

## Problems of Magyar National Development under Francis I (1792—1835)

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The purpose of this study is to trace the development of Magyar national awareness, from its beginnings in the latter part of the eighteenth century to its first important political manifestation, the Reform Diet of 1832—1836. During this period certain influential members of the class-conscious Magyar nobility developed an awareness of the need for a universal Magyar national movement embracing all classes, but their efforts were hampered by the refusal of most Magyar nobles to renounce their special privileges. Alarmed nonetheless by the prospects of this latent Magyar nationalism and separatism, the Vienna Government retaliated by exerting both economic and political pressures on the nobility and by trying to intensify stresses in a Magyar society on the verge of reconciliation but still sharply divided by centuries of class strife.

In the ninth century, when they first entered Europe and conquered Hungary, all ethnic Magyars were freemen (*nemesek* [pl.] — literally, "noblemen") and considered equals in all respects, down to communal ownership of property. Gradually, however, Magyar society adopted the feudal practices of its neighbors, and social distinctions among the Magyars became steadily more pronounced. By the provisions of the Golden Bull of 1222 Magyars were divided roughly into three categories. The richest and most influential nobles with the largest estates were elevated to the magnate class; nobles with small and medium size properties became *nobiles regni* (gentry, or lower nobility); whereas the vast majority of the impoverished peasant population, for the most part landless but still free, now became serfs (*jobbágy*). The magnates tended to withdraw from Hungarian life, leaving their vast holdings in the hands of caretakers. The rest of the nobility underwent a prolonged period of internal crisis, as many members of the poorer gentry became increasingly more impoverished, frequently lost their lands, and were forced to eke out a meagre living on rented land. These nobles, the so-called *armalists*, their numbers greatly swelled in the sixteenth and seventeenth centuries from Turkish-occupied Hungary, gradually sank to the level of the peasantry, among whom they lived,

and ceased to participate in Hungary's public affairs. By default, the landed gentry assumed total political, administrative and judicial control of Hungary's fifty-two counties. Before long they gained the upper hand over the defenseless peasantry and became virtual masters of Hungary. In 1517, as the result of an abortive peasant uprising, *Werbőczy's* legal code, the *Tripartitum* — a revision of the Golden Bull — deprived the *jobbágy* of their few remaining privileges. Henceforth they could no longer own property, move without permission or initiate lawsuits on their own behalf. To all intents and purposes they were no longer legally members of the *natio Hungarica*<sup>1</sup>). These class divisions and the subsequent alienation of the serfs and *armalists* from the landed upper classes poisoned Magyar relations for many centuries.

When, in 1526, the Habsburgs became kings of Hungary, they saw in this situation an opportunity for extending their own Imperial power by weakening the Magyar gentry, the only group in Hungary still capable of resisting Habsburg absolutism. In the late seventeenth century, for example, after the conclusion of the Turkish War, the Vienna Government pursued a policy of *divide et impera* when it created an Upper House in the Hungarian Diet, comprising mainly loyal Magyar magnates. This reform was designed to counteract the influence of the Lower House, whose gentry membership was elected and supported against Imperial policy by Hungary's powerful County Assemblies. It was equally detrimental to the interests of the gentry when the regime in Vienna began to side with the peasantry against them. In 1767 *Maria Theresa*, hoping to intensify the widening gulf between nobles and peasants, forced an ambiguous *jobbágy* reform decree, the *Urbarium*, upon the protesting gentry.

Although, in some respects, the *Urbarium* favored the gentry, it also provided certain safeguards for the protection of the peasantry. Personal labor and contributions in kind remained the peasants' greatest burdens, yet a landlord could no longer demand more than 104 days of annual contract labor (*robot*) nor could he lay claim to more than one-ninth of his tenant's yearly agricultural production (ninth-tax). The *Urbarium* legitimized many of the peasants' other existing burdens. A *jobbágy* was not permitted to move until he relinquished all his debts and he was disadvantaged because the landlord exercised nearly complete judicial control over him. He bore the major share of the annual tax obligations and was obliged to provide corvée for public projects, recruits for the army, quarters and provisions for the armed forces at officially designated low prices and free transportation for military personnel, noblemen and officials. Yet the *Urbarium* also

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<sup>1</sup>) For details see *Corpus Juris Hungarici. Opus Tripartitum Stephani de Werbőczy* ed. A. Kolosvári and C. Óvári, Leipzig 1902, VI.

sought to protect the interests of the peasants by permitting them to clear virgin lands without having to pay either rent on the property or ninth-tax on the produce, and it gave them free grazing privileges on the village commons<sup>2</sup>). Despite the ambiguity and severity of the *Urbarium* the peasants regarded the law as their bulwark against further gentry encroachments. To some extent the *Urbarium* lived up to the peasants' expectations, but the gentry, in order to maintain their own economic hegemony, began systematically to violate the provisions of the royal decree.

