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ORIENTAL TRADE AND THE RISE OF
THE LOMBARD COMMUNES

BY

LINCOLN HUTCHINSON

UNIVERSITY OF CALIFORNIA



REPRINTED FROM
THE QUARTERLY JOURNAL OF ECONOMICS
VOL. XVI., MAY, 1902

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QUARTERLY JOURNAL OF ECONOMICS

Published for Harvard University

Is established for the advancement of knowledge by the full and free discussion of economic questions. The editors assume no responsibility for the views of contributors, beyond a guarantee that they have a good claim to the attention of well-informed readers.

Communications for the editors should be addressed to the Quarterly Journal of Economics, Cambridge, Mass.; business communications and subscriptions (\$3.00 a year), to Geo. H. Ellis Co., 272 Congress Street, Boston, Mass.

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*Professor H. Morse Stephens
with the compliments of
Lincoln Hutchinson*

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HENRY MORSE STEPHENS

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ORIENTAL TRADE AND THE RISE OF THE LOMBARD COMMUNES.

It requires something of boldness to reopen the old controversy as to the rise of the Lombard communes. Many able historians have dealt with the problem, and it would seem probable that what is worth saying has already been said. Yet no one who has followed the course of the discussion can leave the subject without a certain feeling of dissatisfaction,—a certain questioning as to whether, after all, he has really reached the root of the matter. In the past fifty years there has been a gradual change of front on the part of students of mediæval communal movements, not only in Italy, but in all parts of Western Europe as well. The old issue between the opposing advocates of the Teutonic and the Roman theories has slowly been relegated to a position of secondary importance, and an ever-increasing emphasis has been laid upon the economic forces which lay at the back of the movement. The origin of towns, their growth in power, the organizing of the citizens into guilds, their gradual assumption of control, and the slow development of the independent commune have been shown to rest upon something far more real and solid than either Roman or Teutonic influence or inheritance. This inheritance at best furnishes explanation only of local differentiation: the really fundamental causes of the phenomena are largely economic.*

But, granting the economic causes of development and the essential similarity of the movement in all parts of the West, there still remains a further question, which does not seem to have received as yet more than the vaguest answer. Why was it that the communal movement in Italy generally, and in Northern Italy particularly, was in advance of that in any

*The economic forces which were at work have been carefully examined by Hegel, *Geschichte der Stadtverfassung von Italien* (1847); Cibrario (*Economie Politique du Moyen Âge*, 1859) strongly emphasizes them; Emerton (*Mediæval Europe* [1894], pp. 519-528) gives an excellent summary. Cf. also some of the histories of single towns, such as E. Heyck's *Genova und seine Marine im Zeitalter der Kreuzzüge* (1886), R. Bonfadini's *Le Origine del Comune di Milano*, etc.

other part of the West? Why did the Lombard towns lead not only in time, but also in brilliancy of development? Was it that the economic forces were here most active, or merely that other circumstances, such as the unique relations of the towns to Empire and Papacy, furnished more favorable opportunity for growth?

A possible answer is presented by a glance at the later history of these same towns, in the period of their most dazzling prosperity. That their later greatness rested upon a basis which was primarily economic cannot be doubted, and the corner-stone of the whole structure was their control of the Oriental trade of Europe. This fact granted, the suggestion at once fairly forces itself upon us that, possibly, the same cause which brought the later success was potent also in giving the first impulse. It has been more or less customary to deny this, and to attach but little importance to the Eastern trade prior to the Crusades. Nevertheless, there is reason to question this denial; and it will be the object of the present writer briefly to examine certain bits of evidence which would seem to carry the commercial influence far behind the period of the Crusades, and make it play an important rôle about the very cradle of the communes.

The inquiry is a twofold one. It will not be sufficient merely to show that commercial conditions and activities in Northern Italy were peculiarly conducive to municipal prosperity. What really concerns us here is the growth of the communal government within the cities; and we must therefore go a step beyond the establishment of commercial prosperity, and show that, in the particular case we are considering, this prosperity did then and there have a direct causative connection with the peculiar form of organization known as communal.

Turning now to the first question, we must notice that the economic inheritance from Rome very early made for material prosperity. In the later years of the Roman rule, and during the Ostro-Gothic, Lombard, and Frankish dominion, the towns of Northern Italy lost their political importance, but commercial and industrial activity in them was not dead.* In

* Sismondi, J. C. L. *Simonde de, Histoire de la Renaissance de la Liberté en Italie* (1832), i. 10. This statement does not, of course, apply to Venice.

