. The most interesting example in Bryce's 1915 essay arises in relation to his own British Isles. As previously mentioned, during the 1870s and 1880s Freeman, Stubbs, and even Bryce shared a common view concerning the racial conflict between the Anglo-Saxons and the Celtic inhabitants of the isles. Due to this conflict, the Celts had been forced to migrate into the island's periphery, that is, Wales and Ireland and the Scottish Highlands. In his 1915 essay, Bryce denied any such racial Teutonic-Celtic struggle. There were some conspicuous religious differences between Ireland and England, yet the races mixed and even the Anglo-Normans who settled Ireland became "more Irish than the Irish themselves."[80] In Ulster, Bryce's homeland, there was less of a mixture between Lowland Scots and the Irish, but this, following Bryce's general argument, was subsequent to religious and not racial differences. There is no such thing as racial purity among the "two nations of Ireland" since: "neither of such nations would consist wholly of Celtic, neither wholly of Teutonic blood."[81]

In our own period, Bryce wrote critically, race became everything. Groups merge or separate based on racial classifications. The change commenced with the American and French revolutions, which had awakened the national sentiment among the masses. These national sentiments were soon colored with racial shades strengthened by the emerging scientific discourse about the distinction between Aryan, Semitic, and Turanian origins. The fault was also to be laid on the doorstep of poets and historians who "feed the flame of national pride."[82] History, Bryce warned, was easily manipulated and served the nation's needs: "But the study of the past has its dangers when it makes men transfer past claims and past hatreds to the present."[83] The new racial phenomenon, following the words of the German Jewish poet Heinrich Heine, signified backwardness rather than progress. In a footnote citing Heine once

again, Bryce mocked the German exploitation of the famous Teutonic victory over Varus in the Teutoburg Forest. With these words, stated initially in a public lecture during the first months of World War I, Bryce detached himself completely from his former Teutonic affinity. If in the nineteenth century, as elaborated above, Bryce was part of the Teutonic circle of scholars, his anti-Teutonic as well as antiracial statements at the beginning of the war appear to mark his disassociation from his former Teutonic association.[84]

But, as I demonstrated before and will further validate now, there are earlier signs of Bryce's more moderate Teutonism. Already in the first edition of *The Holy Roman Empire* (1864), Bryce expressed some less particularistic notions. For instance, in a claim that Freeman would never have countenanced, Bryce praised France for its imperial heredity. Although Bryce, like Freeman, attacked France for its appropriation of Charles's legacy, he did admire France for cherishing Rome's traditions: "No one can doubt that France represents, and has always represented, the imperialist spirit of Rome far more truly than those whom the Middle Ages recognized as the legitimate heirs of her name and dominion. In the political character of the French people, whether it be the result of the five centuries of Roman rule in Gaul, or rather due to the original instincts of the Gallic race, is to be found their claim, a claim better founded than any which Napoleon put forward, to be the Romans of the modern world."[85]

As with his argument about the linkage between the Teutonic tribes and modern Germany, Bryce connected the ancient Gallo-Roman past with the development of modern France. The Germans acquired their constitutions from the tradition of their Teutonic forefathers, while the imperialist traditions of France were a result of the long Roman conquest in Gaul. Bryce, therefore, acknowledged France's contribution to world history and stated his more "moderate" Teutonic notions from the 1860s. Indeed, like Freeman, Bryce acknowledged the dramatic influence of Teutonism. Unlike Freeman, he also recognized the contribution of other stocks, such as the Latins (France). In relation to this difference, both scholars, it will now be shown, also differed in their understanding of the unity of history.

Bryce View of Freeman's "Unity of History"

According to Bryce, he and Freeman, were not in total consent regarding the "unity of history." Subsequent to an anonymous review in the *Pall Mall Gazette* of his second volume of *Historical Essays*, Freeman complained to Bryce

that the reviewer, probably "a narrow sort of classical man," did not comprehend their shared notion of the unity of history "and the lasting on of the empire."[86] Freeman, in other words, assumed that Bryce agreed with him on the theory of the unity. In addition, the anonymous reviewer of *Historical Essays*, Freeman complained, did not understand his (Freeman's) sources of inspiration. They were not, as mentioned in the review, Jacques-Bénigne Lignel Bossuet, Gotthold Ephraim Lessing, or Carlyle, but rather Palgrave and Sir John Seeley who "most likely he [the reviewer] has never heard of."[87] In the review itself, this "classical author" claimed that Freeman in his first volume on the Middle Ages did display originality. However, in the second volume, while focusing on the classical world, Freeman "lost his way." The reviewer also recognized, correctly, that Freeman, following Thomas Arnold, "was fed upon Niebuhr," stressing again the German scholar's influence on Freeman (see Chapter 2). Concerning the unity theory and the long duration of the HRE, the reviewer claimed this was not an original argument of Freeman but had already appeared in the writings of historians such as Henry Hallam and Carlyle.[88]

Six days after Freeman's letter to Bryce and nine days following the anonymous review, Bryce published his review of Freeman's *Historical Essays*. In the review, Bryce did not fully accept Freeman's unity theory:

> It is quite true, for instance, that all history ought to be regarded as one, and as far as possible studied as one, but there are limits to this possibility, and for many purposes ancient, medieval, and modern history may be treated of and worked out apart. Admirable service has been done in mediaeval history by men who knew very little either about Athens under Pericles or about Massachusetts under Governor Andrew. Mr. Freeman's views are sometimes so broadly expressed on this matter that we feel inclined to ask him whether he finds that his ignorance of the early history of Egypt and Asia Minor—countries which certainly had a great influence on Greece—prevents him from understanding Homer and Herodotus.[89]

Thus, Bryce asserted that the division between periods may still possess a certain validity. Freeman, in response, continued to insist that he and Bryce shared a common view: "As for the unity of history, I can see no difference between what you say in the second paragraph of the article and what I say in the *Rede* lecture [Cambridge, 1872]. . . . I make here just the same limitations

which you do."[90] Freeman, unlike Bryce, did not identify a unity or even an important connection between what he saw as two of the greatest civilizations in history: Egypt and Greece. As Freeman continued in his letter: "I confess my ignorance of Egyptian history: only is there any to be ignorant of? But I will not believe that Egypt had any effect upon Greece. Surely you don't believe in Curtius's *Uinim* or whatever the name is."[91] Freeman referred to Ernst Curtius (1814–96), the German archaeologist and classicist, who asserted that Egypt and Greece had maintained contact since the arrival of the *Uinim* (Ionians) in Egypt.[92] For Curtius, as well as for Baron Bunsen, some of the Ionians had settled in Egypt under the pharaohs. Thus, there had been cultural exchanges between the two civilizations.[93] Freeman and Bryce disagreed on whether a unified Egyptian and Greek history had ever existed.