This shortsighted policy had a deleterious effect on Magyar unity, already strained by centuries of class strife. By the end of the eighteenth century Magyar peasants considered Magyar landlords their enemy and the Habsburg dynasty their savior. The Habsburgs' image as protectors of the peasantry gained new strength under *Joseph II*, whose decree in 1785 temporarily abolished the designation *jobbágy* and permanently removed a number of the peasants' most onerous duties. *Joseph's* policy, as well as his Germanizing and centralizing attempts in Hungary, aroused the complacent gentry. Alarmed by the prospects of forfeiting their privileged positions, the nobles defied the Emperor by sabotaging his reforms on the local level. In the end *Joseph* had to concede defeat and just before his death in 1790 he rescinded most of his decrees.

The victorious Magyars wished to prevent any further interference by the Vienna Government in Hungary's internal affairs. Some of the more perspicacious leaders recognized, however, that such expectations were unrealistic so long as divisions existed among Magyars which Vienna might exploit. At the Diet of 1790—1791, there was much rhetoric about the need for helping the lower classes, and possibly for the first time in diet history a number of Magyar noblemen entered strong pleas on behalf of national unity embracing all Magyars regardless of class.

This outburst of nationalistic enthusiasm soon faded away when Magyar nobles saw the French Revolution degenerate into excesses committed by members of the lower classes against the French aristocracy. Through circuitous reasoning the gentry began to distrust their own serfs and all the incipient plans for social and economic reforms to benefit the lower classes were shelved in favor of repression. About the time of this reaction, in 1792, *Francis I* ascended Hungary's throne and the traditional Habsburg policy of helping the peasants and weakening the gentry continued. The new king sought

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<sup>2</sup>) Gy. Bernát, *A Magyar jobbágyfelszabadítás eszmeáramlatai, 1790—1848* [The ideological trends in the liberation of the Magyar serfs 1790—1848]. Budapest 1930, pp. 21—28.

to exacerbate growing tensions in Magyar society, hoping once more to undermine the gentry's political and economic stability.

The Magyar gentry, at this time, accounted for only about half out of some 136,000 noble families<sup>3)</sup>, yet they effectively dominated the Lower House of the Hungarian Diet and the political, administrative and judicial apparatus of the fifty-two Hungarian Counties. The other nobles were the poor disenfranchised *armalists*, who by now had lost virtually all of their political privileges, and wealthy magnates, comprising some two hundred families<sup>4)</sup>, most of whom lived abroad and cared little about Hungary. Magnates and *armalists* alike were on poor terms both with each other and with the gentry and peasantry. The Magyar lower classes, consisting mainly of economically depressed cottagers and agricultural laborers, were far more numerous than the nobility and accounted for over four million of the population<sup>5)</sup>. In order to achieve unity among Magyars and prevent Habsburg hegemony in Hungary, the gentry had to overcome a number of obstacles besides their isolation and small numbers. They had to remove the barriers which kept Magyars socially, economically and politically divided, and especially to restore, as far as possible, the trust of the peasantry. This required that the nobility in the Diet and in public life, acting as a class, accept the difficult task of modifying some of their own privileges and discarding some others in favor of the lower classes. Most importantly, it required that the gentry recognize, in particular, the need for agricultural reforms that would benefit the peasantry and that they cease exploiting the *jobbágy* by means both legal and quasi-legal.

When one approaches the Diets of the *Vormärz* with this in mind it is possible to distinguish three general types of nobility, according to the position they adopted on the substantive issues. Liberal Deputies not only recognized the need for reform, but were partly willing to modify their own class privileges to see that reform was achieved. Moderate Deputies were aware of the need for basic changes in favor of the lower classes, but were reluctant, in most cases, to give up their own special privileges. Conservative Deputies discounted the convictions of Liberals and Moderates, insisted on the *status quo* in most cases, and in other instances even demanded that their ancient rights be reaffirmed.

As we have seen, already at the pre-Reform Diet of 1790—1791 some of the participants were aware of the shortcomings of Magyar society.

