

The Holy Roman Empire

European disunion done right

The “old empire” offers surprising lessons for the European Union today

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SUMMITS were more fun in those days. When Ferdinand III, the Habsburg monarch of the Holy Roman Empire, arrived in Regensburg, the Brussels of its time, in late 1652, he brought 60 musicians and three dwarves. There were sleigh rides, fireworks and the first Italian opera ever performed in Germanic lands. Aside from that, the Reichstag (imperial diet) was much like today’s European Council, the gathering for leaders of the member states. The emperor arrived with a retinue of 3,000 people to meet the empire’s princes, bishops, margraves and other assorted VIPs. They negotiated for more than a year. By the time Ferdinand left again for Vienna, with 164 ships floating down the Danube, quite a lot had transpired.



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Precisely what that was, however, has been a matter of passionate dispute among historians ever since, with special relevance today. The traditional view is that Central Europe, exhausted by crisis (the Thirty Years War, which had ended in 1648), yet again failed to get its act together and form a proper union—ie, a centralised state. For the next 150 years, the “old empire” thus drifted into fragmentation and geopolitical irrelevance. As the Prussian historian Heinrich von Treitschke described it in the 19th century, it became “a chaotic mess of rotted imperial forms and unfinished territories”, until it expired with a barely audible whimper in 1806.

Such a reading would warn leaders of the EU today against repeating history: Thou shalt not let the euro crisis turn centripetal forces (“ever closer union”) into centrifugal ones, with member countries exiting from the euro zone or even the EU. For this would lead to a gradual break-up of the EU similar to the erstwhile dissolution of the empire, and deliver the continent to its old curse of *Kleinstaaterei* (small-statism) in a world of giants such as America, China and India. In the worst

case the old nationalist energies would return, just as they metastasised in the century after 1806.

But there is a revisionist view. Originating in Germany in recent decades but increasingly accepted in academia elsewhere, it also regards the institutional structure of the empire as it emerged from the 1653 Reichstag as a prototype for the EU today. However, its proponents mean that in a good way. Peter Claus Hartmann, a historian at the University of Mainz, says that the old empire, though not powerful politically or militarily, was extraordinarily diverse and free by the standards of Europe at the time. As one of its subjects, Johann Wolfgang von Goethe, wrote, it was a place “in which, in peacetime, everybody can prosper.”

By this reading, EU leaders today need not fear a “looser union”. They could welcome the crisis as an opportunity, as in 1653, to refine and fix the EU’s federalist structures. This would mean embracing the reality of dual (meaning ambiguous) sovereignty, shared between emperor and princes then, between Brussels and member states now. With the principle of “subsidiarity”, which organised both the empire and the EU, Europe can remain free and happy, Mr Hartmann thinks.

A brief one-millennium recap

Depending on how one dates it, the old empire lasted a thousand years. Its patriarch was Charlemagne, a Frankish king who united a geographic area eerily similar to that of the 1952 precursor to the EU, the European Coal and Steel Community of West Germany, France, Belgium, the Netherlands, Luxembourg and Italy. Crowned emperor in Rome by the pope in 800, Charlemagne and his heirs represented the continuation in western Europe of the ancient Caesars, whence the German word *Kaiser* (emperor).

This geographic similarity often invites comparisons to the EU (not least by *The Economist*, which names its European column after Charlemagne). In truth, Karl, as the Germans call him, ruled rather too much by decapitation to provide much useful instruction today. And the geographic similarity ended when his empire broke apart under his heirs until its eastern (mainly Germanic) part was resurrected under Otto I in 962. It added the title “holy” in the 12th century, when Frederick I (Barbarossa) wanted to emphasise his independence from the pope. It was still a medieval place, alien to modern eyes.