This difference, I claim, is embedded not only in the debate over the "unity of history" but also in the discussion of race. The debate regarding early Egyptian and Near Eastern influences on Greece became prominent from the eighteenth century. As Suzanne Marchand clarifies, the main question was when "real" history began: had it originated in Greece (West) or in the Orient?[94] For Freeman, the debate had some prominent racial implications. If Greece borrowed from Egypt, then this indicated that the Aryan Greeks were not necessarily a "pure" race but had absorbed Semitic influences.[95] For this reason, Freeman, in response to Bryce's criticism, refuted Curtius's theory. In a letter written eight years later, Freeman was still preoccupied with this question and confessed to J. R. Green that the latest findings in the field had "shaken" his strong belief in the Aryan origin of Greek civilization:

> I sometimes get a little troubled as to any possible influence of Egypt on Greek art. When I first learned things the old notion about Kadmos, Kekrops had come out, and [Archibald Henry] Sayce and the Hittites had not come in nor even [Austen Henry] Layard and the Ninevites. So we believed that everything Greek was original, pure Aryan—at most we learned our letters from the Jew's cousin. I want to believe the same still, but all these new dodges puzzle me, and I don't well know how to weigh them. But I don't believe that isolated columns from Beni Hassan looking like Doric. . . . There are plenty of accidental likenesses.[96]

Freeman, despite the new evidence, was still reluctant to admit any ancient associations between Eastern and Western civilizations. The main point

is that the discourse over the unity of history was amalgamated with questions of race and the origins of humanity. Hence, for Freeman the unity of history did not necessarily designate the unity of humanity. On the contrary, and as demonstrated previously (Chapter 4), there is for Freeman a unity of history but mainly within the same race. Bryce, however, seemed to be less opposed to the notion that Egypt and Greece shared some common history.

While Bryce observed a possible historical unity between Egypt and Greece, he denied Freeman's claim that, following the coronation of Charles the Great, Rome had also endured in the East (Byzantium). For him, after AD 800 the Roman Empire only continued in the West under the roof of the HRE. Hence, the Eastern Empire had not been Rome's successor. On September 14, 1891, Bryce told Freeman: "As for the South Slavs I cannot agree with your view that Byzantium was the newest Rome—It was always an inferior place in religion as well as in politics and all the churches that look to it seem to be practically quite dead. Little as we may love the pope, he was better than Panaroite Patriarchs."[97] This view also separated Bryce from the view of J. B. Bury, another Irish Protestant scholar who can be regarded as a follower of Freeman. Bury, who will be the subject of the next chapter, adopted and developed Freeman's views about the infusion of Western Rome into the Eastern Empire. While Bryce identified no institutional longevity in the East, Bury acknowledged a religious, administrative, and legislative durability between the West and the East lasting until the conquest of Constantinople by the Ottomans in 1453.

Bury, however, was much closer to Bryce in his cautious perception of both "race" and Teutonism. Bryce, as seen most prominently in his *Race Sentiment*, became far less enthusiastic on these two themes. As mentioned, his skepticism toward "race" and Teutonism might be explained through the generational gap separating him from Freeman. Bryce, living thirty years after Freeman's death, was a man of two distinct periods. Regarding the Teutonic narrative, during most of the second half of the nineteenth century Teutonism was at its height among Freeman, Bryce, and their circle. In the first decades of the twentieth century, however, Teutonism became more controversial, mainly due to the competition and deteriorating relations between Britain and Germany, reaching its lowest ebb in World War I. The naval arms race (Tripitz Plan of 1898) and the emergence of Germany as a new colonial power were at the heart of this competition. This was not only a competition over political, economic, or militaristic resources, but, as Jan Rüger shows, it was fused with cultural and symbolic meanings. For instance, in August 1890 Britain handed

Germany, in exchange for Zanzibar and Wituland (eastern Africa), the North Sea island of Heligoland, after which Germany not only established Heligoland as a military bastion but also aimed to "Germanize" the island and to mark its (and not Britain's) control of the "German Ocean."[98]

As will now be explained, although Bryce held a certain philo-German stance until World War I, he may still offer an example of the transformation from Anglo-German affinity to estrangement. Until the 1890s and even beyond he was an admirer of Germany, wrote on Teutonic themes, and promoted the connection between British and German scholars. This may be explicitly observed in the association Bryce formed in the 1860s between the HRE and the newly established German state, which he admired: "Then suddenly there rises from these cold ashes a new, vigorous, self-confident German Empire, a state which, although most different, as well in its inner character as in its form and legal aspect, from its venerable predecessor, is nevertheless in a very real sense that predecessor's representative."[99] Just before the Great War, Bryce also argued that the Germans have the right to defend themselves against Russian aggression, which was "rapidly becoming a menace to Europe."[100] Even after the war commenced, Bryce, in a letter to his close friend the jurist A. V. Dicey (1835–1922), exonerated Germany from some share of the blame and claimed that Great Britain also held some responsibility for the war: "it is not on Germany that all the blame can fall, badly as she behaved. . . . Why should England so far back as 1905–6 have made a special friendship with France and begun to cultivate a special hostility against Germany? . . . Ever since 1906 we [Britain] have been working against her."[101]

However, during the war, the general attitude of Bryce toward Germany, especially following its conquest of Belgium, became more hostile. In a pamphlet he issued in 1916, he denied the assumption that Britain wished to weaken Germany because of the economic threat it posed. The reality, he claimed, was completely different since Britain prospered due to its thriving trade with Germany. Britain, he stressed, stood for five core values: freedom, national self-definition, respecting treaties, moral conduct, and peace.[102] Bryce conceded that some people in Britain acted against these values.[103] However, they were few, especially in comparison with the barbarity displayed by Germany in the war. Its invasion of neutral Belgium violated all of Britain's core values and for that reason the latter had no choice but to declare war. Bryce even chaired a committee that investigated German atrocities in Belgium, which eventually found the Germans guilty of war crimes.[104] For Bryce, one of the last survivors of the Teutonic scholars, the war presented a

fundamental dilemma. His adored Germany had become the mortal enemy of Great Britain, and the national British interests clashed with his sense of native kinship toward Germany. Freeman and Stubbs, if they had lived to see the war, would have been faced with a similar cognitive dissonance. World War I thus eradicated almost any continuity with Bryce's earlier Teutonic affinity.

As illustrated, Bryce, a lawyer by profession, was keen on the judicial inheritance of Roman and Germanic law throughout history. For Bryce, and in distinction to Freeman, Teutonic dominance was primarily founded on free institutions, not on racial superiority. Concerning "race," during most of the second half of the nineteenth century the term received growing scientific legitimacy following the rise of Darwinism and the alleged innate linkage between race and language.[105] After 1900, however, as Simon Cook argues, many English historians began to distance themselves from racial reasoning.[106] For example, Bryce criticized racial perceptions in his 1915 *Race Sentiment*. As the next chapter will illustrate, Bury, like Bryce and in distinction to Freeman, also sought for institutional rather than racial reasons for the long imperial dominance.

THE HOLY ROMAN EMPIRE

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PREFACE TO THE FOURTH EDITION.