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<sup>3)</sup> B. Hóman and Gy. Szekfű, eds., *Magyar történet* [Hungarian History]. Budapest 1930—1934, VII, pp. 63—64.

<sup>4)</sup> E. Fényes, *Magyarország leírása* [Description of Hungary]. Pest 1847, p. 50.

<sup>5)</sup> E. Fényes, *Ungarn im Vormärz, nach Grundkräften, Verfassung und Kultur*. Leipzig 1851, p. 37.

It was not the gentry, however, but some of the more cosmopolitan and progressive-minded magnates who first spoke up on behalf of the lower classes. One of these magnates in the Upper House, for example, considered the class-centered attitude of the nobles the greatest obstacle to Magyar unity:

The Diet is assembled to guide the affairs of the entire Nation, not just those of the nobility. We do not believe that the word 'Nation' applies solely to the nobility, and that a land which has always honored justice and freedom would extend these only to nobles. We do not think that individuals who speak of freedom have the right to speak only on behalf of freedom for the nobility while trampling underfoot the rights of other citizens. In a well-organized society there can be no disinherited class, because common sense and the good of the Nation forbid it. It is essential, therefore, that the nobility renounce its unjust privileges<sup>6</sup>).

On the eve of the Diet an influential member of the Vice Regency Council, *Ferenc Darvas*, approached the problem somewhat differently. *Darvas* urged Magyar noblemen to "improve the condition of both nobles and peasants, whom evil circumstance has flooded with great troubles and burdens . . . You must embrace all your Magyar blood brothers as equals"<sup>7</sup>).

Despite these and other similar appeals by a small minority of concerned magnates, the sole achievement of the Diet with respect to reform was Law XXXV of 1790 which merely reaffirmed an existing statute, the peasants' right to move<sup>8</sup>). The Diets immediately following 1791 were mostly concerned with the Napoleonic Wars and with safeguarding gentry privileges against royal encroachments, and no further steps were taken to relieve the peasants' plight through legislation for the next three decades.

Outside the legislative chambers, however, certain members of the Magyar upper classes began to consider various means to reduce the distressing burdens on the peasants. Some writers examined agricultural practices and their effects on the wellbeing of the *jobbágy*. As early as in 1804, for example, the well-known economist *Nagyváthy* studied the *robot* and concluded that it was a wasteful practice. He claimed that it would be far better to commute the *robot* at a just rate through individual bargaining between peasants and landlords<sup>9</sup>). Fourteen years later another authority on economic matters, Professor

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<sup>6</sup>) Quoted in A. de Gerando, *Über den öffentlichen Geist in Ungarn seit dem Jahre 1790*. Leipzig 1848, pp. 86—87.

<sup>7</sup>) F. Darvas, *Hazafiúi intéz* [Patriotic admonition]: *Orpheus* II (May—August, 1790), pp. 3—4.

<sup>8</sup>) Bernát, *op. cit.*, pp. 31—33.

<sup>9</sup>) *Nagyváthy*, *Instructio* (n. p., n. d.), p. 25, quoted in I. Szántó, *A parasztság kisajátítása és mozgalmi a dunántúli Festetich birtokon, 1711—1850* [Expropriation of the peasants and their movements on the trans-Danubian Festetich estates]. Budapest 1954, p. 146.

K. G. Rummy of the Georgicon Agricultural Institute, advanced a more detailed solution for the *robot* along similar lines<sup>10</sup>). In the same year an anonymous contributor to the periodical *Tudományos Gyűjtemény* warned that sheep culture was endangering the very survival of the Magyar peasantry. Magyar landlords, charged the author, were only interested in quick profits and were introducing large herds of sheep into Hungary, together with foreign supervisors, who had no concern for the welfare of Magyar peasants. In the writer's opinion, sheep would soon displace the traditional livestock on the village commons and the *jobbágy* would be left destitute<sup>11</sup>). Two years later, in the same periodical, P. M. Pásztor complained that the primitiveness of Hungary's agriculture had resulted in virtually perpetual famine for the peasantry<sup>12</sup>). In 1830 Ferenc Kölcsey, the noted author and Deputy, also assailed certain practices by the nobility which not only hurt the peasantry but also created tensions between the two groups. According to Kölcsey, many peasants were chronically short of provisions, thanks to their excessive obligations, and as a result they could no longer afford to maintain livestock. All too frequently a *jobbágy* had to mortgage his future crops at interest rates so ruinous that he remained indebted to his noble creditor for many years<sup>13</sup>).

