CHAPTER I

The Formation of Modern Germany
(to 1500)

Germany is today the country of the middle. The very fact that she is currently divided into two states, one influenced by the West and one by the East, underlines this statement. Throughout modern history she has been conditioned by her proximity to the Slavic east, the Latin south, and the Gallic west. However, during the first thousand years and more of the Christian era, Germany was not the land of the middle. She was the frontier land between the classical, Christian culture of the west and south of Europe and the semibarbarous, pagan culture of the east and north. An important aspect of medieval history is the gradual integration of these areas into the Christian community. Much of this work was done through Germany and by Germans.

Unlike Great Britain, Spain, Italy, or even France, Germany has no settled natural frontiers, except perhaps in the south, where the Alps erect a massive barrier. The plain of northern Europe extending from the English Channel across Germany and Russia into Asia is not marked by any important uplands. Through the centuries armies and migrations have been able to cross and recross it almost at will. The major river systems which water it have served more often as avenues of communication than as barriers. Many scholars feel that this lack of protective geographical features has caused the heavy military emphasis in German history.

Six important rivers, the Rhine, Ems, Weser, Elbe, Oder, and Vistula, traverse German lands mostly from southeast to northwest. Each, especially the Rhine, has contributed something to German development. Dropping from the hilly south across what used to be heavily forested country to the northern plain, these rivers have enriched Germany with wild, beautiful, and romantic scenery. East and west communications are afforded by the Main, which flows into the Rhine, and the Danube, both wide and easily navigable for long distances.
Southern Germany rises from the plain through wooded rolling country to the plateau of Bavaria and then to the majestic peaks of the Bavarian Alps and the Austrian Tyrol. Germany, then, is a land of contrasts, a fact which has contributed to its typical provincialism and parochialism. A visitor even today is astonished at the dialectical differences between Vienna and Berlin, or Munich and Hamburg. Both geography and history have conspired to keep Germany apart rather than to forge it into a unity. Most of Germany, especially the north, is not warm and sunny; much of it is dour and lowering, even depressing. There are many, usually overromantic writers who insist that this has colored the German "national personality." These people forget how miserable and dreary London and Paris can be.

The earliest contact between the Romans and the Germans on German soil occurred when Julius Caesar reached the Rhine during his conquest of Gaul in the fifties, B.C. He reported briefly, but made no effort to extend his conquests any further east. During the reign of Augustus the Romans pushed east of the Rhine to the Weser, but in the year 9 A.D. Germanic forces under the first German hero, Hermann (Arminius), defeated three Roman legions in the battle of the Teutoburg Forest. This battle not only led to Augustus' alleged cry, "Give me back my legions," but also discouraged the Romans from extending the boundaries of the Empire further to the east. By the end of the first century they established a definite limit to their domain along the line of the Rhine and Danube rivers, and between the headwaters of these built the famous Roman wall or Limes, which they fortified against any incursion from the east.

At about the same time the Roman historian, Tacitus, wrote his Germania, the first literary work devoted to a description of the Germans. Tacitus, who was essentially a moralist anxious to reform the evil Romans of his day, paints a rosy picture of the barbarians. He tells of a tall, blond, virile people, decent and moral in their family life, brave as fighters, prudent as tillers of the soil and breeders of domestic animals. He even suggests a form of democracy when he describes the chieftains in consultation with the men of the tribe. The combination of the exploits of Hermann and the writing of Tacitus has helped modern German nationalists tremendously.

Rhenish and Danubian Germany remained part of the Roman Empire as long as it existed. Many of the important German cities (Trier, Cologne, Mainz, Augsburg, Regensburg, Vienna) started as Roman provincial towns. When the Empire weakened in the fourth and fifth centuries, Roman Germany entered a period of confusion marked by the "wandering of the peoples." It suffered invasion and the dilution of
its Roman traditions by the influx of tribes which had not experienced Roman civilization.