Roman times, not only was trade between towns continued, but commercial connection with the Eastern Empire was kept alive. Upon the conquest by the barbarians the cities were not deliberately destroyed except in the rare cases of serious resistance. Nor was any vital change made in their internal economy.* Commerce and manufacture were undoubtedly hampered in many ways, but they were by no means killed. Roman artisans and traders in the towns and Roman tillers of the soil were left to continue their occupations.† Evidence of the presence of such a Roman artisan, trading, and agricultural class in large numbers, is found in the laws of the Lombard kings in Italy, particularly in those of Rothari‡ and Liutprand;§ and there is little reason to believe that they vanished under Frankish dominion. There can be no doubt that the industrial and commercial organization of the Northern Italian cities remained at the close of the ninth century in a more advanced state than that which had at that time been reached by the towns of any country outside of Italy, except possibly those of Southern France. They were thus in a position to take early advantage of any commercial or industrial revival which might make its appearance. Added to this was the peculiarly favorable combination in the Italian character of energy and versatility,—the readiness as well as the ability to grasp new opportunities.¶

Meantime a movement was going on which was to bring such new opportunities,—an enormous increase in the extent and profitableness of foreign trade. Roman trade with the Levant and the Orient had been most important and most varied, and had never wholly died out.¶ Centuries before the

*T. Hodgkin, *Italy and her Invaders*, vi. 586-592; Williams, *The Communes of Lombard from the VI. to the X. Century*, 19. (In Johns Hopkins University Studies, ix. pp. 239-318.)

†Hodgkin, vi. 586-590; *Entwickelung der Verfassung der lombardischen Städte* (1824), 4-5, 19.

‡Hodgkin, vi. 174-236; Muratori, *Rerum Italicarum Scriptores*, tome i., Part II., 17-48; C. Troya, *Storie d' Italia* (1839-59), iv., Part II.

§Hodgkin, vi. 389-414; Muratori, *SS.*, 51-84. That there had been a decline in the importance of these business interests, however, is shown by the strikingly less attention given to such matters in the Lombard laws than in the Roman.

¶ Emerton, 522.

¶ W. Heyd, *Histoire du Commerce du Moyen Âge*, i. 93, 110 *et passim*. Cf. Muratori, *Antiquitates Italicae Medii-Aevi*, Dissertatio XXX. [æp. pp. 881-888].

First Crusade this intercourse had begun to revive* through the influence of the Church, on the one hand, and the growth of more luxurious tastes in the Christianized northern races, on the other. Abundant evidence is found in all ecclesiastical records of the great quantities of goods of Eastern origin which were used by the clergy for personal adornment or by the churches for decoration of altars and images.† Vestments, altar cloths, gems, ornaments of the costliest sort, as well as incense for the censers, were in great demand; and, as the Church spread its rule farther and farther over Europe, this demand increased.‡ Moreover, the rising practice of medicine,§ introduced by the Arabs, created a growing demand for drugs; and they, too, were mostly of Eastern origin. The taste for spices was also making its way through all classes of Western society.¶ It would be almost impossible to exaggerate the importance of this taste for spices in the later years of the Middle Ages. The quantity consumed was probably by no means insignificant even as early as the period we are now considering.¶

The demand for Oriental goods in Western Europe had made itself felt within a comparatively short time after the confusion of the barbarian invasions. The presence of Lombard merchants at the fair of St. Denis in Paris in 629,** probably dealing in Eastern goods; the yearly revenue of cloves, cinnamon, spikenard, dates, and pepper, mentioned in 716 as being received by the monastery of Corbie from the port of Fos; †† the activity of Charles the Great in promoting dealings with the Far East, such as his treaty with Haroun al Raschid, †† his attempt to open a canal between the Main and the Danube, and his suppression of Arab pirates on the Mediterranean,—are typical of the many bits of evidence that the taste for Byzantine, Asiatic, and African goods remained fairly

* P. de Haulleville, *Histoire des Communes Lombardes* (1857), 238.

† Heyd, i. 94-95.

‡ For this whole subject see Heyd, i. 57-126.

§ W. Draper, *Intellectual Development of Europe*, i. 385, *seq.*

¶ H. Pigeonneau, *Histoire du Commerce de la France* (1887), i. 122, 128; Heyd, . 89-93.

¶ The loss of four Venetian cargoes of spices is chronicled as far away as Merseburg in 1017. Heyd, i. 116.

* Heyd, i. 104.

Ibid., i. 99.

‡‡ Ibid., i. 100.

active throughout the Dark Ages. In England and Germany, too, evidence leading to a similar conclusion is not difficult to find. Bede makes frequent mention of silk-embroidered goods brought to England by royal or ecclesiastical pilgrims returning from Rome,* while a trade in Byzantine silk goods and in pepper and other spices seems to have been carried on with considerable regularity as early as the close of the tenth century.† In Germany, as early as the time of Boniface, pepper, cinnamon, and other Eastern commodities are mentioned; and shortly after the close of the ninth century it is probable that the purchases of spices, silks, precious stones, etc., from Venice by merchants of Regensburg and Augsburg had reached no inconsiderable amount per annum.‡ In the eleventh century Mainz appears also as an important emporium for Oriental goods.§

So long as the demand, or the principal part of it, had been confined to Italy, the trade had been, for the most part, conducted by six or eight of the Italian cities, which happened to be in a specially favorable position to carry on the business,—by Venice || in the north, and by Amalfi, Gaeta, Naples, Bari, Brindisi, etc., in the south.¶ The trade of Rome seems to have been largely in the hands of the merchants of Amalfi,** while Venice probably supplied the Po Valley.†† But, when the demand spread through Northern Europe, conditions were changed. The south Italian cities were not so advantageously situated for passing the goods forward to the northern customers. Even Venice was at something of a disadvantage; for the eastern passes of the Alps were not much used at that early period, and, if used, they led into a portion of Europe not the most favorable to commercial enterprise.‡‡ Other routes to the East began to be opened, and other cities took a hand in the trade. Yet the close connection of the southern cities with the Eastern capital,§§ and their maritime power, constituted an advantage over competitors which probably would have enabled them to hold their own for a

* Heyd, i. 106.

