The pontificate of the Tuscan Benedict VIII and his alliance with the Saxon Henry II began the dissolution of the Crescentian system. The Crescentii, deprived of influence over the popes and deprived of secular authority in Rome, fell back on their Sabine fastnesses. They proved unable to organize a comeback, and within a few years they had relinquished Palestrina and numerous Sabine castles to papal forces. The collapse of Crescentian power was not total or sudden, however, for a Crescentius was urban prefect (a judicial office) in Rome until at least 1017, and another held that post in 1032. The Stefaniani lost most in the fray with the Tusculani but fared quite well in the 1020s, to the extent that Abbot Hugh of Farfa was obliged to make a pact with the Ottaviani for protection from incursions by the Stefaniani. The Ottaviani used this pact to appropriate several Stefaniani strongholds in the Sabine hills and then refused to return them to Farfa. During this period, the solidarity of the clan reached a low point. The competition between the branches of the clan may even have contributed to the Crescentii’s loss of power after 1012. Although Abbot Hugh protested vehemently against thefts and usurpations suffered by Farfa, throughout the eleventh century land and fortified sites passed from the Crescentii to the monastery. A loss of political preeminence, underscored by the Crescentii’s support of the unsuccessful antipopes Sylvester III (1045) and Benedict I (1058), accompanied the loss of property and jurisdiction. After 1058 the Crescentii were dormant politically, but they remained wealthy landowners in the Roman region as it was subsumed into the patriarchy of the reformed papacy.

The Crescentii, including Crescentius Nomentanus, were opponents of foreign imperialism, but they were not ideologically motivated. Rather, they resented interference in Roman politics by German emperors because it often brought the advancement of rival local dynasts and the deposition of popes who favored the clan. As the “ins” when the Saxon rulers first intervened in Roman affairs, the Crescentii naturally resisted this innovation. Various “outs,” the most successful of whom were the Tusculani, latched onto the German cause as a means of improving their fortunes in Rome. The Crescentii appear to have welcomed non-Italic interference in Rome, in its Byzantine form, when this helped perpetuate their own power (that is, in the risings of 965, 974, and 984). The peculiarly Crescentian use of archaic titles (the patrician “of the Apostolic Lord,” “of the Romans,” or “of the Roman Senate”), and the continuation of the “senatorial” nomenclature of Alberic imply no desire cast off the barbarian yoke. The Crescentii used epitaphs, names, and dwellings inspired by ancient models as a signal of their allegiance to local traditions, the traditions of the city on which their ambitions were focused. Similar romanizing is detectable in Crescentius Nomentanus’s scheme to drain the Pontine marshes, reviving a project which had been dear to the ancient emperors.

Charters referring to transactions by the Crescentii and place-names with Crescentian origins are found in Gregory of Catino (1883, 1888, 1892; and 1903), and in Regesto Sublacense (1887). Narratives (all hostile) in which various members of the family play prominent roles are found in Hugh of Farfa (1903).

See also Farfa; Otto III; Rome

Bibliography

Primary Sources


CRIME AND PUNISHMENT

The relationship between crime and punishment changed over the course of the Middle Ages. In every system, the seriousness of the crime was related to the severity of the penalty, but during certain periods other factors were also taken into account.

In the early medieval Germanic system, the only important redress for crimes, including assault and murder, was compensation to the victims’ kin. There was no concept that crime hurt society and the public sphere as well as the private parties; nor was there any concept that the state had a responsibility to redress for crimes, including assault and murder, was compensation to the victims’ kin. There was no concept that crime hurt society and the public sphere as well as the private parties; nor was there any concept that the state had a responsibility to protect society by repressing crime and punishing criminals. The Germanic system had a weak sense of definitive judgment, and the major aim of the system was conflict resolution—not punishment. Thus for even the most heinous and violent crimes, only pecuniary penalties were meted out.

During the early Germanic period, there were few public penalties; vengeance for crime was left to the offended party and did indeed take the form of a vendetta. As Germanic society became more settled, it enacted pecuniary penalties to compensate for giving up the right to take vengeance. This was an intermediate stage between state punishment and private punishment, in that the state regularized and enforced private punishments, formulating scales of pecuniary penalties for various crimes. Germanic peoples also developed some idea of crime as disrupting society; to symbolize this concept, a certain portion of a compensation—that is, of a pecuniary penalty—was paid to the state. Actually, the proportion paid to the state as punishment for breaking the peace might be substantial: for instance, it was half the total compensation in the Lombard state, and a third in the Carolingian state. The pecuniary compensation to victims or their kin was called a *wergeld* and could be substituted for a blood feud: the victim or the family could retaliate themselves or accept the money. The compensation consisted of the capital or *manwyrd*, which restored the value of the victim; the *faïda*, an equivalent sum to pay the offended party for giving up the right to retaliate; and the payment to the state. The amount of the compensation, or the punishment, usually depended on the crime, the status of the culprit, and the status of the victim. In the Lombard codes, pecuniary compensations were graduated so that a member of a lower class would pay less than a member of an upper class, proportional to income; but this was not the usual arrangement. Some classes of people were entitled to higher compensation for crimes committed against them; this was true, for example, of the clergy, although the Lombards did not give special protection to the clergy until the time of Liutprand (r. 712–744). To take another example, a state official, a *missus*, of Charlemagne was entitled to as much as nine times the normal *wergeld* of a free man. It should be noted that for some crimes, under Germanic codes, the culprit would be given in slavery to the offended party; and that offenders from the servile class received corporal rather than pecuniary penalties.

As Germanic tribes came into contact with Roman law, they became aware of the concepts of criminal intent and involuntary damage, and these concepts affected their scale of penalties. Rothari, as king of the Lombards (r. 636–652), had made no distinction between voluntary and involuntary homicide, but Liutprand, who came later, did make the distinction. Thus for involuntary murder the *wergeld* was still paid, but it did not include the *faïda*. Also, under the ancient German rule of blame, an owner was completely responsible for acts of his animals. However, later Salic law stated, “When an animal kills a man and this fact is proved by witnesses, the master of the animal will pay half the *wergeld* and will cede the animal for the other half,” but “the master can rid himself of guilt and will pay nothing in the case where he was ignorant that his animal was into mischief.”

Germanic society was reluctant to impose capital punishment or mutilation, because such penalties diminished the fighting force. However, according to Tacitus the Germans did punish treachery, desertion, cowardice, and sexual perversion with death.

The Christian concept of sin would eventually change the character of criminal law. Murders and rapes were no longer regarded as private wrongs that could be compensated for by