The Franks, who were destined to be the political organizers of both France and Germany, rose to prominence during the fifth century. At first they inhabited the east bank of the Rhine, but during the lawless days of the decline of the Empire pushed westward, occupying what is now the Low Countries and northern France. Unlike many of the wandering tribes, they did not abandon their original homeland when they started to conquer but simply expanded their territory. The greatest of the Frankish leaders was Clovis (481–511). This chieftain conquered on all sides and at death had carved out a kingdom consisting of most of modern France, Belgium, the Netherlands, and western and southern Germany. Probably the most significant act of his life was his conversion in 496 to orthodox Catholic Christianity instead of the heretical Arian Christianity which the other Germanic tribes embraced.

The family of Clovis, known as the Merovingian dynasty, continued to rule for about two hundred and fifty years. It degenerated rapidly, and the history of the Frankish kingdom is a sorry story of murder, war, and fratricide. However, during these years Christian missionaries had an opportunity to push eastward into German lands and to convert the native pagans. The most notable of these, and one of the principal German patron saints, was St. Boniface (672–754), a native of England who spent his life preaching to Germans. He converted Hesse and Thuringia, founded abbeys (in particular, the great abbey of Fulda where he is buried), and before his martyrdom had become the primate of Germany and representative of the pope.

When the Merovingian family became hopelessly incompetent in the eighth century, a new family assumed the leadership of the Franks, first as "mayors of the palace" and later, under Pepin the Short, as king with the blessing of the pope. This Carolingian family produced its greatest representative in Charles the Great, known to the Germans as Karl der Grosse and to the French as Charlemagne, who ruled from 768 to 814 and is a major figure in the history of both nations.

Charles was a mighty warrior and spent much of his long reign fighting in all directions—against the Lombards in Italy, the Moslems in Spain, and the pagans in Germany. One of his main contributions to Germany was the advance of the Frankish border to the Elbe River with the defeat of the warlike and stubborn Saxons. Those Saxons who were not slaughtered were forced to receive baptism. He also included Bavaria into his realm and even pushed eastward into modern Austria.

On Christmas Day, 800, when Charles was assisting at Mass in Rome in the church of St. Peter, Pope Leo III, apparently to Charles' surprise,
placed an imperial crown on the king’s head and saluted him as Augustus, the old title of Roman emperors. This act marked an effort to revive the old Roman Empire in the person of the Frankish chieftain. It also registered the pope’s recognition of the fact that he could no longer count for help on the obvious ruler, the emperor at Constantinople, and that the church must now rely on the great Catholic barbarian kingdom which had developed to the north and west. On this day began the long fateful connection between the German political ruler and the Roman spiritual ruler, which was to have such a vast influence on German development with its concept of a universal temporal monarchy or Reich marching with the Roman spiritual monarchy at the head of the Christian community.

Louis, the only surviving son of Charles, was not the man his father had been, but at least he kept the huge empire together until his death in 840. Then his three sons, Lothar, Louis, and Charles, resorted to civil war to achieve the sole rule. At Strassburg in 842 Louis the German and Charles agreed on a pact of eternal friendship, a document which is interesting because it shows how the languages of the eastern Franks and the western Franks had drawn apart. The two groups could not understand each other, so the Oath of Strassburg was drawn up in two tongues—one the ancestor of modern German, the other of modern French. The following year Lothar joined his brothers in a division of the empire into three parts. By the Treaty of Verdun, Charles received the western section, which grew into France, while Louis took the eastern section, which grew into Germany. Lothar received the title of emperor and a curious chimneylike domain stretching from Rome to the North Sea. It is significant that this middle area, Lotharingia (the German word for Lorraine is Lothringen), has been a source of struggle ever since between French and Germans, both of whom claim it as their own. After the death of Lothar and his son another treaty, signed at Mersen in 870, gave Louis some territory from the old Lotharingia. Soon thereafter the imperial title passed briefly to the French branch of the family.

The period of the late ninth and early tenth centuries is a dismal one in Western history. It saw the disintegration of Charles’ empire and the breakup of the west into small, parochial, feudal entities. It also saw serious incursions by alien foes—the Northmen from Scandinavia, and the Moslems from the Mediterranean. Charles the Great was a man who tried to hold back the tide, but the forces at work were too great for him. The primitive economic organization of the time was unable to hold together so great an empire. The trend was toward feudal division.
In the east Frankish kingdom there developed five great tribal or stem duchies, which tended to usurp royal prerogatives. These were Lorraine, Saxony, Swabia, Franconia, and Bavaria. During the later years of the ninth century the dukes of these areas paid little but lip service to the incapable Carolingians, and on one occasion even deposed one of them. When the German branch of the Carolingian family died out in 911, the five duchies might have pursued independent courses, but to avoid a king taken from the French branch of the family the dukes elected Conrad, duke of Franconia, thus emphasizing the electoral and not the hereditary character of the German kingship. Conrad, on his deathbed in 919, nominated as his successor the most powerful of the tribal dukes, Henry of Saxony, the king portrayed in Wagner's Lohengrin. As Henry I, he founded the first of the three great dynasties that reigned in medieval Germany.