Some Magyars of the upper classes recognized the plight of the starving peasantry and attempted to help them through systematic famine relief. The periodical *Tudományos Gyűjtemény*, for instance, published an article advocating the establishment of a public relief organization. Membership would be optional for landowners but mandatory for the peasantry. County officials would staff the agency, collect grain supplies from participants in times of abundance and distribute proportional shares among them in times of poor harvest. The peasants would have to provide menial labor free of charge, but the County administrators would receive recompense for their services

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<sup>10</sup>) K. G. Rummy, A gazdaságbeli erőnek használásáról és igazgatásáról [Concerning the use and management of agricultural resources]: *Tudományos Gyűjtemény* II, No. 7 (1818), pp. 78—79.

<sup>11</sup>) M. (anon.), A juh tenyészetéről [Concerning the raising of sheep]: *Tudományos Gyűjtemény* I, No. 6 (1817), pp. 34—76.

<sup>12</sup>) P. Menyhárd Pásztor, A napról napra kevesedő pénz miatt miként segíthet magán a Magyar mezei gazda; és miképp készüljön annak jövőendő beli nagyobb szükére [In view of the steadily diminishing money supply, how can the Magyar farmer help himself and in which way can he plan for the future?]: *Tudományos Gyűjtemény* III, No. 2 (1819), pp. 53—55; for similar views see I. Meszlényi, A Magyar nemesek közbirtoka eránt való javallások [Proposals concerning the estates of Magyar nobles]. *Ibid.*, I, No. 6 (1817), p. 85.

<sup>13</sup>) F. Kölcsey, Ferenc Kölcsey összes művei [The complete works of Francis Kölcsey]. Budapest: Franklin Társulat (n. d.), pp. 1033—1044.

from the assets of the agency<sup>14</sup>). Although such proposals were well-intentioned, they were paternalistic and seemed mainly to provide sinecures for impoverished and underpaid noble administrators instead of relief for needy peasants. Nevertheless, the Magyar upper classes were beginning to be somewhat more sensitive to the needs of the peasantry<sup>15</sup>), and more aware that the *jobbágy's* backwardness was due to lack of incentive, not necessarily to laziness or stupidity, as many of the gentry still believed<sup>16</sup>).

The nobles' growing consciousness of the need for reconsidering the position of the peasantry could be seen from an article by the Reverend *Sámuel Terhes*, which appeared in the periodical *Felső Magyar Országgi Minerva*. He advocated a unique thesis, stating that only historical vicissitudes had forced so many Magyars to the low social level of the conquered, and hence greatly despised, non-Magyars. *Terhes* believed that all Magyars should be noblemen and hence superior to all non-Magyars<sup>17</sup>). He was the first prominent Magyar to suggest that all Magyars, by virtue of having been the original conquerors of Hungary, ought to be social equals. His views, however, were not widely accepted by his Magyar contemporaries, many of whom were still contemptuous of all peasants<sup>18</sup>).

In spite of some awareness of the need for improving the growing plight of the *jobbágy*, there were few tangible results at the Diet of 1825—1827. *Ferenc Kölcsey* claimed that the gentry had tried to remedy the peasants' situation at the Diet in order to regain their confidence<sup>19</sup>) but his claim, as even *Kölcsey* himself was to admit later, was not

<sup>14</sup>) P. B á r á n, Magyar Országban az éhség meg-akadályoztatására tzelzó gondolatok [Some thoughts concerning the prevention of famine in Hungary]: *Tudományos Gyűjtemény* I, No. 8 (1817), pp. 43—46.

<sup>15</sup>) Gy. F o r g ó, Rendkívüli való szükség idején, a' közönségesen szokásban levő gabona fajokon kívül, miből készíthetni meg kenyeret Hazánkban, 's mit találhatni meg a' mivel olyankor táplálhassa magát a Szegénység [In the event of extraordinary want, what may be used for the production of bread in our nation, besides the types of grain already in general use, and what could be found, in addition, for the nourishment of the impoverished?]. *Tudományos Gyűjtemény* I, No. 10 (1817), pp. 41—57. Also see I. A c s á d y, A Magyar jobbágyság története [History of Hungarian serfdom]. Budapest 1908, p. 433.

<sup>16</sup>) G. H i l l e r, Reise durch einen Theil von Sachsen, Böhmen, Oesterreich und Ungarn. Köthen 1808, p. 303.