† Ibid., i. 98.

‡ Ibid., i. 96-97.

§ Ibid., i. 89-90.

|| Ibid., i. 108.

¶ Ibid., 96-98.

** Ibid., 99-100.

†† Ibid., 110-112; Sismondi, *Histoire des Républiques Italiennes du Moyen Âge* (1826), i. 378-383; Haulleville, 258.

‡‡ Heyd, i. 112.

§§ Ibid., i. 93.

long time to come, had it not been for the Saracen and Norman conquests. The confusion resulting from these conquests formed an effective check to the reviving economic life in the southern cities* and helped to pave the way for the prosperity of their northern rivals.

Of the new channels of trade which were opened, one was by sea, between the maritime cities on the Mediterranean, in Spain, France, and Northern Italy,† and the cities of the Levant. The trade of the Spanish and French cities supplied the countries in which they were situated, and for a time it thrived. Then, early in the eleventh century, this intercourse, like the commerce of the southern Italian cities, was violently interrupted by internal disturbance. The weakness of the successors of Charlemagne, the division of the empire, and the beginnings of the development of separate nationalities led to a period of anarchy and contending interests; and in no place were the effects more severely felt than in Southern and South-eastern France. Burgundy and Provence became the scene of a long and bitter struggle between the Empire and the nascent kingdom of France, while at the same time the selfish policy of the local nobility in these countries in striving to advance each his own personal interests served to heighten the confusion. Under these circumstances, we need not be surprised that before the middle of the eleventh century the Mediterranean commerce of these regions had virtually ceased to exist.‡ The Italian traders profited by the misfortunes of their Western neighbors, and the French trade passed into the hands of the merchants of Lombardy.§

Two other new routes were also tried.|| One line passed from the Baltic by land and water across to the head-waters of the Volga, down that river to the Caspian, thence to the Oxus, and so on to the Far East. The other branch ran across the eastern frontier from Germany, down the Dnieper to the Black Sea,¶ and thence to Constantinople which was connected with

* Heyd, i. 107. These disturbances, of course, did not affect Venice.

† Ibid., i. 120.

‡ Ibid., 92-93.

§ B. Gebhardt, *Handbuch der deutschen Geschichte* (1891), i. 478; Heyd, i. 93. Cf. Cibrario, i. 63.

|| Cunningham, *Growth of English Industry and Commerce*, i. 84; Gebhardt, i. 478; Heyd, i. 57-74.

¶ Cunningham, i. 184; Heyd, i. 68-74.

the East through several channels. The volume and the importance of this trade is shown by the quantities of Oriental coins of the period found in Slavic and Scandinavian countries, and by other evidence from Arab sources.* But before the eleventh century various causes, such as civil disturbances in Russia and in Persia, had combined to kill this trade almost completely; † and Northern and Central Europe, which had been partially supplied by these overland routes, were obliged to turn to Italy.‡ Efforts had also been made for a direct communication with Constantinople and thence to the East, by passing down the Danube; § but this trade (if it ever existed) had never thrived.

It should also be borne in mind that side by side with the expansion of Oriental trade there was a growing commerce with the pagan peoples of the southern shores of the Mediterranean and through them with the interior regions of Northern Africa. Many commodities similar to those Oriental goods which were so rapidly becoming the object of European demand were to be found both north and south of the Sahara, and the caravan routes controlled by Moors and Arabs led to the sources of supply.¶ That Italy was well situated for taking possession of this trade is obvious.

Thus it had come to pass that before the middle of the eleventh century, all Western Europe was looking to Northern Italy ¶ alone for the supply of articles for which the demand was not only already large, but was rapidly increasing; ** and the industrial and commercial organization of the people fitted them to take advantage of the opportunity presented.†† The

* C. R. Beazley, *The Dawn of Modern Geography* (1897), 402, seq.; Heyd, i. 66; L. V. Ledeburn, *Ueber die in den baltischen Ländern in der Erde gefundenen Zeugnisse eines Handels-Verkehrs mit dem Orient zur Zeit der arabischen Weltherrschaft*, p. 18, seq. Cf., also, Ch. Schiemann, *Russland, Polen, und Livland bis ins 17 Jahrhundert* (1887-89), i. 30, seq.

† Cunningham, i. 174-175; Heyd, i. 67, 73-74.

‡ Heyd, i. 80.

§ *Ibid.*, i. 80-86.

¶ Mas Latrie, *Relations et Commerce de l'Afrique Septentrionale ou Magreb avec les Nations Chrétiennes au Moyen Âge* (1886), pp. 17-22.

¶ Cunningham, i. 186.

** M. A. V. Bethmann-Hollweg, *Ursprung der lombardischen Städtefreiheit* (1846), p. 127, mentions the importance of this Oriental trade revival; also, Leo, *Entwickelung der Verfassung der lombardischen Städte* (1824), p. 36.