THE object of this treatise is not so much to give a narrative history of the countries included in the Romano-Germanic Empire—Italy during the middle ages, Germany from the ninth century to the nineteenth—as to describe the Holy Empire itself as an institution or system, the wonderful offspring of a body of beliefs and traditions which have almost wholly passed away from the world. Such a description, however, would not be intelligible without some account of the great events which accompanied the growth and decay of Imperial power; and it has therefore appeared best to give the book the form rather of a narrative than of a dissertation; and to combine with an exposition of what may be called the theory of the Empire an outline of the political history of Germany, as well as some notices of the affairs of mediæval Italy. To make the succession of events clearer, a Chronological list of Emperors and Popes has been prefixed.

The great events of 1866 and 1870 reflect back so much light upon the previous history of Germany, and so much need, in order to be properly understood, to be viewed in their relation to the character and influence of the old Empire, that although they do not fall within

of place in it, and will perhaps add to whatever interest or value it may possess. As the Author found that to introduce these remarks into the body of the work, would oblige him to take to pieces and rewrite the last three chapters, a task he had no time for, he has preferred to throw them into a new supplementary chapter, which accordingly contains a brief sketch of the rise of Prussia, of the state of Germany under the Confederation which expired in 1866, and of the steps whereby the German nation has regained its political unity in the new Empire.

The book has been revised throughout, and some additions made to it, for most of which the Author has to express his thanks to his learned German translator, Dr. Arthur Winckler, of Brunswick. He also desires to acknowledge the benefit which he derived, in preparing the last chapter, from the suggestions of his friend Mr. A. W. Ward, Professor of History in Owens College, Manchester, whose eminence as a historian is too well known to need any tribute from him.

LINCOLN'S INN, LONDON,
June 28, 1873.

Note to the Eighth Edition.

This Edition has been revised, and a number of corrections made, for most of which the Author is indebted to the learning of his friend the Italian translator of the book, Count Ugo Balzani, himself a distinguished authority on Italian history.

December 22, 1886.

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THE HOLY ROMAN EMPIRE.

CHAPTER I.

INTRODUCTORY.

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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 recognised centre and head of Christendom,

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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 endeavour 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, 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 shew how 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 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

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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 XXI.

CONCLUSION.

CHAP. XXI. *General summary.*

AFTER the attempts already made to examine separately each of the phases of the Empire, little need be said, in conclusion, upon its nature and results in general. A general character can hardly help being either vague or false. For the aspects which the Empire took are as many and as various as the ages and conditions of society during which it continued to exist. Among the exhausted peoples around the Mediterranean, whose national feeling had died out, whose faith was extinct or turned to superstition, whose thought and art was a faint imitation of the Greek, there arises a huge despotism, first of a city, then of an administrative system, which presses with equal weight on all its subjects, and becomes to them a religion as well as a government. Just when the mass is at length dissolving, the tribes of the North come down, too rude to maintain the institutions they found subsisting, too few to introduce their own, and a weltering confusion follows, till the strong hand of the first Frankish Emperor raises the fallen image and bids the nations bow down to it once more. Under him it is for some brief space a theocracy; under his German successors the first of feudal kingdoms, the centre of European chivalry. As feudalism wanes, it is again transformed, and after promising for a time to become

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Perpetuation of the name of Rome.

an hereditary Hapsburg monarchy, sinks at last into the presidency, not more dignified than powerless, of an international league. To us moderns, a perpetuation under conditions so diverse of the same name and the same pretensions, appears at first sight absurd, a phantom too vain to impress the most superstitious mind. Closer examination will correct such a notion. No power was ever based on foundations so sure and deep as those which Rome laid during three centuries of conquest and four of undisturbed dominion. If her empire had been an hereditary or local kingdom, it might have fallen with the extinction of the royal line, the conquest of the tribe, the destruction of the city to which it was attached. But it was not so limited. It was imperishable because it was universal; and when its power had ceased, it was remembered with awe and love by the races whose separate existence it had destroyed, because it had spared the weak while it smote down the strong; because it had granted equal rights to all, and closed against none of its subjects the path of honourable ambition. When the military power of the conquering city had departed, her sway over the world of thought began: by her the theories of the Greeks had been reduced to practice; by her the new religion had been embraced and organized; her language, her theology, her laws, her architecture made their way where the eagles of war had never flown, and with the spread of civilization have found new homes on the Ganges and the Mississippi.

Parallel instances.

Nor is such a claim of government prolonged under changed conditions by any means a singular phenomenon. Titles sum up the political history of nations, and are as often causes as effects: if not insignificant now, how much less so in ages of ignorance and unreason. It

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Claims to represent the Roman Empire.

would be an instructive, if it were not a tedious task, to examine the many pretensions that are still put forward to represent the Empire of Rome, all of them baseless, none of them effectless. Austria clings to a name which seems to give her a sort of precedence in Europe, and was wont, while she held Lombardy, to justify her position there by invoking the feudal rights of the Hohenstaufen. With no more legal right than a prince of Reuss or a landgrave of Homburg might pretend to, she has assumed the arms and devices of the old Empire, and being almost the youngest of European monarchies, is respected as the oldest and most conservative. Bonapartean France, as the self-appointed heir of the Carolingians, grasped for a time the sceptre of the West, and under her lately fallen ruler aspired to hold the balance of European politics, and be recognized as the leader and patron of the so-called Latin races on both sides of the Atlantic[a]. Professing the creed of Byzantium, Russia claims the crown of the Byzantine Cæsars, and trusts that the capital which prophecy has promised for a thousand years will not be long withheld. The doctrine of Panslavism, under an imperial head of the whole Eastern church, has become a formidable engine of aggression in the hands of a crafty and warlike despotism. Another testimony to the enduring influence of old political combinations is supplied by the eagerness with which modern Hellas has embraced the notion of gathering all the Greek races into a revived Empire of the East, with its capital on the Bosphorus. Nay, the intruding Ottoman himself, different in faith as well as in blood, has more than once declared himself the representative of the Eastern Cæsars, whose dominion he

Austria.

France.

Russia.

Greece.

The Turks.

[a] See Louis Napoleon's letter to General Forey, explaining the object of the expedition to Mexico.

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extinguished. Solyman the Magnificent assumed the name of Emperor, and refused it to Charles the Fifth: his successors were long preceded through the streets of Constantinople by twelve officers, bearing straws aloft, a faint semblance of the consular fasces that had escorted a Quinctius or a Fabius through the Roman forum. Yet in no one of these cases has there been that apparent legality of title which the shouts of the people and the benediction of the pontiff conveyed to Charles and Otto[b].

Parallel of the Papacy.

These examples, however, are minor parallels: the complement and illustration of the history of the Empire is to be found in that of the Holy See. The Papacy, whose spiritual power was itself the offspring of Rome's temporal dominion, evoked the phantom of her parent, used it, obeyed it, rebelled and overthrew it, in its old age once more embraced it, till in its downfall she has heard the knell of her own approaching doom[c].