Henry's son, Otto I (the Great, 936–73), was the most important of the Saxon rulers and one of the most significant figures in German medieval history. Faced with serious civil wars and with dissension within his own family, he put these down sternly. One of his solutions for the problem of civil war was to have great importance in German development. This was the system of depending on churchmen to carry out political duties. He granted large and wealthy fiefs to bishops and abbots, thus becoming a founder of the institution of the ecclesiastical principality, independent of any secular rule except the emperor's, which was to persist in Germany until the nineteenth century. Since the prelate was in many cases a political ruler, the emperor felt that he should appoint him. During Otto's time, when the church in Rome was weak and corrupt, this did not cause much trouble; but later, when the papacy reformed itself, the popes believed that since the functions of the bishops were primarily spiritual, they should be named from Rome. Here lay the roots of the investiture controversy, which filled German history for centuries to come.

Otto's most important military exploit earned him the title of "the Great." In 955 he completely defeated the Magyars or Hungarians at the battle of the Lechfeld. From then on these people, who had been a warlike nuisance, settled down to an agricultural economy as neighbors to the Germans. In the northeast Otto pushed the German culture in the direction of the Oder River, but had uneven success. During his reign the archdiocese of Magdeburg was founded as a center for conversion of the pagans.

Otto also became interested in the affairs of Italy, where the last Carolingians had divided up their territories and instituted a weak system of government. He married the widow of the king of the Lombards
and declared himself king of Italy in the tradition of Charles the Great. In 962 he appeared in Rome, where the papacy had sunk to a frightful state of corruption at the mercy of the Roman nobility. The German ruler cleaned up the mess and, in return, the pope once more revived the Roman Empire in the west by crowning Otto. Thus the imperial title became anchored in the German monarchy and remained so for almost a thousand years. The emperors now insisted that they had a decisive voice in the election of successive popes.

The lasting connection between Germany and Italy and the intimate relationship between emperor and pope is often viewed as a bad influence on the steady development of Germany. It is certainly true that a number of the medieval emperors spent much of their time and effort dealing with strictly Italian and church affairs. This was particularly true during the high middle ages, when the popes made universal claims and when the north Italian cities grew and claimed their independence from the Germans. The dream of universal rule, of the Reich, has unquestionably been an important and disturbing preoccupation of Germans into the twentieth century.

Otto's two immediate successors, also named Otto, suffered from the imperial disease and spent most of their time in Italy. Otto III even moved his capital to Rome and spent his short life on the Palatine Hill among imperial dreams. On his death the last of the Saxons, the devout Emperor St. Henry II (1002–24), ruled from the cathedral town of Bamberg, which he greatly beautified. Devoted to Germany and to the church, he watched the further development of feudalism and carried on unsuccessful warfare with his neighbors. He insisted when he could on respect for royal authority.

Henry left no direct heirs, so the choice for the kingship fell on Conrad of Franconia, a descendant in the female line of Otto the Great. He was the first of the Salian or Franconian emperors, who reigned for almost exactly a hundred years. Conrad II was first and last a political figure, grim in personality and uninterested in church problems. He managed to acquire the title of king of Burgundy, along with its strategic possessions. He demanded obedience to the royal position and thus paved the way for the reign of his son, Henry III (1039–56), which is often regarded as the height of medieval royal power in Germany.

Henry, a pious man married to the deeply religious Agnes of Poitou, enjoyed a reign marked by relative peace and prosperity, the latter caused by the new beginnings of town life in Germany. During this reign some of the main features of the high middle ages started to assert themselves. In fact the most important development of these
years, and one which Henry and Agnes encouraged warmly, was the effort of the church to reform itself from within, known as the Cluniac reform. Henry abolished the abuse of simony in his domain and supported the new reforming popes. By doing so, he sowed the seeds of the conflict which was to rage at its height during the reign of his son and successor, Henry IV (1056–1106).