†† Cf. Hegel, ii. 226.

geographical position of the northern cities, with reference to the new trade, was also peculiarly advantageous. They had sea connection with the Levant nearly as safe as that of the southern cities (and quite as safe after the capture, about the middle of the eleventh century, of Corsica, Sardinia, and Sicily from the Saracens), while at the same time they were in close river and land connection with the passes which led to the rest of Europe. Several centuries were yet to elapse before the dangers of the Atlantic were faced by Mediterranean seamen; and in the period we are considering all goods that went north from Italy, and all that came south in return, had to cross the Alpine passes. To these passes, Lombardy held the key. From Venice and Genoa† the trade passed by river and land through the Lombard cities, enriching them in its course, through tolls, through the dealings of their own merchants, and through the purchase of goods to be sent East in return for the foreign articles.‡ Then it moved on over the various passes—the Mt. Cenis, the St. Bernard, the St. Gothard, the Splügen, and the Wörmser § — to the head-waters of the rivers which formed the commercial arteries of the north.|| The silk, gems, spices, and drugs of the East flowed through the Italian cities over the whole of Western Europe. In return the woollen and linen goods of Flanders, the iron-work of Germany, the fine dyed stuffs of Italy,¶ flowed through the same channels to the Orient, while the heavy adverse balance was paid in silver. There is abundant direct evidence of the existence and importance of this trade. One can scarcely even glance through any record of the time without hitting upon some mention of articles of unmistakable Eastern origin, or of merchants and traders—sometimes foreign traders—or of tolls on roads or rivers, and all sorts of exactions which could fall only on the trading classes.** And, if this was true before the First Crusade, it was doubly so after that event. The Crusades

* Heyd, i. 123 *et passim*.

† Ibid., i. 120 *et passim*; Heyck, 17; Haulleville, 238.

‡ Haulleville, 238, 239-240.

§ Heyd, i. 111-112.

|| Leo, 36.

¶ Ibid., 38.

** For the various sorts of tolls and exactions see Williams, 51, n.

gave the final stimulus by bringing the Occident into closer dealings with the Orient than had existed for centuries.

These, then, are some of the reasons why the economic development in Northern Italy was more rapid than elsewhere in Europe. The growth of new demands throughout the West, and the control by Northern Italy of the only channels through which these demands could be satisfied, furnished the opportunity; while the inheritance of business ideas and a legal system well adapted to industry and trade, together with racial characteristics conducive to a quick seizing of new openings, created the needed readiness to take advantage of the situation. The manner in which these cities actually made use of the opportunity during the next three centuries, and the wonderful commercial prosperity which came to them, is a story too familiar to need repetition here. Nor does it particularly concern us in this investigation.

Having thus disposed of the first problem spoken of above, it remains for us to attack the second,— to show that there was a direct causal connection between the reviving commercial enterprise and the development of municipal independence.

The evidence in favor of any such direct connection between rising commerce in the Lombard cities and the growth of the free municipal organizations is, it must be admitted, not very abundant; but such as exists is significant. That there was such direct connection in many of the cities of the more northern countries of Europe is now a well-established fact, but the argument from analogy is strong only if it can be supported by more direct proof. In the cities of England and Germany a preliminary step to the assumption of municipal power was the formation of commercial associations, the guilds; † and the first question which naturally confronts us in this connection is whether there were such associations in the Italian cities.

Two facts are well established. In the later Roman times

* Ashley, W. J., *Economic History*, I. 71, *seq.*

† Gross, *Gild Merchant*, I. 281, points out similarity of development all over Western Europe. Cf. L. Brentano on the *History and Development of Guilds*. For the process by which the mercantile classes gained control in the German towns see A. Doren, *Untersuchung zur Geschichte der Kaufmannsgilden des M.A.* (1893), pp. 25-36.

there did exist in some, at least, of these cities, *scolæ* and other associations of traders and artisans,* bearing a certain resemblance to the later guilds.† Then, centuries afterwards, in the later Middle Ages, we find well-developed corporations — the *Arti* — precisely the same, in all essential particulars, as the English guilds and the German *Zünfte*.‡ It would not, however, be safe to assert, in the absence of positive evidence, that there was any direct connection between these earlier and later associations in Italy,§ though in Southern France such continuous existence is fairly well established in some cases.|| But, even if the direct connection between the two should be positively disproved, this much it is safe to say; that in the urban populations, with their Roman ancestry and traditions and their Roman law,¶ such associations would easily come into being whenever occasion should arise. And there is some evidence that they really did exist in certain places early in the period of reviving commerce. In Ravenna, for example, there seems to have been some formal organization of merchants — *scola negotiatorum* — as early as 954.** In the eleventh century we find a *scola piscatorum*.†† In Ferrara, in the middle of the eleventh century, the *curtenses*, or residents in the royal *curtes*, are spoken of in such a way as to lead one to suppose that they formed a more or less definitely organized body of traders.‡‡ In Genoa, by the early part of the twelfth century, the *compagna*, an organization clearly equivalent to the guild of England or Germany,§§ had already made great strides towards its later identification with the commune.¶¶ The development of associations of *negotiatores*, or large traders, and *mercatores*, or small traders,¶¶ becomes more and more appar-

* Leo, i. 335-336.

† Ashley, *Economic History*, i. 77; Hegel, i. 53, *seq.*, 82-84, 196, 256, etc.