Both Papacy and Empire rose in an age when the human spirit was utterly prostrated before authority and tradition, when the exercise of private judgment was impossible to most and sinful to all. Those who believed the miracles recorded in the *Acta Sanctorum*, and did not question the Isidorian decretals, might well recognize as ordained of God the twofold authority of Rome, founded, as it seemed to be, on so many texts of Scripture, and confirmed by five centuries of undisputed possession.

Both sanctioned and satisfied the passion of the Middle Ages for unity. Ferocity, violence, disorder, were the con-

[b] One may also compare the retention of the office of consul at Rome till the time of Justinian: indeed it even survived his formal abolition. The relinquishment of the title 'King of Great Britain, France, and Ireland,' seriously distressed many excellent persons.

[c] I speak, of course, of the Papacy as an autocratic power claiming a more than spiritual authority.

spicuous evils of that time: hence all the aspirations of the good were for something which, breaking the force of passion and increasing the force of sympathy, should teach the stubborn wills to sacrifice themselves in the view of a common purpose. To those men, moreover, unable to rise above the sensuous, not seeing the true connexion or the true difference of the spiritual and the secular, the idea of the Visible Church was full of awful meaning. Solitary thought was helpless, and strove to lose itself in the aggregate, since it could not create for itself that which was universal. The schism that severed a man from the congregation of the faithful on earth was hardly less dreadful than the heresy which excluded him from the company of the blessed in heaven. He who kept not his appointed place in the ranks of the church militant had no right to swell the rejoicing anthems of the church triumphant. Here, as in so many other cases, the continued use of traditional language seems to have prevented us from seeing how great is the difference between our own times and those in which the phrases we repeat were first used, and used in full sincerity. Whether the world is better or worse for the change which has passed upon its feelings in these matters is another question: all that is necessary to note here is that the change is a profound and pervading one. Obedience, almost the first of mediæval virtues, is now often spoken of as if it were fit only for slaves or fools. Instead of praising, men are wont to condemn the submission of the individual will, the surrender of the individual belief, to the will or the belief of the community. Some persons declare variety of opinion to be a positive good. The great mass have certainly no longing for an abstract unity of faith. They have no

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horror of schism. They do not, cannot, understand the intense fascination which the idea of one all-pervading church exercised upon their mediæval forefathers. A life in the church, for the church, through the church; a life which she blessed in mass at morning and sent to peaceful rest by the vesper hymn; a life which she supported by the constantly recurring stimulus of the sacraments, relieving it by confession, purifying it by penance, admonishing it by the presentation of visible objects for contemplation and worship,—this was the life which they of the Middle Ages conceived of as the rightful life for man; it was the actual life of many, the ideal of all. The unseen world was so unceasingly pointed to, and its dependence on the seen so intensely felt, that the barrier between the two seemed to disappear. The church was not merely the portal to heaven; it was heaven anticipated; it was already self-gathered and complete. In one sentence from a famous mediæval document may be found a key to much which seems strangest to us in the feelings of the Middle Ages: 'The church is dearer to God than heaven. For the church does not exist for the sake of heaven, but conversely, heaven for the sake of the church[d].'

Again, both Empire and Papacy rested on opinion rather than on physical force, and when the struggle of the eleventh century came, the Empire fell, because its rival's hold over the souls of men was firmer, more direct, enforced by penalties more terrible than the death of the body. The ecclesiastical body under Alexander and Innocent was animated by a loftier spirit and more wholly

[d] 'Ipsa enim ecclesia charior Deo est quam cœlum. Non enim propter cœlum ecclesia, sed e converso propter ecclesiam cœlum.' From the tract entitled 'A Letter of the four Universities to Wenzel and Urban VI,' quoted in an earlier chapter.

devoted to a single aim than the knights and nobles who followed the banner of the Swabian Cæsars. Its allegiance was undivided; it comprehended the principles for which it fought: they trembled at even while they resisted the spiritual power.

Papacy and Empire compared as perpetuations of a name.

Both sprang from what might be called the accident of name. The power of the great Latin patriarchate was a Form: the ghost, it has been said, of the older Empire, favoured in its growth by circumstances, but really vital because capable of wonderful adaptation to the character and wants of the time. So too, though far less perfectly, was the Empire. Its Form was the tradition of the universal rule of Rome; it met the needs of successive centuries by civilizing barbarous peoples, by maintaining unity in confusion and disorganization, by controlling brute violence through the sanctions of a higher power, by being made the keystone of a gigantic feudal arch, by assuming in its old age the presidency of a European confederation. And the history of both, as it shews the power of ancient names and forms, shews also within what limits such a perpetuation is possible, and how it sometimes deceives men, by preserving the shadow while it loses the substance. This perpetuation itself, what is it but the expression of the belief of mankind, a belief incessantly corrected yet never weakened, that their old institutions do and may continue to subsist unchanged, that what has served their fathers will do well enough for them, that it is possible to make a system perfect and abide in it for ever? Of all political instincts this is perhaps the strongest; often useful, often grossly abused, but never so natural and so fitting as when it leads men who feel themselves inferior to their predecessors, to save what they can from the wreck of a civilization higher than

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their own. It was thus that both Papacy and Empire were maintained by the generations who had no type of greatness and wisdom save that which they associated with the name of Rome. And therefore it is that no examples shew so convincingly how hopeless are all such attempts to preserve in life a system which arose out of ideas and under conditions that have passed away. Though it never could have existed save as a prolongation, though it was and remained through the Middle Ages an anachronism, the Empire of the tenth century had little in common with the Empire of the second. Much more was the Papacy, though it too hankered after the forms and titles of antiquity, in reality a new creation. And in the same proportion as it was new, and represented the spirit not of a past age but of its own, was it a power stronger and more enduring than the Empire. More enduring, because younger, and so in fuller harmony with the feelings of its contemporaries: stronger, because at the head of the great ecclesiastical body, in and through which, rather than through secular life, all the intelligence and political activity of the Middle Ages sought its expression. The famous simile of Gregory the Seventh is that which best describes the Empire and the Popedom. They were indeed the 'two lights in the firmament of the militant church,' the lights which illumined and ruled the world all through the Middle Ages. And as moonlight is to sunlight, so was the Empire to the Papacy. The rays of the one were borrowed, feeble, often interrupted: the other shone with an unquenchable brilliance that was all her own.

In what sense was the Empire Roman?