That changed around 1500, after the Habsburgs, originally from Switzerland (also part of the empire), rose to power. The trend, in much of Europe, was toward absolute monarchies. But absolutism was going to be a harder proposition in the empire. Though the monarchy occasionally seemed hereditary, it was an elected office. Emperors were chosen by seven (later eight, nine, then ten) electors, the leading secular and ecclesiastical princes. Then there were another 180 secular and 136 ecclesiastical fiefs and 83 imperial cities, some of them republics, which all considered themselves “free,” meaning autonomous.

An intermittent tussle began, with several emperors trying and failing to achieve an ever closer union. Each time, the princes withheld the necessary money or soldiers, says Joachim Whaley at Cambridge, the author of a two-volume history of the empire. At each Reichstag, power was renegotiated and usually favoured looser union. Everything pointed to a continuation of dual sovereignty. On the hot-button issue of religion, in particular, each prince should independently determine whether his territory was to be Catholic, Lutheran or Calvinist.

But then one more Habsburg, Ferdinand II, was tempted to have a good last go at absolutism. Already king of his hereditary lands and soon to be elected emperor, he was also a strict Catholic and rather offended when, in 1618, cranky Protestants threw three Catholic bigwigs out of a window in Prague (though all three survived the plunge). He sent soldiers, and thus ensued a series of increasingly messy wars.

This so-called Thirty Years War began as an attempt to answer the unresolved question about sovereignty, then took on the guise of a faith war between Protestants and Catholics, before drawing in the other European powers in a general free-for-all, with kings, princes and enterprising generals slaughtering, raping and plundering as they could. The empire lost about a third of its population. Regions such as Württemberg, Mecklenburg and Pomerania lost as much as 80%. Traumatized, the continent came together in Westphalia in 1648 to make peace.

The first Eurocrats

The 1653 Reichstag was the first after that treaty. One last time, the empire could have gone either way, toward a centralised union or a decentralised federation. Ferdinand III would have preferred the former. But the princes, led by the charismatic elector of Brandenburg, an upstart power in the east, rejected the emperor's proposal to make all estates pay imperial taxes authorised by the Reichstag—ie, what would have been a rudimentary “transfer union” as it is contemplated in the EU today.

Having settled on a loose union, the empire concentrated on making it irreversible. Starting with the next congress, in 1663, the Reichstag became a “perpetual diet”, permanently in session. By then Ferdinand III's son was emperor. Nicknamed “hogmouth” for his protruding jaw (which ran in the family due to inbreeding), Leopold I presided over something so similar to the EU that Mr Hartmann calls it the “construction manual”.

Even the problems sound familiar. Property values had crashed, as the depopulated land vastly exceeded tenants. And many princes, after years of paying mercenaries, were drowning in debt. As Mr Whaley explains, these debts were dealt with through a combination of moratoria and debt commissions. The emperor sent administrators to negotiate restructurings, rather as today's “troika” of European Commission, European Central Bank and International Monetary Fund does.

These bail-outs became a recurring feature, with 57 over the next century.

The bigger idea was the “juridical” principle. It simply said that conflicts were to be resolved by lawyers rather than soldiers. Whenever disputes arose between territories, the parties had recourse to two imperial courts, one usually in Speyer and one in Vienna, which are analogous to today’s European Court of Justice in Luxembourg. Even peasants could appeal in the courts.

The Reichstag itself was the other vehicle for conflict resolution. Not only the emperor but any backwoods abbot or baron could propose legislation, often as banal as the EU’s regulation of cucumber curvature. Thus a Saxon proposal to ban indigo dyes (to protect the woad industry) failed, but ribbon-making machinery was successfully banned in 1685 and 1714. Business as usual included restrictions on duelling, on the movement of vagrants and on the installation of mills when these impeded river navigation.

The elector of Mainz, the equivalent of today’s rotating president of the Council of Ministers, “dictated” such legislative proposals into writing and put them before the three chambers. In the first, the electors met; in the second, the remaining princes; and in the third, the free imperial cities. Then the haggling started.