‡ Hegel, ii. 256. Cf. Cibrario, i. 99.

§ Hegel asserts that there was a continuous existence (i. 197), though not in Lombardy (ii. 265).

|| Waitz, however, denies this (ii. 332); but see Ashley, i. 77, and Pigeonneau, i. 116.

¶ Troya, iv., Part II., 428; Hodgkin, vi. 399, 592.

** Hegel, i. 256, n. 3.

†† Ibid.

‡‡ A. Frizzi, *Memorie per la Storia di Ferrara* (1791), ii. 90; Murat, *Antiquitates*, v. 753.

§§ Heyck, 22, 30-33.

¶¶ Ibid., 17, 22.

¶¶ Leo, 116, n. 2.

ent; and this growth was followed somewhat later by the formation of the equally important craft associations.

Moreover, the rise of these various organizations to political importance may be pretty clearly traced. Under the Lombard and Frankish régime the foundation of society was military.* The population was divided primarily into two great classes, the fighting class, *milites*, who constituted the nobility, and the working class.† Of the “workers” the larger portion were slaves or serfs,‡ or, if free, they paid tribute.§ Probably they were, for the most part, the original population who had been reduced to serfdom by conquest;|| and they were therefore of Roman nationality.¶ The agricultural “workers” in the rural districts had little opportunity to change their condition, but it was otherwise with the industrial and trading “workers” in the cities. Trade and some kinds of industry had never been considered so degrading as agriculture;** and early in the Middle Ages we find instances where goldsmiths, coiners, iron workers, traders, etc., were freemen.†† As economic conditions improved and wealth increased, greater numbers of the servile portions of the trading and industrial classes began to gain their freedom through purchase and otherwise.‡‡ That many *Arimanni*, free but not noble Lombards, also turned to trade, and in increasing numbers, is also certain; §§ and by the time with which we are most closely concerned, the eleventh century, most merchants, if not all, were fully free.|||| In many cases, where traders and artisans had been dealt with in groups for convenience of taxation,¶¶ the organized body as a whole obtained some alleviation of their burdens, or even exemption from them.* In these and other ways they rose to positions of greater dignity and power, and were ready to form integral parts of the new city organization,† while their commercial law and “good customs” constituted an important element in the growing communal law.‡

During the slow process of readjustment, when the West

* Leo, 12, 14, 15-17.

† Cf. Hegel, i. 487.

‡ Leo, 5, 20.

§ Ibid., 21.

|| Hegel, i. 410-411.

¶ Leo, 5.

** Ibid., 10.

†† Haulleville, 239; Leo, 33-35.

‡‡ Leo, 41; Hegel, ii. 96; Haulleville, 243.

§§ Hegel, ii. 95.

|||| Leo, 37.

¶¶ Ibid., 29, 21; Hegel, i. 410-411.

* Cf. Hegel, ii. 96.

† Ibid., ii. 95.

‡ Cibrario, i. 72-73; 61, 55-57.

was evolving a new order of civilization from the ruins of the old, when the Roman hierarchy was beginning to assert itself as a universal political as well as spiritual power, there came a time when the control of such cities as existed passed gradually from the hands of the secular military or administrative lords, the *duces* or the *comites*, into the hands of the bishops. The bishops, of necessity resident in towns or larger rural communities, gradually assumed political control wherever their spiritual and religious control made itself a reality. But their supremacy was destined to be eclipsed in turn by the rising force of purely secular wealth,—by the growth of the new order of things, based on intelligence and movable wealth, which, step by step, drove back the old order based on military service, birth, landed possessions, or religious sentiment; and it is certain that, as the control of municipal affairs passed out of the hands of bishops † into those of the *cives* themselves, in the eleventh and twelfth centuries, the rich traders, and those manufacturers, such as goldsmiths, moneyers, makers of weapons, armor, etc.,‡ whose business was not considered degrading in itself, took some sort of share in the newly erected governments. Whether we look upon the *consules* as the successors of the Roman *curiales*,§ or of the Teutonic *scabini*,|| or however we may account for their origin, it is certain that among their number were found representatives of the new economic life ¶ which was astir in the cities.** Next in rank to the two noble classes, the *capitanei* and the *valvassores*, were the *cives* in the narrower sense, among whom were included free merchants and higher manufacturers, often called collectively *Arimanni*.†† All of these classes were represented among the *consules*. It was the recognition by the two noble classes that their fortunes were bound up with those of this rising burgher class, that made the rise of the *communes* possible.‡‡

* Hegel, ii. 95-97; Heyck, 17-33. † Hegel, ii. 48-103. ‡ Leo, 33-34.

§ L. V. Heinemann, *Zur Entstehung der Stadtverfassung in Italien* (1896), 38.

|| Ibid., 38-39. Cf. Hegel, ii. 163.

¶ W. V. Giesebrecht, *Geschichte der deutschen Kaiserzeit*, iii. 26.

** Hegel, ii. 96.

†† Ibid., ii. 143-146. See, also, Haulleville, 243, *seq.*; Bonfadini, 132; Bethmann-Hollweg, 134-136, etc.

‡‡ Emerton, 523; Hegel, ii. 96.