Henry IV was crowned king when he was only three years old and before his father died; he succeeded to the throne at the age of six. This necessitated a regency under the control of his politically inept mother Agnes, a period of weakness during which both the feudal nobility and the papacy were able to strike powerful blows at the position of the emperor built by the two previous monarchs. By this time the reform party was in the ascendant in Rome, determined to end simony, to enforce the celibacy of the clergy, and to put a stop to lay investiture or the nomination of church officials by temporal authorities. In 1059 the Lateran council legislated anew the method of electing popes: this should be done by the college of cardinals with no reference to either the emperor or the Roman nobility. This measure was intended to end the paternalistic relationship of the emperors to the popes which had started with Otto I.

Not long after Henry reached his majority, one of the great popes of history was elected, the monk Hildebrand or Pope St. Gregory VII (1073–85). Gregory was a highly intelligent, inflexible, and determined man, who was resolved to push the reform program to success. He achieved a great deal, but at the cost of a bitter conflict with Henry. Henry at first was disposed to favor the new pope, but when he realized the lengths to which Gregory was prepared to go to end lay investiture, and also how important lay investiture was to his position in Germany, he called a meeting at Worms which declared that Gregory had been illegally elected and was not to be obeyed. A rancorous correspondence ensued between the two, and Gregory excommunicated the emperor and released his subjects from obedience to him. This move led to a general uprising among the German nobles, who invited the pope to Germany to settle affairs there. Gregory started north but had reached only the castle of Canossa in Tuscany when he heard that Henry had crossed the Alps in midwinter (1077) and was at that moment in the snow in front of the castle asking admission and absolution. After three days the pope received the emperor, absolved him, and returned his authority to him. This event is generally thought of as the supreme example of the state bowing to the church, and certainly it was a striking gesture. However, Henry was shrewd in his behavior. He knew that the pope as a priest could not refuse absolution, and so kept Gregory out of
Germany and now received papal support in his wars with his rebellious nobles.

The three decades remaining to Henry were bloody and turbulent in the extreme, but their details need not detain us. He did not maintain peace with Gregory and actually led an army to Rome where he had himself crowned by an antipope of his own choosing. He was in constant trouble with his nobles and also during his later years with his sons. This was one of the unhappiest reigns in history. The only pattern that emerges from it is the beginnings of an alliance between the emperor and the towns against the nobility. Henry died suddenly in 1106 leaving as heir his disagreeable son, Henry V (1106–25).

Henry continued the antipapal policy of his father, insisted on the right to lay investiture, and marched into Italy where he imprisoned the pope. However, in 1122 a compromise settlement, known as the Concordat of Worms, was worked out and allayed at least the worst part of the strife. By this agreement the emperor was to invest with temporal insignia, the church with spiritual. This sounds logical, but it really begged the question of appointment. In fact from this time on the emperor had more influence in German appointments, the pope in Italian. There was no way by which the problem could be definitively solved, because the claims were mutually exclusive. It was, however, temporarily shelved.

With the death of Henry V, the Salian line became extinct. The obvious candidate to succeed was Frederick of Hohenstaufen, nephew of the former emperor. However, the electors wanted to emphasize their privilege and not simply allow the imperial title to become hereditary. So they elected Lothar, Duke of Saxony (1125–37). Lothar was personally a nonentity, but his election led to a centuries-long conflict, the strife of Guelfs and Ghibellines. These names arose because Lothar's son-in-law and heir was Henry Guelf, Duke of Bavaria, while the Hohenstaufens had a possession called Waiblingen, a word which the Italians corrupted into Ghibelline. By this time the old stem duchies, which had constituted the patrimony of the high nobility during the time of the Ottos, had tended to disintegrate, and western Germany was becoming more and more divided into little feudal principalities, both lay and ecclesiastical. Thus there arose a new nobility, not so powerful as the old as individuals but very important as political functionaries. This new knighthood became the source of the feudal armies and of either support or opposition to the emperors.