The empire faced the same problem as today’s EU, only worse. The EU currently has 27 member states. During its final 150 years, the empire had more than 300 territories (the number varied). Should each member get one vote? If so, any hillbilly could block progress. Or should votes be weighted by territory? If so, big princes could bully little ones. Should decisions be taken by simple majority, qualified majority or unanimity? The empire answered these questions as the EU does: with a characteristically decisive it-all-depends.

In matters of religion, which had caused so much bloodshed, the empire adopted special rules, so that two councils, Catholic and Protestant, had to reach agreement. In other matters the votes were weighted so that the princes of the larger territories had one ballot each, and the smaller territories were grouped together. In principle, if not detail, the EU takes the same approach, requiring unanimity sometimes, other times qualified majorities, reflecting both the number of states and the populations represented.

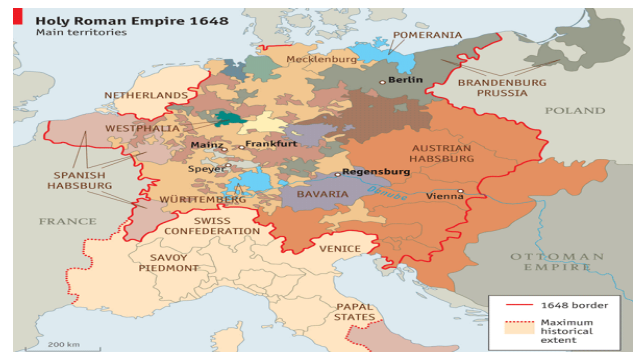
When critics want to make fun of either the empire or the EU, this is one area for easy pickings. Ridiculing EU diplomacy today, Germans often use the expression *etwas auf die lange Bank schieben* (to shove something onto the long bench) to mean bloviating endlessly as a delaying tactic. The idiom originated at the Reichstag, where bureaucrats physically pushed their paperwork onto a long bench (still visible in Regensburg’s old city hall today).

But the ridicule masks a huge success: both in the empire and the EU, disagreements were and are

resolved peacefully, an achievement for which the EU won this year's Nobel peace prize. And there is a healthy balance between protecting the interests of the small states while allowing for action as a federation.

The similarities extend to practical governance. The EU follows a principle called subsidiarity, which also had its prototype in the empire, says Mr Hartmann. Then as now, most matters were handled at the lowest possible level of jurisdiction, starting with the village. For more complicated subjects, the EU today has blocks—the Schengen area for travel without documents, say, or the euro zone. The empire also had blocks, called *Kreise* (circles).

These *Kreise*, ten of them, were regional associations that implemented the laws of the Reichstag, regulated tariffs, collected taxes, mobilised troops and so forth. They also dealt with money. In fact, the *Kreise* ran currency regimes that look remarkably like the EU's Exchange Rate Mechanism, the precursor to the euro.



Princes and cities retained the right to mint their own coins. These usually had the imperial eagle on one side and the local prince's coat of arms on the other. Unco-ordinated, this would have led to chaos in trade. So the various groschen, florins and pfennigs in circulation were pegged to larger accounting units. The Upper and Lower Saxon *Kreise* formed the taler zone, for instance, and the Bavarian, Franconian and Swabian *Kreise* had the gulden zone. These blocks met at regular *Kreistage*, analogous to today's euro group, the diet of finance ministers from the 17 countries in the euro zone.

It thus fell to the *Kreise* to police monetary naughtiness. Typically, a prince tried to inflate away his own debt or make himself nominally rich by mixing bits of lead or copper into the gold or silver coins coming out of his mint, so that he could produce more of them. This debased the currency, until the coins were carefully weighed again at a *Kreistag*. The results were captured on conversion charts, in effect the new exchange-rate pegs.