There is also another sort of evidence, more specific in its character, which is of still greater weight in proving the direct connection between the rising commercial prosperity and the growth of corporate independence. It is found in the prominent part which economic questions played in the struggle of the cities against their bishops. During the period of the ascendancy of the bishops* all sorts of market privileges and rights of taxation had been transferred to them by the secular lords. Charter after charter conveyed to them the power to collect the almost innumerable customary tolls and taxes. Many of the conflicts which disturbed Italy in the ninth, tenth, eleventh, and twelfth centuries turned upon the question of the possession of these rights. The struggle was really a two-fold one. That phase of it which appears most prominently in the records was a conflict between secular and ecclesiastical lords as to which should reap the harvest of these dues; yet, side by side with this contest, we catch glimpses of another of a very different nature,—the effort of the townsmen themselves to obtain release from the burdens, whether imposed on them by lay or by ecclesiastical superiors. This fact in itself is not much to our purpose, for feudal inferiors often and in many places struggled to free themselves from the exactions of their lords: the really important point for us is that the particular exactions which were being resisted here were those that hindered commerce, and that the resistance was persisted in until at last it gained its point.

In seeking to give evidence in illustration and confirmation of these statements, it will be necessary to turn aside for a few moments from the main thread of our argument and to enter somewhat into details. For this purpose, it may be best to confine our attention to a single city. Let us take Cremona, and follow with some minuteness the course of its development. When Cremona first appears, in a charter of 715 or 730,† it is as a *portus* at which royal officers collected tolls and other dues from merchants from Comacchio, Venice, and other places. A few decades later Charlemagne transferred

* Hegel, ii. 48-103.

† Muratori, *Antiquitates*, ii. 23-25. These dues were paid in kind; and among the articles mentioned we find *pepper*,—a sure indication that a portion, at least, of the trade was in Oriental goods.

the rights to these dues to the church of Cremona, at the same time giving it various royal *cortes*, and so far extending the bishop's control of the banks of the Po as to cover nearly all the district from the mouth of the Oglio to the mouth of the Adda.* The claims of the Church to these territories and dues, however, did not pass unchallenged; and the bishops were again and again obliged to defend their rights.†

The opposition came from three sources. In the first place, the secular authorities of the royal *cortes* hesitated to give up to the Church the revenues which formerly had come to them. These *cortes* seem to have been a development from the possessions which fell into the hands of the Lombard kings soon after the conquest of Northern Italy. The kings not only gained immediate possession of certain portions of the land with its servile cultivators, but gradually gained rights of tribute from artisans who were reduced to a semi-servile position through burdens of taxation.‡ From a combination of these two classes the royal *cortes* probably developed. The inhabitants, therefore, were composed of agricultural serfs and semi-servile artisans and small traders under direct control of the king. In time, however, the king's rights in the *cortes* had passed, by royal grant or otherwise, into the hands of provincial lords; and the secular authorities persistently resisted the ecclesiastical encroachments. In the case of Cremona, particular mention is made of the determined and long-continued opposition of the *Cortis Sexpilas* or *Sexpilarum*.§ In 916 this *cortis* was given to the Church outright; || but even that did not end the trouble, and frequent notice of the quarrel occurs down into the eleventh century. The opposition of the *cortenses* in this connection, and their claims to certain portions of the river-bank, ¶ are significant for our purpose, when we consider that many of the inhabitants of a *cortis* were free

* This is affirmed in many of the later charters, commencing in 842. Muratori, *Antiquitates*, ii. 977-978.

† See the numerous charters in Muratori and in Ughelli, *Italia Sacra* (1717-22).

‡ Leo, 23; Hegel, ii. 262-263.

§ The modern Sospiro, a few miles south-east of Cremona.

|| Ughelli, iv. 794-966.

¶ Muratori, *Antiquitates*, ii. 981.

but tributary artisans and traders, and that, in some cases at least, they were probably bound together in guilds.*

Another source of opposition was among traders from the powerful maritime cities. Venice and Comacchio,† the one lying to the north and the other to the south of the mouth of the Po, apparently held a lion's share of the traffic of that river; and repeated mention is made of the merchants of these two cities who came to Cremona. From time to time they sought to evade the payment of the customary dues, but in each case the rights of the bishop seem to have been successfully maintained.‡

The point which most concerns us, however, is the third source of opposition, which was among the citizens of Cremona itself. Previous to about the year 845 these citizens had not carried on any trading on their own account. They had been engaged in trade, to be sure, but only in conjunction with citizens of Comacchio, and in ships belonging to the latter. Jointly with them they had paid the taxes exacted by the Cremonese church. But in the time of Bishop Panchoardus (about 845) they had given up their connection with the merchants of Comacchio, and had begun to carry on business in their own ships and on their own account; and within a few years they made bitter complaints of the pressure of the episcopal exactions. The matter came to a head in 852. Complaints were presented to the Emperor Louis II. "by Rothe-carius, Dodilo, Gudibertus, *et ceteri habitares* of the city of Cremona" that the Bishop Benedict was exacting from their ships dues and tolls which neither they nor their ancestors had ever paid before. A *missus*, Theodoricus, was ordered to investigate the case; and, after examining many witnesses, he rendered his decision in favor of the bishop. This decision was made doubly binding by a new imperial charter of the same year confirming the bishop's rights and condemning all opposition.§ About twenty years later there was further

* See Hegel, i. 411, 483, 484, 491; ii. 262-263.