<sup>17</sup>) S. T e r h e s, Hazafiúi szó idegen nyelvű Lakos Társaimhoz [A patriotic word to my fellow citizens with foreign tongues]. *Felső Magyar Országgi Minerva* III (September 1827), pp. 1363—1366.

<sup>18</sup>) G. B e r z e v i c z y, *De oeconomia publico-politica*, in: G. B e r z e v i c z y, *Berzeviczy Gergely élete és művei* [The life and works of Gregory Berzeviczy], ed. J. Gaál, Budapest 1902, p. 26.

<sup>19</sup>) *Kölcsey's* speech at the Plenary Session of the Lower House, 10 November 1834, quoted in L. K o s s u t h, Országgyűlési Tudósítások [Diet reports], ed. I. Barta, Budapest 1948—1961, III, pp. 679—680.

entirely factual. A few deputies at the Diet went so far as to suggest in general terms that the peasantry's condition ought to be improved<sup>20</sup>). But when a small group of legislators suggested specific proposals for remedying their plight, the majority objected strongly. The Lower House rejected, for example, the suggestion that if a peasant lost his lot only another *jobbágy* should be permitted to take his place. One of the Deputies insisted that the proposal was unconstitutional because according to the *Tripartitum* (Law I, Article 9) noblemen could offer their property to anyone and, under certain circumstances, he might prefer to lease such lots to other nobles. Many Deputies were prompted by the prevailing land shortage to agree with their colleague<sup>21</sup>).

The gentry legislators also ignored *jobbágy* reform partly because they were concerned with two other problems<sup>22</sup>). One of the issues was whether the Diet or the Vienna Government had the right to regulate taxation and recruiting. The laws were not entirely clear and both Government and Diet wished to extend their authority at the expense of the other. It was coincidental, but important for future reconciliation, that in these two test cases the gentry seemed to champion the cause of the peasantry.

The gentry-controlled Counties, without Diet consent, had reluctantly provided Vienna with recruits during the Napoleonic Wars. Citing this precedent the King attempted to remove recruiting completely from the jurisdiction of Hungarian authorities. When the King demanded 35,000 troops from the Counties after the war, they objected and reminded the Crown that since the national emergency was over only the Diet could allocate additional troops. This made it seem as if County administrations were protecting the lower classes from being recruited illegally by the regime, particularly when most Counties resisted commissioners, armed troops and Royal displeasure<sup>23</sup>). The Diet of 1825—1827 took over from the Counties the unresolved conflict

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<sup>20</sup>) Nagy's speech at the Regional Session of the Lower House, 27 September 1825, and Kajdaczy's and Földváry's speeches at the Regional Session of the Lower House, 5 October 1825, *Adatok az 1825-ki országgyűlés történetéhez* [Data concerning the history of the Diet of 1825—1827], ed. K. V a s z á r y. Győr 1883, pp. 39, 41—42.

<sup>21</sup>) Debates at the Plenary Session of the Lower House, 24 July 1826, *Magyar Országgyűlés, Magyar Országgyűlésének Jegyző Könyve, 1825—1827* [Hungarian Diet. Protocol of the Hungarian Diet, 1825—1827]. Pozsony 1825—1827, III, pp. 199—203 (hereafter cited as *Magyar Országgyűlés, Jegyző Könyve*).

<sup>22</sup>) B. Z á h o n y, Borsodmegye országgyűlési utasítása a reformkorban [Borsod County's instructions to the Diet during the Age of Reform]. Miskolc 1929, pp. 7—8. Also see E. H o r v á t h, *Modern Hungary*. Budapest 1922, pp. 55—56.

<sup>23</sup>) See Gy. Z á d o r's letter to Kazinczy, 26 January 1824, in F. K a z i n c z y, *Kazinczy Ferencz összes művei* [The complete works of Francis Kazinczy], ed. J. V á c z y, Budapest 1909, XIX, pp. 3—5; M. H o r v á t h, *Fünfundzwanzig Jahre aus der Geschichte Ungarns von 1823—1848*. Leipzig 1867, I, pp. 417—420.



with the Vienna Government and claimed to represent the interests of the peasantry.