The Empire, it has just been said, was never truly mediæval. Was it then Roman in anything but name? and was that name anything better than a piece of fan-

tastic antiquarianism? It is easy to draw a comparison between the Antonines and the Ottos which should shew nothing but unlikeness. What the Empire was in the second century every one knows. In the tenth it was a feudal monarchy, resting on a strong territorial oligarchy. Its chiefs were barbarians, the sons of those who had destroyed Varus and baffled Germanicus, sometimes unable even to use the tongue of Rome. Its powers were limited. It could scarcely be said to have a regular organization at all, whether judicial or administrative. It was consecrated to the defence, nay, it existed by virtue of the religion which Trajan and Marcus had persecuted. Nevertheless, when the contrast has been stated in the strongest terms, there will remain points of resemblance. The thoroughly Roman idea of universal denationalization survived, and drew with it that of a certain equality among all free subjects. It has been remarked already, that the world's highest dignity was for many centuries the only civil office to which any free-born Christian was legally eligible. And there was also, during the earlier ages, that indomitable vigour which might have made Trajan or Severus seek their true successors among the woods of Germany rather than in the palaces of Byzantium, where every office and name and custom had floated down from the court of Constantine in a stream of unbroken legitimacy. The ceremonies of Henry the Seventh's coronation would have been strange indeed to Caius Julius Cæsar Octavianus Augustus; but how much nobler, how much more Roman in force and truth than the childish and unmeaning forms with which a Palæologus was installed! It was not in purple buskins that the dignity of the Luxemburger lay[e]. To such a boast the

[e] Von Raumer, *Geschichte der Hohenstaufen*, v.

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Germanic Empire had long ere its death lost right: it had lived on, when honour and nature bade it die: it had become what the empire of the Moguls was, and that of the Ottomans is now, a curious relic of antiquity, over which the imaginative might muse, but which the mass of men would push aside with impatient contempt. But institutions, like men, should be judged by their prime.

'Imperialism:' Roman, French, and mediæval.

The comparison of the old Roman Empire with its Germanic representative raises a question which has been a good deal canvassed of late years. That wonderful system which Julius Cæsar and his subtle nephew erected upon the ruins of the republican constitution of Rome has been made the type of a certain form of government and of a certain set of social as well as political arrangements, to which, or rather to the theory whereof they are a part, there has been given the name of Imperialism. The sacrifice of the individual to the mass, the concentration of all legislative and judicial powers in the person of the sovereign, the centralization of the administrative system, the maintenance of order by a large military force, the substitution of the influence of public opinion for the control of representative assemblies, are commonly taken, whether rightly or wrongly, to characterize that theory. Its enemies cannot deny that it has before now given and may again give to nations a sudden and violent access of aggressive energy; that it has often achieved the glory (whatever that may be) of war and conquest; that it has a better title to respect in the ease with which it may be made, as it was by the Flavian and Antonine Cæsars of old, and at the beginning of this century by Napoleon in France, the instrument of comprehensive reforms in law and government. The parallel between

the Roman world under the Cæsars and the French people in the days of the last-named monarch is indeed less perfect that those who dilate upon it fancy. That equalizing despotism which was a good to a medley of tribes, the force of whose national life had spent itself and left them languid, yet restless, with all the evils of isolation and none of its advantages, was not necessarily a good to a country then the strongest and most united in Europe, a country where the administration is only too perfect, and the pressure of social uniformity only too strong. But whether it be a good or an evil, no one can doubt that there is a sense in which France represents, and has always represented, the imperialist spirit of Rome more truly than those whom the Middle Ages recognized as the legitimate heirs of her name and dominion. Like her, the French people have a deep-rooted belief that to them it naturally belongs to lead the world and control the policy of neighbouring states: like her, they regard war not as a sometimes necessary evil, but as a thing to be enjoyed for its own sake, a noble, perhaps the noblest employment of human force and genius. And in their political character, whether it be the result of the five centuries of Roman rule in Gaul, or rather due to the original instincts of the Gallic race, there may be found a claim, better founded than any which Napoleon put forward, to be the Romans[f] of the modern world. The tendency of the Teuton was and is to the independence of the individual life, to the mutual repulsion, if the phrase may be permitted, of the social atoms, as contrasted with Keltic and so-called Romanic peoples, among which the unit is more completely ab-

Political character of the Teutonic and Gallic races.

[f] Meaning thereby not the citizens of Rome in her republican days, but the Italo-Hellenic subjects of the Roman Empire.

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sorbed in the mass, who live possessed by a common idea which they are driven to realize in the concrete. Teutonic states have been little more successful than their neighbours in the establishment of free constitutions. Their assemblies meet, and vote, and are dissolved, and nothing comes of it: their citizens endure without greatly resenting outrages that would raise the more excitable French or Italians in revolt. But, whatever may have been the form of government, the body of the people have in Germany always enjoyed a freedom of thought which has made them comparatively careless of politics; and the absolutism of the Elbe is at this day[g] no more like that of the Seine than a revolution at Dresden is to a revolution at Paris. The rule of the Hohenstaufen had nothing either of the good or the evil of the imperialism which Tacitus painted, or of that which the panegyrists of the lately-fallen system in France were wont to paint in colours somewhat different from his.

Essential principles of the mediæval Empire.

There was, nevertheless, such a thing as mediæval imperialism, a theory of the nature of the state and the best form of government, which has been described once already, and need not be described again. It is enough to say, that from three leading principles all its properties may be derived. The first and the least essential was the existence of the state as a monarchy. The second was the exact coincidence of the state's limits, and the perfect harmony of its workings with the limits and the workings of the church. The third was its universality. These three were vital. Forms of political organization, the presence or absence of constitutional checks, the degree of liberty enjoyed by the subject, the rights conceded to local authorities, all these were matters of secondary importance. But although there brooded over all the

[g] Written in 1865.

shadow of a despotism, it was a despotism not of the sword but of law; a despotism not chilling and blighting, but one which, in Germany at least, looked with favour on municipal freedom, and everywhere did its best for learning, for religion, for intelligence; a despotism not hereditary, but one which constantly maintained in theory the principle that he should rule who was found the fittest. To praise or to decry the Empire as a despotic power is to misunderstand it altogether. We need not, because an unbounded prerogative was useful in ages of turbulence, advocate it now; nor need we, with Sismondi, blame the Frankish conqueror because he granted no 'constitutional charter' to all the nations that obeyed him. Like the Papacy, the Empire expressed the political ideas of a time, and not of all time: like the Papacy, it decayed when those ideas changed; when men became more capable of rational liberty; when thought grew stronger, and the spiritual nature shook itself more free from the bonds of sense.

Influence of the Holy Empire on Germany.

The influence of the Empire upon Germany is a subject too wide to be more than glanced at. There is much to make it appear altogether unfortunate. For many generations the flower of Teutonic chivalry crossed the Alps to perish by the sword of the Lombards, or the deadlier fevers of Rome. Italy terribly avenged the wrongs she suffered. Those who destroyed the national existence of another people forfeited their own: the German kingdom, crushed beneath the weight of the Roman Empire, could never recover strength enough to form a compact and united monarchy, such as arose elsewhere in Europe: the race whom their neighbours had feared and obeyed till the fourteenth century saw themselves, down even to our own day, the prey of intestine feuds and their

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country the battlefield of Europe. Spoiled and insulted by a neighbour restlessly aggressive and superior in all the arts of success, they came to regard France as the persecuted Slave regards them. The want of national union and political liberty from which Germany has suffered, and to some extent suffers still, need not be attributed to the differences of her races; for, conspicuous as that difference was in the days of Otto the Great, it was no greater than in France, where intruding Franks, Goths, Burgundians, and Northmen were mingled with primitive Kelts and Basques; not so great as in Spain, or Italy, or Britain. Rather is it due to the decline of the central government, which was induced by its strife with the Popedom, its endless Italian wars, and the passion for universal dominion which made it the assailant of all the neighbouring countries. The absence or the weakness of the monarch enabled his feudal vassals to establish petty despotisms, debarring the nation from united political action, and greatly retarding the emancipation of the commons. Thus, while the princes became shamelessly selfish, justifying their resistance to the throne as the defence of their own liberty—liberty to oppress the subject—and ready on the least occasion to throw themselves into the arms of France, the body of the people were deprived of all political training, and have found the lack of such experience impede their efforts to this day.