When Lothar died, the electors behaved as they had in the past. They feared that the Guelf interest was becoming too powerful and elected the head of the Hohenstaufen family, Conrad III (1138–52). The new
king, like his predecessor, was weak and incompetent, but his election intensified the rivalry between Guelf and Ghibelline and also opened the way for two of the most interesting figures in German history, Frederick I and Frederick II Hohenstaufen.

The most important events associated with the reign of Conrad did not involve him personally but rather the two great feudal lords, Henry the Lion (the Guelf) and Albert the Bear (of the Ascanian family). These two devoted themselves to continuing the push to the east. Henry conquered Mecklenburg for Christianity, while Albert received the new frontier area of Brandenburg and, by attracting colonists from the west to settle in the swampy regions around the little village of Berlin, laid the foundations for the later Prussian state.

At Conrad's death the electors agreed to his choice of his nephew, Frederick of Hohenstaufen, known as Barbarossa. He is the most attractive of the medieval German rulers. Reminiscent of Charles the Great, he was the perfect feudal knight and had a high opinion of the title of emperor, which he saw in direct succession from the great Romans of the past. Had Frederick been able to rule simply as a German king, his reign might have been one of the most successful in history and he might have been able to lay the bases of a national Germany. However, his position as emperor forced him into a constant relation and usually a conflict with the popes, a conflict which, in time, led to the downfall both of the Holy Roman emperors (as Frederick started to style himself) and of the temporal position of the medieval papacy. In addition, in his wars with the prosperous towns of north Italy he had to come to grips with the new force of urban life, something of which his background and training gave him no understanding.

Frederick started his reign (1152–90) with a number of pacific gestures. In particular, he wooed Henry the Lion by recognizing his position east of the Elbe, by confirming him in the duchy of Saxony, and by returning to him the duchy of Bavaria which he had lost. In return for these favors, Henry was to behave as a loyal subject of his emperor and help him with foreign problems. For some time this policy was successful. Henry did accompany Frederick on his early Italian expeditions and occupied himself with such peaceful projects as the foundation of the city of Munich.

Much of the interest of Barbarossa's reign is connected with his six expeditions to Italy and his complex relationship with the church, which will not concern us here. In Germany he insisted on the maintenance of the peace and used his German domains as a reservoir of manpower and wealth to support his activities elsewhere. He carried on an active foreign policy, usually friendly toward England and cool toward France. He
married the heiress of Burgundy and thus renewed the close relationship between that kingdom and Germany. In the east he established Austria, a new duchy on the frontier, which he gave to the house of Babenberg and so prepared for important future developments.

The rupture with Henry the Lion arose out of Henry’s refusal to go on Frederick’s fifth, and unsuccessful, foray into Italy in 1174. On his return Frederick summoned Henry to his court on a large number of charges. Henry refused to attend, so Frederick banned him and deprived him of his holdings. Saxony was divided up and never reassumed its importance in the northwest. Bavaria was also reduced in size and given to Otto of Wittelsbach, the founder of an important German family. The shape of the future Germany was gradually unfolding itself.

Frederick’s last important act, and one whose effects were to have great significance for German history, was to marry his son and heir, Henry, to Constance, heiress to the Norman kingdom of Sicily and southern Italy. Henceforward the fate of the house of Hohenstaufen was to be inextricably woven with the fortunes of Italy. Finally in 1190 Frederick set off on the Third Crusade. But he never arrived in the Holy Land for he drowned while bathing in a river in Asia Minor.

Frederick’s reputation grew mightily after his death. He seemed to be a second Charles the Great. Eventually the typical German legend, at first associated with his grandson, Frederick II, was attached to Barbarossa, namely that he had not died but lived on in a cave in the Kyffhäuser mountain, from whence he would come to rescue Germany at her time of greatest need.

Henry VI (1190–97) succeeded his father. He was an imperious and ambitious prince who wanted to establish a universal Hohenstaufen empire based on both Germany and Italy. In Germany he had to face a revolt by Henry the Lion, who tried to regain his position and re-establish Guelf power, an effort in which he was almost successful. Henry VI’s premature death in 1197 threw Germany into a period of chaos and civil war for almost twenty years.