Taken together, the empire's unwritten constitution became so complex that Samuel Pufendorf, a 17th-century jurist, called it *irregulare aliquod corpus et monstro simile* (a somehow irregular body, similar to a monster). He meant this as a compliment. For the monster allowed a degree of liberty and diversity that was unimaginable in the neighbouring kingdoms, though matched in the EU today. Ordinary folk, including women, had far more rights to property than in France or Spain, say.

Although German was the main language, French and Flemish in the west, Italian in the south, and various Slavic tongues in the east all had equal standing. And whereas it was uncomfortable to be

anything but Catholic in France, Protestant in Sweden or Anglican in England, the empire offered the whole menu. If a local prince proved benighted, his subjects high-tailed it to the next duchy. Places such as Fürth, near Nuremberg, became thriving centres of Jewish culture, with seven synagogues. Mennonites and Huguenots found similar niches.

With religious diversity came the cultural sort. The Catholic areas had very visual and sensual aesthetics. Hence the flamboyant baroque and rococo churches, chapels, and palaces that still dot the southern landscapes today. The Protestant territories frowned on pictures and icons so they gave rise to literary cultures (Goethe, Schiller, Lessing) and to music (Bach). In its ways, the empire was as varied as the EU, where fun ranges from bull fighting at one end to naked saunas at the other.

Feeling the Prussia

Why, then, did the empire fail? The reason was not military weakness per se. Imperial armies repelled the Ottomans eight times in 300 years, passing more martial tests than the EU ever has. But in the end the empire was no match for Napoleon, who walked over it, tore it apart, then hinted to the last emperor that he might as well dissolve it, which Francis II did in 1806.

But the empire had grown weak long before Napoleon, and that development may offer the real warning to the EU. In the mid-18th century two members, Austria and Brandenburg-Prussia, outgrew the empire, reducing the other territories to a “third Germany,” says Peter Wilson at the University of Hull. That was destabilising.



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Defenestrated in Prague

Brandenburg-Prussia had first announced itself on the big stage at the 1653 Reichstag, when Frederick William, a duke known as the “great elector”, thwarted the emperor’s attempt to levy imperial taxes by majority vote of the princes. His heir was then upgraded to king. Within a few generations, this dynasty dominated.

The problem was not so much that Prussia, like Austria, had extensive lands outside the empire. Such situations were common. George I and his heirs, say, were simultaneously electors of Hannover (and thus vassals of the emperor) and kings of Britain. Even the EU knows overlapping commitments—Britain is a full member but also has a Commonwealth.

Rather, the problem was that Prussia became so powerful that the empire could no longer discipline it. While it cooperated with Austria, as Germany and France have done in the EU, the duo maintained order. But once Prussia began putting its own interest above the empire’s, even fighting against Austria, a far-sighted observer could have seen the beginning of the end.

Viewed through this lens, one could see the origins of today’s crisis, and the danger in the much longer term, in Germany’s rapid growth after reunification with East Germany (which was largely the old Brandenburg-Prussia, as it happens). Historians are a cautious bunch, but Mr Hartmann dares make that comparison. The EU, prompted by Germany, in 1997 signed a “stability and growth pact” to impose fiscal discipline on member countries and to avoid crises. But that pact lost its bite a decade ago once Germany itself broke it. The EU should have taken Germany to task, but Gerhard Schröder, the chancellor, got off scot-free. The EU can discipline Ireland or Greece, but probably not Germany or France.

Where history leaves EU leaders today is debatable. Faced with a similar crisis in the 1780s, a different confederation seized a “Hamiltonian moment”, assumed the debts of its member states and had a good run as the United States of America. The empire, by contrast, had settled on a looser structure without a “transfer union”; though fading by then, it had been around much longer.

Like America, the empire was a great place to live. It was a union with which its subjects identified, whose loss distressed them greatly. “It is as if we had one funeral after another,” Goethe’s mother Catherina wrote to her son in August 1806, a few days after the old empire died. “That is how our joys now look.” Many Europeans would feel the same if the EU followed it to oblivion.

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