The Vienna Government also sought to circumvent the powers of the Diet concerning taxation. According to law only the Diet could levy new taxes but during the war the Habsburgs extracted funds from the protesting Counties. In 1820 the Vienna Government tried to collect a sum equal to the largest wartime tax of 1812 through a Cabinet decree. Both the Counties and the Diet of 1825—1827 resisted<sup>24)</sup> and once again claimed that they were trying to thwart the regime's illegal demands on Hungary's main taxpayers, the peasants<sup>25)</sup>. Both issues were resolved in favor of the gentry when the King promised to respect the Diet's control over both recruitment and taxation. The peasantry benefited because the gentry also succeeded in gaining for them, at the expense of the Crown, a new tax survey more favorable to their interests, as well as a remission in the tax and recruiting levies<sup>26)</sup>. These struggles, however, were not bona fide attempts by the gentry to inaugurate a new era of reform legislation on behalf of the lower classes. They were merely a by-product of the gentry's determination to challenge Habsburg authority and to retain control over as many of Hungary's inhabitants as possible.

Initiative toward reconciliation between the upper and lower classes came once more, as it had in 1790, from some of the influential magnates, among whom Count *István Széchenyi* was the most prominent. *Széchenyi* believed that if national unity was to be achieved, noblemen had to offer tangible evidences of their good intentions to the peasantry. From 1827 onward *Széchenyi* tried with mixed success to convince a still skeptical noble public that the backward and suspicious serfs deserved not only improved economic conditions but more humane attitudes from their landlords as well. These sentiments were expressed in a letter in which *Széchenyi* claimed that he always favored his *jobbágy*'s economic interests at the expense of his own. *Széchenyi* conceded however that reconciling peasants and nobles was a difficult task because "a peasant refuses to abandon old customs . . . On the other hand, in our nation it is difficult for a landlord to

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<sup>24)</sup> Debates at the Plenary Session of the Lower House, 30 December 1825, Magyar Országgyűlés, Jegyző Könyve [Protocol of the Hungarian Diet], I, pp. 298—299, 300—301; debates, 27 December 1826, III, pp. 575—673. Also see A. Springer, *Geschichte Oesterreichs seit dem Wiener Frieden*, 1809. Leipzig 1863, I, pp. 323—325.

<sup>25)</sup> Debates at the Plenary Session of the Lower House, 18 March, 5 May, 17 May, 19 May 1826, Magyar Országgyűlés, Jegyző Könyve, II, pp. 241, 345, 375, 425; debates, 19 August, 19 September 1826, *ibid.*, III, pp. 341—358, 428—432.

<sup>26)</sup> Law IV and Law VII, Magyar Országgyűlés, Magyar Országgyűlésének Írásai, 1825—1827 [Hungarian Diet. Written record of the Hungarian Diet]. Pozsony 1825—1827, III, pp. 1706, 1740—1741.

prosper without injuring his *jobbágy's* interests"<sup>27</sup>). *Széchenyi's* concern for his tenants was further demonstrated by his instructions to one of his estate managers: "Improve my estates, but never to the detriment of my subjects because that would be inflicting a wrong . . . It is my duty, however, to derive the greatest possible profit from my estates. See to it, therefore, that you satisfy the demands of both parties"<sup>28</sup>).

A few years later *Széchenyi* ordered another estate manager to conclude a contract with his tenants, dividing his pastures in such a way that they would be the beneficiaries<sup>29</sup>). Such a contract was unprecedented and of the utmost importance, since pasture allocation was one of the main reasons for discontent among the peasants. *Széchenyi* hoped to set an example and convince both magnates and gentry that decent treatment of the peasantry was the only way to gain their confidence, respect and support. It was the prerequisite, he believed, for the unification of Hungary on the basis of Magyarism.

In his work *Hitel* in 1830, *Széchenyi* sought to convince Magyar noblemen that economic reform was necessary not only to remedy their own depressed economic condition but to extend a helping hand to the peasantry. *Széchenyi* warned that continued mistreatment of the peasants was not only a national disgrace but that it would lead to disaster for the aristocracy<sup>30</sup>). Partly hoping to forestall the possibility of future revolution, *Széchenyi* recommended an economic program based upon the establishment of credit facilities in Hungary. *Széchenyi* claimed:

Credit is the cornerstone of my plan because without credit even the most talented nationality must be destroyed . . . Let us eliminate *avaticitas*, or the right of noblemen to redeem their properties at the original sale price even after thirty years, because such a practice prevents the buying and selling of real estate. *Fiscalitas*, or the right by the Crown to inherit noble property upon extinction of the line, must be also abolished because only then will it be possible for everyone, including commoners, to become creditors to noblemen with full assurance of security for their investments<sup>31</sup>).