For these misfortunes, however, there has not been wanting some compensation. The inheritance of the Roman Empire made the Germans the ruling race of Europe, and the brilliance of that glorious dawn has never faded and can never fade entirely from their name. A peaceful people now, peaceful in sentiment even now when they have become a great military power, acqui-

escent in paternal government, and given to the quiet enjoyments of art, music, and meditation, they delight themselves with memories of the time when their conquering chivalry was the terror of the Gaul and the Slave, the Lombard and the Saracen. The national life received a keen stimulus from the sense of exaltation which victory brought, and from the intercourse with countries where the old civilization had not wholly perished. It was this connexion with Italy that raised the German lands out of barbarism, and did for them the work which Roman conquest had performed in Gaul, Spain, and Britain. From the Empire flowed all the richness of their mediæval life and literature: it first awoke in them a consciousness of national existence; its history has inspired and served as material to their poetry; to many ardent politicians the splendours of the past have become the beacon of the future[ε]. There was a bright side even to that long political disunion, which can hardly be said to have yet disappeared. When they complained that they were not a nation, and sighed for the harmony of feeling and singleness of aim which their great rival seemed to display, the example of the Greeks might have brought them some comfort. To the variety which so many small governments have produced may be partly attributed the breadth of development in German thought and literature, by virtue of which it transcends the French hardly less than the Greek surpassed the Roman. Paris no doubt is great, but a country may lose as well as gain by the predominance of a single city; and Germany need not mourn that she alone among modern states has not and never has had a capital.

ε See especially Von Sybel, *Die Deutsche Nation und das Kaiserreich;* and the answers of Ficker and Von Wydenbrugk; also Höfler, *Kaiserthum und Papstthum,* and Waitz, *Deutsche Kaiser von Karl dem Grossen bis Maximilian.*

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Austria as heir of the Holy Empire.

The merits of the old Empire were not long since the subject of a brisk controversy among several German professors of history. The spokesmen of the Austrian or Roman Catholic party, a party which ten years ago was not less powerful in some of the minor South German States than in Vienna, claimed for the Hapsburg monarchy the honour of being the legitimate representative of the mediæval Empire, and declared that only by again accepting Hapsburg leadership could Germany win back the glory and the strength that once were hers. The North German liberals ironically applauded the comparison. 'Yes,' they replied, 'your Austrian Empire, as it calls itself, is the true daughter of the old despotism: not less tyrannical, not less aggressive, not less retrograde; like its progenitor, the friend of priests, the enemy of free thought, the trampler upon the national feeling of the peoples that obey it. It is you whose selfish and anti-national policy blasts the hope of German unity now, as Otto and Frederick blasted it long ago by their schemes of foreign conquest. The dream of Empire has been our bane from first to last.' It is possible, one may hope, to escape the alternative of admiring the Austrian Empire or denouncing the Holy Roman. Austria has indeed, in some things, but too faithfully reproduced the policy of the Saxon and Swabian Cæsars[h]. Like her, they oppressed and insulted the Italian people: but it was in the defence of rights which the Italians themselves admitted. Like her, they lusted after a dominion over the races on their borders, but that dominion was to them a means of spreading civilization and religion in savage countries, not of pampering upon their revenues a hated court and

[h] Written in 1865: Austria, taught by adversity, has turned over a new leaf since then.

aristocracy. Like her, they strove to maintain a strong government at home, but they did it when a strong government was the first of political blessings. Like her, they gathered and maintained vast armies; but those armies were composed of knights and barons who lived for war alone, not of peasants torn away from useful labour and condemned to the cruel task of perpetuating their own bondage by crushing the aspirations of another nationality. They sinned grievously, no doubt, but they sinned in the dim twilight of a half-barbarous age, not in the noonday blaze of modern civilization. The enthusiasm for mediæval faith and simplicity which was so fervid some years ago has run its course, and is not likely soon to revive. He who reads the history of the Middle Ages will not deny that its heroes, even the grandest of them, were in some respects little better than savages. But when he approaches more recent times, and sees how, during the last three hundred years, kings have dealt with their subjects and with each other, he will forget the ferocity of the Middle Ages, in horror at the heartlessness, the treachery, the injustice all the more odious because it sometimes wears the mask of legality, which disgraces the annals of the military monarchies of Europe. With regard, however, to the pretensions of modern Austria, the truth is that this dispute about the worth of the old system has no bearing upon them at all. The day of imperial greatness was already past when Rudolf the first Hapsburg reached the throne; while during what may be called the Austrian period, from Maximilian to Francis II, the Holy Empire was to Germany a mere clog and incumbrance, which the unhappy nation bore because she knew not how to rid herself of it. The Germans are welcome to appeal to the old Empire to prove that they

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were once a united people. Nor is there any harm in their comparing the politics of the twelfth century with those of the nineteenth, although to argue from the one to the other seems to betray a want of historical judgment. But the one thing which is wholly absurd is to make Francis Joseph of Austria the successor of Frederick of Hohenstaufen, and justify the most sordid and ungenial of modern despotisms by the example of the mirror of mediæval chivalry, the noblest creation of mediæval thought.

Bearing of the Empire upon the progress of European civilization.