† The commerce of Comacchio is mentioned as early as the year 730. Heyd, i. 111, n. 4. See also Ughelli, iv. 786-788, and Lupus, *Codex Diplomaticus Civitatis et Ecclesiae Bergomatis* (1874-99), ii. 278, *seq.*

‡ In 852, Muratori, *Antiquitates*, ii. 25-26; in 996, Muratori, *Antiquitates*, i. 417-418, etc.

§ For all this see Muratori, *Antiquitates*, ii. 951-954. The complaint of the citizens was that Benedict, Bishop of Cremona, "multas violentias injuste fecis-

difficulty, and once again the bishop's rights were upheld by imperial decision. In this case the refusal to pay the tolls seems to have come primarily from the traders of other cities (*quidam Longobardorum ac ceterarum gentium homines*), but it is probable that the merchants of the city itself took a hand; for in the new charter which Louis granted the bishop (870) pains is taken to condemn opposition from all persons whatsoever.* Still the friction continued to grow, and early in the next century the traders of Cremona found the episcopal exactions so unbearable that they determined to take a more serious step. A document of 924 recites that they had "deceitfully" sought to move the "port" of the city to another place, with the evident intention of escaping the dues which were exacted from them in the old "port." The bishop promptly appealed to Rudolph, King of Lower Burgundy and Italy; and again he was victorious. A new charter confirmed all the old rights and forbade any removal of the *portus* by the merchants.†

In 978 and 992 fresh disputes arose, and Otto II. and Otto III. again confirmed the rights of the bishop, this time more in detail.‡ Still another charter in 996 regranted the same rights, mentioning them still more in detail,—gate dues, wharfage dues, tolls on passing ships, "tam Veneticorum quam ceterorum navium."§ Up to this point the royal or imperial power seems always to have been on the side of the bishop; but now a change appeared, though it was to be but a temporary one. The *cives Cremonenses* "illegally and by cunning" obtained a decree from Otto III., transferring the contested rights from the bishop to themselves. Their triumph was,

set de suis navibus, que adducunt ad portum ipsius Civitatis, quod nobis ripaticum, et palifieturam seu pastum detulisset, qua nos nec parentes nostros antea numquam dederunt."

* Ughelli, iv. 788-790.

† Muratori, *Antiquitates*, vi. 49-52. "Denique negotiatores ijusdem Civitatis insidiosè contra prefatam ecclesiam agere temptantes, si voluerunt Portum predictae Ecclesiae dissolvere, et diabolica suasionè in alia aliqua parte transmutare . . . hoc contradicimus."

‡ Ughelli, iv. 794; Muratori, *Antiquitates*, vi. 219-220. In the latter year Otto III. received the bishop under his special protection, and insisted upon the recognition of the Church's rights and hereditary possessions "quod a pravis hominibus multa pateretur adversa."

§ Muratori, *Antiquitates*, i. 417-418.

however, very short-lived; for Bishop Odelrich at once protested, and Otto annulled the grant to the citizens. Two years later, in 998, the case came up again. The claim had evidently been put forward on the part of the citizens that the decree of Otto annulling their rights and reaffirming those of the bishop was not authentic. A solemn court was held in the cathedral at Cremona by an imperial *missus*. He sided with the bishop, and declared that Otto's last decree was valid.† The quarrel did not die here, however. In 1031 the citizens refused to pay dues to the bishop, ‡ and the Emperor Conrad was obliged to confirm to the Church once more all the old rights, and to insist that the taxes should be paid by *all* merchants, those of the city itself as well as outsiders.§ In 1048 Henry III. wrote a long letter "cuncto populo Cremonensi," stating that he had received complaint from the bishop to the effect that the church of Cremona had been subjected to many infringements of the numerous concessions made by former emperors to the bishops.|| In order to bring quiet and to settle the difficulty once for all, Henry once more confirmed the bishop in his rights.¶ The emphatic confirmation by Henry was apparently, however, no more effective than those of his predecessors; for two new decrees were found necessary within the next eighteen years, one by Henry IV. in 1058,** and another by Pope Alexander II. in 1066.††

We come now to an important turning-point. Every extant charter granted during this long period which we have been considering — more than two centuries — makes mention

*Muratori, *Antiquitates*, ii. 793-794. The date of the charter which the citizens had obtained fraudulently is not given. The revocation of their right came a few months after Otto's coronation, August 7, 996: "Be it known to all our faithful subjects . . . that the citizens of Cremona illegally and by cunning obtained a decree" transferring the right to the tolls from the bishop to themselves. "Having been informed by Odelric, Bishop of Cremona, of this fraud, we . . . have decreed that it shall be null and void," etc.

† Ibid.

‡ Hegel, ii. 139.

§ Muratori, *Antiquitates*, ii. 73, — "tam ab incolis civitatis quam ab aliis aliunde ad negotium venientibus."

|| Ughelli, iv. 808, — "de quibus se multas perturbationes et damna pati conqueritur."

¶ Ughelli, iv. 808, — "et ripam Padi cum omni teloneo, seu curatura, atque ripatico, a V . . . usque ad caput adduae, cunctasque piscationes . . . et navium debito cursu." . . .