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<sup>27</sup>) *Széchenyi* to *P. Somssich*, letter of 4 September 1827, I. *S z é c h e n y i*, *Adatok gróf Széchenyi István és kora történetéhez, 1808—1860* [Data concerning the history of Stephen Széchenyi and his era, 1808—1860], ed. L. Bártfai Szabó. Budapest 1943, I, pp. 71—72. Also see G. *Berzeviczy*, "A parasztnak állapotáról", op. cit., p. 147.

<sup>28</sup>) *S z é c h e n y i*, op. cit., pp. 71—72 (*Széchenyi* reproduced his instructions for *Somssich's* benefit).

<sup>29</sup>) *Széchenyi* to *J. Liebenberg*, letter of 8 November 1828, I. *S z é c h e n y i*, *Széchenyi István válogatott írásai* [The selected writings of Stephen Széchenyi], ed. I. Barta. Budapest 1959, pp. 64—66.

<sup>30</sup>) I. *S z é c h e n y i*, *Hitel* (Credit). Pest 1830, p. 246; also see *Széchenyi's* letter to *M. Wesselényi*, 8 Nov. 1831, quoted in *S z é c h e n y i*, *Széchenyi írásai*, pp. 162—164.

<sup>31</sup>) I. *S z é c h e n y i*, *Stadium*. Leipzig 1833, pp. 32—34.

*Széchenyi* also advocated the creation of a National Bank in order to solve the problems of credit and high interest rates<sup>32</sup>).

Establishment of credit was only the first step in *Széchenyi's* reform programme, which advocated equality before the laws for everyone, regardless of class. Since a law representing only one faction of a nation was bound to be unsuccessful, he felt there should be legal representation for all classes, and the nobility must pay their share of the exchequer and of Diet expenses. Before national unity embracing all classes could be effected, the Diet had to assume control over waterways as well as other national arteries, and even the equitable and proportional allocation of internal toll payments had to pass under its jurisdiction<sup>33</sup>). *Széchenyi* urged the creation of commercial courts in Hungary in order to avoid the interference of Austrian courts in Hungarian business affairs. He further advocated the extension of property ownership rights to all citizens<sup>34</sup>).

While *Széchenyi* sought to reconcile the peasantry and nobility on the basis of economic reform, Count *Aurél Dessewffy* tried to achieve the same end through political reform by integrating the disenfranchised peasantry and *armalists* into the political fabric of Hungary. In *Dessewffy's* view there was virtually no difference between *armalists* and peasantry and hence they did not require separate representation: "The two parties must be amalgamated and have one common election so that those who now commonly share the County and Diet expenses should also share the election in common. The legal difference between the two, namely, that *armalists* perform military duty voluntarily whereas the peasantry are recruited, can be solved without difficulty<sup>35</sup>).

*Dessewffy* recognized that the peasants were not sufficiently educated to assume these political responsibilities immediately: "The peasant is ignorant and there are only two possible remedies. For the future he must be made more educated. For the present we must hitch him to the same wagon with more knowledgeable people instead of

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<sup>32</sup>) I. Széchenyi, *Hitel*, pp. 145—148.

<sup>33</sup>) I. Széchenyi, *Stadium*, pp. 32—34.

<sup>34</sup>) *Ibid.*, pp. 29—32. For similar views see F. Deák, *Deák Ferencz emlékezete. Gondolatok, 1833—1873* [Francis Deák's remembrance. Thoughts 1833—1873]. Budapest 1889, pp. 3—4.

<sup>35</sup>) A. *Dessewffy*, *Néhány nevezetesebb darab gróf Dessewffy Aurélnak hátrahagyott eredeti Magyar munkáiból és országgyűlési beszédeiből* [Several notable extant excerpts from the original Magyar works and Diet speeches of Aurelius Dessewffy]. Pest 1843, edited by Emil Dessewffy, who claimed that the collected excerpts were written in 1833, in A. Dessewffy, *Gróf Dessewffy Aurél összes művei* [Count Aurelius Dessewffy's complete works] ed. J. Ferenczy, Budapest 1887, pp. 162—163.

leaving him to his own devices because if we do, his ignorance will only grow and remain unbridled"<sup>36</sup>).

Presumably, *Dessewffy* meant to salvage the pride of the *armalists* by implying that for the time being they were to be responsible for representing the peasantry at the Diet sessions. At the same time, he also held out hope to the peasantry that someday they, too, might represent themselves in the Diet without the benefit of intermediaries.