For much of this confused period there were two claimants to the throne in Germany: Philip of Swabia, brother of Henry VI, and Otto of Brunswick, son of Henry the Lion. Eventually Philip was murdered and Otto completely defeated by Philip II of France at the battle of Bouvines (1214). In the French army at this battle was young Frederick of Hohenstaufen, son of Henry VI, who in the next few years, largely through the influence of the greatest of medieval popes, Innocent III, was recognized as king in Germany and crowned emperor.

It is a temptation to write at length of Frederick II. Some called him the Wonder of the World; some called him the Antichrist; some called
The Holy Roman Empire | about 1200
him the first modern man. Certainly he was a flashing and baffling figure. However, he is barely a figure in German history. Barbarossa made his headquarters in Germany and led forays into Italy. His grandson did the opposite. He centered his life at his brilliant court in Palermo, Sicily, and spent very little time in his German domain.

Early in his reign Frederick took an important step toward lessening the power of the king in Germany, when, in 1220, he granted almost complete independence to the German church. The clergy was declared exempt from taxation and from lay jurisdiction; henceforward the ecclesiastical princes were almost independent monarchs. In 1231 through the Privilege of Worms, by which he sought support for his activities in Italy, Frederick granted almost as much latitude to the German princes, giving them control over local justice and many other former royal prerogatives. Curiously enough, while in southern Italy Frederick was the prototype of the centralizing monarch, in Germany the effect of his rule was the opposite and gave almost full rein to the dynastic particularism which was to be such a curse to Germany in the future. He consistently favored the princes over the towns, which he disliked. On his last visit to Germany Frederick tried to reverse the process he had started, but he was unsuccessful in doing so. He died in 1250; his son, Conrad IV, in 1254—and with them the Hohenstaufen family died out and also medieval Germany. For nineteen years no German king was elected. This great interregnum is an important watershed in German history. Before 1254 the emperor had some claim to being a universal monarch; after 1273 he was the ruler of Germany only, though he kept the old title. And in fact he was hardly ruler in Germany, for dynastic particularism advanced to such a degree that the emperor increasingly could look for support only to his own feudal territories.

During the reign of Frederick II one important event occurred in Germany, which had no connection with the emperor but which was to have significance in the future. During the Crusades several military religious orders had been founded to protect the Holy Sepulchre. These orders were made up of knights, vowed to celibacy but not a religious life; they remained warriors. One of them was the Teutonic Knights, made up of Germans. By the thirteenth century there was no more Holy Sepulchre in Christian hands to guard. The Teutonic Knights wandered to Transylvania to spread Christianity. In 1229 a Polish prince, Conrad of Masovia, invited the knights to come to the shores of the Baltic Sea to continue their missionary work. They accepted and in a short time had carved out for themselves a small empire in the northeastern borderlands, which eventually became the duchy of Prussia, and, together with
the lands of the Ascanians in Brandenburg, formed the nucleus of the kingdom of Prussia.

The later middle ages, the period between the interregnum and about 1500, set the pattern for modern Germany even more than the preceding centuries. A number of new and significant developments occurred. The four dynasties whose representatives were to shape Germany (Hapsburg, Hohenzollern, Wittelsbach, and Wettin) made their active appearance. It is noteworthy that the bases for each of these (Austria, Brandenburg, Bavaria, and Saxony) were in the east, and, except for Bavaria, in "colonial" Germany which had been carved out of pagan territories. The old lands in the west along the Rhine had been so divided up that they were either ecclesiastical principalities or belonged to small prince-lings. The large dynastic units were the decisive forces now; the political center of German gravity shifted to the east. The relation with the church differed too. No longer did German emperors meddle in the affairs of Italy; they concerned themselves with building the power of their own families and lands. In return the popes were excluded from a voice in the imperial elections. Town life reached its apogee during these centuries, and the quarrels between the towns and the knights were continuous. In the north the so-called Hanse towns banded together into a powerful league to protect their mercantile interests, with no reference to their official overlord, the emperor.