We are not yet far enough from the Empire to comprehend or state rightly its bearing on European progress. The mountain lies behind us, but miles must be traversed before we can take in at a glance its peaks and slopes and buttresses, picture its form, and conjecture its height. Of the perpetuation among the peoples of the West of the arts and literature of Rome it was both an effect and a cause,—a cause only less powerful than the church. It would be endless to shew in how many ways it affected the political institutions of the Middle Ages, and through them of the whole civilized world. Most of the attributes of modern royalty, to take the most obvious instance, belonged originally and properly to the Emperor, and were borrowed from him by other monarchs. The once famous doctrine of divine right had the same origin. To the existence of the Empire is chiefly to be ascribed the prevalence of Roman law through Europe, and its practical importance in our own days. For while in Southern France and Central Italy, where the subject population greatly outnumbered their conquerors, the old system would have in any case survived, it cannot be doubted that in Germany, as in England, a body of customary Teutonic law would have grown up, had it not been for the notion that since the German monarch was the legi-

Influence upon modern jurisprudence.

timate successor of Justinian, the Corpus Juris must be binding on all his subjects. This strange idea was received with a faith so unhesitating that even the aristocracy, who naturally disliked a system which the Emperors and the cities favoured, could not but admit its validity, and before the end of the Middle Ages Roman law prevailed through all Germany[i]. When it is considered how great are the services which German writers have rendered and continue to render to the study of scientific jurisprudence throughout Europe generally, this result will appear far from insignificant. But another of still wider import followed. When by the Peace of Westphalia a crowd of petty principalities were recognized as practically independent states, the need of a code to regulate their intercourse became pressing. Such a code Grotius and his successors formed out of what was then the private law of Germany, which thus became the foundation whereon the system of international jurisprudence has been built up during the last two centuries. That system is, indeed, entirely a German creation[j], and could have arisen in no country where the law of Rome had not been the fountain of legal ideas and the groundwork of positive codes. In Germany, too, was it first carried out in practice, and that with a success which is the best, some might say the only, title of the later Empire to the grateful remembrance of mankind. Under its protecting shade small princedoms and free cities lived unmolested beside states like Saxony and Bavaria; each member of the Germanic body feeling that the rights of the weakest of his brethren were also his own.

The most important chapter in the history of the

[i] Modified of course by the canon law, and not superseding the feudal law of land.

[j] Holland was then practically German.

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Influence of the Empire upon the history of the Church.

Empire is that which describes its relation to the Church and the Papacy. Of the ecclesiastical power it was alternately the champion and the enemy. In the ninth and tenth centuries the Emperors extended the dominion of Peter's chair: in the tenth and eleventh they rescued it from an abyss of guilt and shame to be the instrument of their own downfall. The struggle which Gregory the Seventh began, although it was political rather than religious, awoke in the Teutonic nations a hostility to the pretensions of the Romish court. That struggle ended, with the death of the last Hohenstaufen, in the victory of the priesthood,—a victory whose abuse by the insolent and greedy pontiffs of the fourteenth and fifteenth centuries made it more ruinous than a defeat. The anger which had long smouldered in the breasts of the northern nations of Europe burst out in the sixteenth with a violence which alarmed those whom it had hitherto defended, and made the Emperors once more the allies of the Popedom, and the partners of its declining fortunes.

Nature of the question at issue between the Emperors and the Popes.

But the nature of that alliance and of the hostility which had preceded it must not be misunderstood. It is a natural, but not the less a serious error to suppose, as modern writers often seem to do, that the pretensions of the Empire and the Popedom were mutually exclusive; that each claimed all the rights, spiritual and secular, of a universal monarch. So far was this from being the case, that we find mediæval writers and statesmen, even Emperors and Popes themselves, expressly recognizing a divinely appointed duality of government—two potentates, each supreme in the sphere of his own activity, Peter in things eternal, Cæsar in things temporal. The relative position of the two does indeed in course of time undergo a signal alteration. In the days of Charles, the barbarous

age of modern Europe, when men were and could not but be governed chiefly by physical force, the Emperor was practically, if not theoretically, the grander figure. Four centuries later, in the era of Pope Innocent the Third, when the power of ideas had grown stronger in the world, and was able to resist or to bend to its service the arms and the wealth of men, we see the balance inclined the other way. Spiritual authority is conceived of as being of a nature so high and holy that it must inspire and guide the civil administration. But it is not proposed to supplant that administration nor to degrade its head: the great struggle of the eleventh and two following centuries does not aim at the annihilation of one or other power, but turns solely upon the character of their connexion. Hildebrand, the typical representative of the Popedom, requires the obedience of the Emperor on the ground of his own personal responsibility for the souls of their common subjects: he demands, not that the functions of temporal government shall be directly committed to himself, but that they shall be exercised in conformity with the will of God, whereof he is the exponent. The imperialist party had no means of meeting this argument, for they could not deny the spiritual supremacy of the Pope, nor the transcendant importance of eternal salvation. They could therefore only protest that the Emperor, being also divinely appointed, was directly answerable to God, and remind the Pope that his kingdom was not of this world. There was in truth no way out of the difficulty, for it was caused by the attempt to sever things that admit of no severance, life in the soul and life in the world, life for the future and life in the present. What it is most pertinent to remark is that neither combatant pushed his theory to extremities, since he felt that his adversary's

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title rested on the same foundations as his own. The strife was keenest at the time when the whole world believed fervently in both powers; the alliance came when faith had forsaken the one and grown cold towards the other; from the Reformation onwards Empire and Popedom fought no longer for supremacy, but for existence. One is fallen already, the other shakes with every blast.

Ennobling influence of the conception of the World Empire.

Nor was that which may be called the inner life of the Empire less momentous in its influence upon the minds of men than were its outward dealings with the Roman Church upon her greatness and decline. In the Middle Ages, men conceived of the communion of the saints as the formal unity of an organized body of worshippers, and found the concrete realization of that conception in their universal religious state, which was in one aspect the Church, in another, the Empire. Into the meaning and worth of the conception, into the nature of the connexion which subsists or ought to subsist between the Church and the State, this is not the place to inquire. That the form which it took in the Middle Ages was always imperfect and became eventually rigid and unprogressive was sufficiently proved by the event. But by it the European peoples were saved from the isolation, and narrowness, and jealous exclusiveness which had checked the growth of the earlier civilizations of the world, and which we see now lying like a weight upon the kingdoms of the East: by it they were brought into that mutual knowledge and co-operation which is the condition if it be not the source of all true culture and progress. For as by the Roman Empire of old the nations were first forced to own a common sway, so by the Empire of the Middle Ages was preserved the feeling of a brotherhood of mankind, a commonwealth of the

whole world, whose sublime unity transcended every minor distinction.

As despotic monarchs claiming the world for their realm, the Teutonic Emperors strove from the first against three principles, over all of which their forerunners of the elder Rome had triumphed,—those of Nationality, Aristocracy, and Popular Freedom. Their early struggles were against the first of these, and ended with its victory in the emancipation, one after another, of England, France, Poland, Hungary, Denmark, Burgundy, and Italy. The second, in the form of feudalism, menaced even when seeming to embrace and obey them, and succeeded, after the Great Interregnum, in destroying their effective strength in Germany. Aggression and inheritance turned the numerous independent principalities thus formed out of the greater fiefs, into a few military monarchies, resting neither on a rude loyalty, like feudal kingdoms, nor on religious duty and tradition, like the Empire, but on physical force, more or less disguised by legal forms. That the hostility to the Empire of the third was accidental rather than necessary is seen by this, that the very same monarchs who strove to crush the Lombard and Tuscan cities favoured the growth of the free towns of Germany. Asserting the rights of the individual in the sphere of religion, the Reformation weakened the Empire by denying the necessity of external unity in matters spiritual: the extension of the same principle to the secular world, whose fulness is still withheld from the Germans, would have struck at the doctrine of imperial absolutism had it not found a nearer and deadlier foe in the actual tyranny of the princes. It is more than a coincidence, that as the proclamation of the liberty of thought had shaken it, so

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that of the liberty of action made by the revolutionary movement, whose beginning the world saw and understood not in 1789, whose end we see not yet, should have indirectly become the cause which overthrew the Holy Empire.