**Ughelli, iv. 809-810.

†† Ibid., 810-811.

in one form or another of the contested dues. But the next one which we have, that of 1098,* is absolutely silent on the subject; and this silence makes it seem probable that the bishops had at last given up the fight, and that the citizens had finally gained the point on which they had so long been insisting. Such negative proof as this could not, however, be given much weight, were it not confirmed by a piece of evidence, of little later date, which must be regarded as conclusive. In 1114, † Henry V. definitely, and in detail, confirmed to the *populo Cremonensi* all the old revenue rights which had formerly belonged to the bishops, speaking of them as having been already for some time in the possession of the citizens themselves. This same charter, furthermore, emphasizes the direct connection between the acquisition of the bishop's rights by the citizens and the commercial development of the city by adding a special grant of freedom to trade throughout Italy: . . . "et ut a Mari usque ad Papium secure et libere, nemine eis quicquam moleste inferente; eundi et redeundi, et mercandi secundum usum et antiquam consuetudinem eorum cum navibus suis facultatem habeant, et per totum Regnum nostrum Italiae secure vadant." It is important for our purpose to note, too, that this charter which marks the triumph of the citizens makes the first mention of the *commune*.

Here, then, in this hasty glance over the history of Cremona, we see an instance in which the rise and triumph of the commune was connected pretty definitely with a commercial quarrel which had been going on for two centuries and a half between the bishop and the citizens, or a portion of them. Just what part this quarrel played, how it was complicated with other questions, we cannot say; yet the outlines of the development are sufficiently clear to make it certain that, not only the rise of the citizens to political importance, but also their assumption of control over their own affairs, was closely associated with the growth of their commercial prosperity.

It would be possible to add other illustrations of the direct influence of commercial growth on the communal organiza-

* Ughelli, iv. 812.

† Muratori, *Antiquitates*, iv. 23-24.

tion.* In Ferrara we find traces of precisely the same sort of quarrel as we have seen in Cremona. In Milan we find the Motta, a party composed of *valvassores*, or lesser nobles who had turned to trade because their failure to obtain adequate income from their feudal possessions,† as early as the decade between 1030 and 1040, forming a conspiracy for the maintenance of their rights.‡ It is impossible, too, to read the accounts of the disturbances of the Pataria in the latter half of the century without being almost forced to the conclusion that this party, nicknamed so contemptuously the *ragamuffins*, contained in its ranks artisans, and perhaps small traders, who were clamoring for a share in political rights. Our accounts of these movements come to us through ecclesiastical channels, and much of the emphasis is laid on the religious and ecclesiastical questions involved; but the glimpses we get of a rising commercial and industrial class,§ forcing their way into recognition, are too distinct to be overlooked. In the present paper, however, it will be impossible to examine these and other similar cases in detail. The course of events in Cremona alone, as we have traced it, is sufficient to establish at least a strong presumption in favor of the suggestion advanced in the early part of the paper. It only remains, therefore, to sum up our conclusions as briefly as possible.

Accepting as a starting-point the general conclusion of recent investigators that city development in Italy was caused largely by economic forces, I have sought to explain just what the peculiar economic forces were which so operated in these particular cities as to advance them rather than other cities of Europe to the leading place. This explanation we have found to lie primarily in the unique position which Northern Italy occupied with reference to the increasingly important Oriental and African trade. Then, going a step farther, we have noted certain arguments of a rather general nature

* Cf. for Ferrara, Frizzi; Milan, Giesebrecht, iii. 28, *seq.*, E. Anemüller, *Geschichte der Verfassung Mailands* (1881), Bonfadini, Leo, Haulleville, etc.; Pavia, Leo, 99-100; Asti, Ughelli, iv. 505; Bergamo, M. Lupus, *Codex Diplomaticus Civitatis et Ecclesie Bergomatis* (1784-99), ii. 621-624, etc.

† Leo, 116.

‡ *Ibid.*, 105, *seq.*

§ In Pavia the "artisans" as a body had created some sort of a disturbance as early as 1004. See Leo, 99-100.

which go to establish a probability that upon the basis of commercial prosperity there was a growth of power in the hands of the mercantile classes in Italy similar to that which took place in other parts of Europe. And, finally, making a somewhat minute examination of the course of events in a single city, in order to clinch the argument, we have found that in that one instance, at least, there is fairly conclusive evidence of intimate and direct connection between the commercial development of the community and the assertion of self-control on the part of the citizens. We must not, of course, lose sight of the fact that the peculiar relations of these Lombard cities to the Papacy on one hand and to the Empire on the other furnished the political *opportunity* for the development of the communes. The point to be emphasized is that the fundamental *causes* of development were economic. Free city institutions in Northern Italy were not merely one part of a favorable environment within which industry and commerce could flourish; but these free institutions themselves were, in the first instance at least, the direct result of economic development. A happy combination of favorable political, geographical, and racial factors opened the door to economic prosperity. Economic prosperity led directly, first to municipal power, and then to independence and the assumption, on the part of the wealthier citizens, of complete control of affairs.

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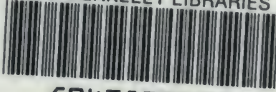
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