When the German electors finally got together in 1273 to elect a new emperor, they did not want to choose the most powerful prince. If they had, they would have chosen Ottokar of Bohemia, who had built a large and wealthy domain for himself but who had boycotted the election. They did not want to choose one of themselves but a prince of second-rate importance who would not be a threat to them and would confirm all their rights. They found their man in Rudolf of Hapsburg (1273–91). The Hapsburg family had lands in southwest Germany, in Switzerland, and in Alsace. Rudolf took no interest in Italian affairs and did not trouble to go to Rome to be crowned. His immediate interest was to reduce the power of Ottokar, who on the extinction of the house of Babenberg had usurped its lands in Austria. Rudolf was completely successful at the battle of the Marchfeld in 1278, in which Ottokar was killed. He permitted Ottokar's heirs to retain their lands in Bohemia and Moravia but invested his own sons with the Austrian domain and thus established Hapsburg power along the Danube, where it remained for more than six centuries. When Rudolf died, the electors, alarmed at the growing power of the house of Hapsburg, passed over his son and once more elected a middling prince, Adolf of Nassau. Adolf proved
to be very ambitious and meddled abroad in the conflicts between Philip IV of France and Edward I of England. The electors, disgusted with Adolf, claimed the right to depose an emperor and in 1298 chose Rudolf’s son, Albert I (1298–1308). Albert was primarily concerned with the fortunes of his own house. When the Bohemian house became extinct, he seized Bohemia and Moravia for his son. He curried favor with the arrogant pope, Boniface VIII, hoping that the pope would permit him to build a hereditary Hapsburg state. But his career ended when he was murdered by his nephew. There was not another Hapsburg emperor for more than a century.

By this time French interests were important in west Germany where the aggressive king, Philip IV, was trying to extend his power. The new election brought to the German throne a French vassal, the brother of the archbishop of Trier, Henry of Luxemburg or Henry VII (1308–13). Henry was something of an anachronism, taking seriously the old universal idea of empire. He went to Italy, was hailed with plaudits by Dante, was crowned, but accomplished little. At home, however, he was not remiss in fighting for his own family. He seized Bohemia from the Hapsburgs and granted it to his son John, thus endowing the Luxemburg family with a strong basis of power in the east, where it remained paramount for over a century.

The next election was a confused one. In fact two emperors were chosen, Frederick of Hapsburg and Louis of Wittelsbach. Civil war raged for several years, but in 1322 at Mühldorf Louis defeated Frederick and assured himself of power. Soon thereafter he did the typical thing and secured the electorate of Brandenburg for his son.

The reign of Louis IV, “the Bavarian” (1314–47), was a troubled one for Louis but a very interesting one from the point of view of constitutional history. Owing to events in Italy, Louis incurred the fury of Pope John XXII, the ablest of the popes who reigned from Avignon. It looked as if the story of Henry IV and the Hohenstaufens were to be retold. But there is a curiously anticlimactic character to this struggle. John insisted that Louis had been illegally elected and excommunicated him. Louis appealed over the pope to a council and launched an attack on the higher clergy for their wealth and luxury. Much of the interest of the conflict centers around the important figure in the history of political theory, Marsiglio of Padua, who wrote the Defensor Pacis as a tract in favor of imperial supremacy. This work insists that the pope has no authority over the emperor in secular matters, that in fact the emperor has the positive duty to resist such papal claims. Louis went to Rome where he was crowned by the “people” and appointed an antipope.
THE FORMATION OF MODERN GERMANY

This last action had no practical result, but Louis won his point in refusing the pope any voice in his election. This is a far cry from the days of Gregory VII and Innocent III, and a definite step toward the anticlericalism of the coming centuries.

The electors supported Louis' claims by a document which marked a stage in constitutional history. In 1338 at Rhense they decreed that the emperor's title derived alone from his election by a majority of the electors. Thus the pope was eliminated as a factor in imperial elections. But Louis did not long enjoy his triumph. A series of unhappy events in Germany lessened his popularity; he was even deposed in 1346 and died accidentally the next year.

The deposition of Louis brought to the imperial throne the most capable man of the period, Charles IV (1346–78) of the house of Luxemburg. This was the great moment in the history of that house and also in the history of Bohemia. Charles built Bohemia and the neighboring lands he controlled (including Brandenburg, which he took from the Wittelsbachs) into a really strong state with many modern characteristics. In 1346 he established at Prague the first university in central Europe and made a show city of his beloved capital.