Change marked by its fall.

Its fall in the midst of the great convulsion that changed the face of Europe marks an era in history, an era whose character the events of every year are further unfolding: an era of the destruction of old forms and systems and the building up of new. The last instance is the most memorable. Under our eyes, the work which Theodoric and Lewis the Second, Guido and Ardoin and the second Frederick essayed in vain, has been achieved by the steadfast will of the Italian people. The fairest province of the Empire, for which Franconian and Swabian battled so long, is now a single monarchy under the Burgundian count, whom Sigismund created imperial vicar in Italy, and who, now that he holds the ancient capital, might call himself 'king of the Romans' more truly than Greek or Frank or Austrian has done since Constantine forsook the Tiber for the Bosphorus. No longer the prey of the stranger, Italy may forget the past, and sympathize, as she has now indeed, since the fortunate alliance of 1866, begun to sympathize, with the efforts after national unity of her ancient enemy—efforts confronted by so many obstacles that a few years ago they seemed all but hopeless, but now crowned with a success which, if it be not yet complete, has in it all the promise of completeness in the future. For if the name of German Empire does not denote a united monarchy, it does nevertheless denote not only a nation but also a state,—a state whose strength lies in the community of interests and feelings among its members, and in which this unity of sentiment, based

upon the glorious memories of the Middle Ages, built up by the literature of more recent times, cemented by the last great struggle against France, promises to grow in each succeeding generation more hearty and more trustful. On the new shapes that may emerge in this general reconstruction it would be idle to speculate. Yet one prediction may be ventured. No universal monarchy is likely to arise. More frequent intercourse, and the progress of thought, have done much to change the character of national distinctions, substituting for ignorant prejudice and hatred a genial sympathy and the sense of a common interest. They have not lessened their force. No one who reads the history of the last three hundred years, no one, above all, who studies attentively the career of Napoleon, can believe it possible for any state, however great her energy and material resources, to repeat in modern Europe the part of ancient Rome: to gather into one vast political body races whose national individuality has grown more and more marked in each successive age. Nevertheless, it is in great measure due to Rome and to the Roman Empire of the Middle Ages that the bonds of national union are on the whole both stronger and nobler than they were ever before. The latest historian of Rome, after summing up the results to the world of his hero's career, closes his treatise with these words: 'There was in the world as Cæsar found it the rich and noble heritage of past centuries, and an endless abundance of splendour and glory, but little soul, still less taste, and, least of all, joy in and through life. Truly it was an old world, and even Cæsar's genial patriotism could not make it young again. The blush of dawn returns not until the night has fully descended. Yet with him there came to the much-

Relations of the Empire to the nationalities of Europe.

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tormented races of the Mediterranean a tranquil evening after a sultry day; and when, after long historical night, the new day broke once more upon the peoples, and fresh nations in free self-guided movement began their course towards new and higher aims, many were found among them in whom the seed of Cæsar had sprung up, many who owed him, and who owe him still, their national individuality[k].' If this be the glory of Julius, the first great founder of the Empire, so is it also the glory of Charles, the second founder, and of more than one amongst his Teutonic successors. The work of the mediæval Empire was self-destructive; and it fostered, while seeming to oppose, the nationalities that were destined to replace it. It tamed the barbarous races of the North, and forced them within the pale of civilization. It preserved the arts and literature of antiquity. In times of violence and oppression, it set before its subjects the duty of rational obedience to an authority whose watchwords were peace and religion. It kept alive, when national hatreds were most bitter, the notion of a great European Commonwealth. And by doing all this, it was in effect abolishing the need for a centralizing and despotic power like itself: it was making men capable of using national independence aright: it was teaching them to rise to that conception of spontaneous activity, and a freedom which is above law but not against it, to which national independence itself, if it is to be a blessing at all, must be only a means. Those who mark what has been the tendency of events since A.D. 1789, and who remember how many of the crimes and calamities of the past are still but half redressed, need not be surprised to see the so-called principle of nationalities advocated with

[k] Mommsen, *Römische Geschichte*, iii. *sub fin.*

honest devotion as the final and perfect form of political development. But such undistinguishing advocacy is after all only the old error in a new shape. If all other history did not bid us beware the habit of taking the problems and the conditions of our own age for those of all time, the warning which the Empire gives might alone be warning enough. From the days of Augustus down to those of Charles the Fifth the whole civilized world believed in its existence as a part of the eternal fitness of things, and Christian theologians were not behind heathen poets in declaring that when it perished the world would perish with it. Yet the Empire is gone, and the world remains, and hardly notes the change.

Difficulties arising from the nature of the subject.

This is but a small part of what might be said upon an almost inexhaustible theme: inexhaustible not from its extent but from its profundity: not because there is so much to say, but because, pursue we it never so far, more will remain unexpressed, since incapable of expression. For that which it is at once most necessary and least easy to do, is to look at the Empire as a whole: a single institution, in which centres the history of eighteen centuries—whose outer form is the same, while its essence and spirit are constantly changing. It is when we come to consider it in this light that the difficulties of so vast a subject are felt in all their force. Try to explain in words the theory and inner meaning of the Holy Empire, as it appeared to the saints and poets of the Middle Ages, and that which we cannot but conceive as noble and fertile in its life, sinks into a heap of barren and scarcely intelligible formulas. Who has been able to describe the Papacy in the power it once wielded over the hearts and imaginations of men? Those persons, if such there still be, who see in it nothing but a gigantic upas-tree of fraud and

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superstition, planted and reared by the enemy of mankind, are hardly further from entering into the mystery of its being than the complacent political philosopher, who explains in neat phrases the process of its growth, analyses it as a clever piece of mechanism, enumerates and measures the interests it appealed to, and gives, in conclusion, a sort of tabular view of its results for good and for evil. So, too, is the Holy Empire above all description or explanation; not that it is impossible to discover the beliefs which created and sustained it, but that the power of those beliefs cannot be adequately apprehended by men whose minds have been differently trained, and whose imaginations are fired by different ideals. Something, yet still how little, we should know of it if we knew what were the thoughts of Julius Cæsar when he laid the foundations on which Augustus built: of Charles, when he reared anew the stately pile: of Barbarossa and his grandson, when they strove to avert the surely coming ruin. Something more succeeding generations will know, who will judge the Middle Ages more fairly than we, still living in the midst of a reaction against all that is mediæval, can hope to do, and to whom it will be given to see and understand new forms of political life, whose nature we cannot so much as conjecture. Seeing more than we do, they will also see some things less distinctly The Empire which to us still looms largely on the horizon of the past, will to them sink lower and lower as they journey onwards into the future. But its importance in universal history it can never lose. For into it all the life of the ancient world was gathered: out of it all the life of the modern world arose.