In German history Charles is especially notable for the most important constitutional document of the late middle ages, the Golden Bull of 1356, which regulated imperial elections until the end of the empire in 1806. For the first time a precise list of the electors was stated. They were seven in number, three spiritual (the archbishops of Mainz, Trier, and Cologne) and four temporal (the count Palatine of the Rhine, the king of Bohemia, the margrave of Brandenburg, and the duke of Saxony). The electorates were henceforth to be indivisible and hereditary. No voice in elections was given either to the pope, the princes of non-electoral rank, or the townsfolk. Thus an electoral oligarchy was set up. The votes of any four of the electors sufficed, and as an added gift the electors received the right that no appeals could be made from the decisions of their courts.

Unfortunately for Charles' hopes his sons were lesser men than he, and the half century following his death was one of confusion and loss in prestige for the imperial power. Charles' eldest son Wenceslas, or Wenzel, succeeded his father (1378–1400) but proved himself incapable of handling a series of civil conflicts which broke out. His combination of alcoholism and incompetence led the electors to depose him in 1400, an act which he, however, did not recognize and continued to protest. A Wittelsbach of the western branch of that family, Rupert, Elector Palatine, was put on the throne (1400–1410), but his unfortunate reign
proved that it was necessary for the emperor to be in immediate control of one of the large domains in the east. When Rupert died, Wenceslas' younger brother Sigismund, who had inherited the kingdom of Hungary by marriage, was elected and wielded the effective power until his death in 1437.

Sigismund's reign was troubled mainly by problems which arose in the church. The aftermath of the residence of the popes at Avignon was the scandalous great schism of the west, a period of forty years during which two and sometimes three men each claimed to be the legitimate pope. A council of the church met at Constance from 1414–18 to settle the matter. It prevailed on two of the three claimants to retire and elected Pope Martin V, who was recognized by all except the discredited third claimant.

Even more important for German developments was the treatment of John Huss at the Council of Constance. Huss was a professor at the University of Prague who was much influenced by the teachings of John Wyclif in England. Huss attacked corruption and wealth in the church and called for a return to evangelical simplicity. He also attacked theological dogma, holding the Bible superior to the church and opposing the dogma of transubstantiation. He insisted that the liturgy should be celebrated in the vernacular. His movement soon shifted from the purely religious to the political sphere because it was attractive to the Czechs in Bohemia, who were developing a strong sense of nationalism and resented the dominance of Germans in their land.

Huss was summoned before the Council of Constance and given safe-conduct by Emperor Sigismund. He refused to recant his heresies and in spite of the safe conduct was burned at the stake in 1415. This action led to the Hussite wars in Bohemia, a series of bitterly fought conflicts which lasted for twenty years. In spite of the eventual victory of Sigismund and the Catholics, the Hussite wars left tragic memories of religious and social cleavages which were to re-emerge in the following century.

Early in his reign Sigismund made a fateful appointment. In 1415 he appointed his friend, Frederick of Hohenzollern, to the electorate of Brandenburg. The Hohenzollern family, which originated in southwestern Germany, had for generations held a hereditary imperial post in Nuremberg. It now became one of the most important German families and started a career that was to lead it to Versailles in 1871 and to Doorn after 1918. It was Sigismund also who established the Wettin family in Saxony, where it too was to remain until 1918.

Sigismund died without a male heir. The beneficiary of the activities of the house of Luxemburg was the house of Hapsburg. Albert of Hapsburg, Sigismund's son-in-law, inherited temporarily the lands of Bo-
hemia and Hungary and was also unanimously elected emperor. From this time until the end of the empire in 1806, with one short interruption, a Hapsburg always wore the imperial crown.

Albert reigned for only one year, but his cousin Frederick III (1440–93) was on the throne for over a half century. Frederick was no statesman, but he did have the usual Hapsburg sense of glorifying his own family. He achieved this through matrimonial policy, the greatest example of which was the marriage of his son and heir, Maximilian, to Mary, the heiress of the vast lands of the dukes of Burgundy.

The late fifteenth century was a relatively quiet period in German history. But great things were being gestated. The ideas and artistic achievements of the Renaissance in Italy were making their way across the Alps. Humanists and mystics in their divergent ways were attacking the fabric of the old church. The quiet of the fifteenth century was the prelude to the prodigious events of the sixteenth.