In 1831 *Aurél's* father, *József Dessewffy*, had gone even farther than his son toward representation of the lower classes when he wrote that one *jobbágy* representative from each County should eventually sit in the Diet<sup>37</sup>). Until this was achieved, however, he felt that the gentry must assume the responsibility of representing the lower classes: "The landed gentry in Hungary and the landless *armalist* nobility together represent the electorate. Although at the moment only members of the landed nobility actually sit in the Diet, they nevertheless represent the *armalists*, whose interests with the *jobbágy* are virtually one<sup>38</sup>).

These plans, designed for creating amicable relations among the classes, were one indication that Magyars had become concerned with national unity. However, unity was impossible as long as certain noble prerogatives, such as taxation and property ownership separated society into two sharply divided segments. Freedom from paying taxes and ownership of property were viewed by the nobles as their exclusive constitutional rights, and these issues stood at the core of relations between the upper and lower classes. The nobility justifiably feared that if they accepted taxation, and if non-nobles owned property, then the main distinctions between nobles and non-nobles would disappear.

For hundreds of years Hungarian noblemen had enjoyed total tax exemption, and until 1831 nobody challenged that right. In that year *Széchenyi* advanced what was then a radical idea among the nobility when he suggested that nobles assume part of the nation's tax burden. In his *Világ* he was, however, pessimistic about the chances of such a law either in the existing society or in the near future. In his view the nobility was not yet ready to accept taxation. Although there was much talk in private about tax concessions to the peasants, he felt that nothing was likely to occur in this area for some time<sup>39</sup>).

*Széchenyi* was perhaps too pessimistic, because the more conservative *József Dessewffy* in the same year conceded the need for limit-

<sup>36</sup>) *Ibid.*, p. 163.

<sup>37</sup>) *J. Dessewffy*, *A Hitel című munka taglalata* [The analysis of the work *Hitel*]. Pest 1831, pp. 238—239.

<sup>38</sup>) *Ibid.*, p. 239.

<sup>39</sup>) *I. Széchenyi*, *Világ* [Light]. Pest 1831, pp. 120—121.

ed noble taxation: "I believe that every nobleman, every landowner, would benefit if he paid road toll . . . Such a plan should be worked out in our Diet. Everyone should pay for the building and maintenance of these roads . . . and they should be established and kept in repair by joint stock companies"<sup>40</sup>).

Although some of the Conservatives in the Diet refused even to discuss the issue of noble taxation, on 13 January 1835 the Lower House introduced a resolution which called for everyone to pay toll on the projected suspension bridge linking Buda and Pest. Both Houses of the Diet overwhelmingly approved the measure, which showed that most Magyar nobles were willing at last to yield on a substantive issue.

Even liberally-minded nobles, however, were reluctant to create a new non-aristocratic landowning class in Hungary. In *Széchenyi's* view, commoners were entitled to property ownership along with noblemen, but he considered that non-noble property owners should pay a yearly tax equal to one-twelfth the value of the property<sup>41</sup>). *Széchenyi's* friend and collaborator, *Miklós Wesselényi*, expressed somewhat similar views, only in a very ambiguous way. He suggested that peasants should provide either cash or produce, or perform certain services for their lords. He claimed this was legal because the nobility, as a class, owned Hungary, and could make contracts as they saw fit. Through circuitous reasoning, *Wesselényi* also arrived at the principle of "free soil", which meant that both nobles and peasants should own land. He was aware that noble status included sole ownership of the land, and by this he understood that "free and unfettered use of land" was the basis of ownership. In his view, however, this was just an illusion, for the nobles were landowners in name only. They were not permitted to evict their tenants, to charge excessive rent, or to do anything that would run contrary to the law. He concluded that, under the circumstances, nobles might as well permit peasants to acquire the land *de jure* since they already possessed it *de facto*<sup>42</sup>).

The position of the Moderate, *Aurél Dessewffy*, was more indicative of gentry attitudes on the soil issue, even though he was a magnate. According to *Dessewffy*, redemption was both useful and just, provided noble proprietors obtained full compensation. After selling a portion of their property, owners should be able to continue their enterprises profitably on the remainder of their land. Any redemption plan which

<sup>40</sup>) J. Dessewffy, op. cit., pp. 140—141.

<sup>41</sup>) I. Széchenyi, Stadium, pp. 29—32.

<sup>42</sup>) M. Wesselényi, Balítéletekről [Concerning misjudgments]. Bucharest 1833, pp. 215—217, 238. For similar views see *Csepcsényi's* speech in the Plenary Session of the Lower House, 10 December 1834, Kossuth, op. cit., IV, p. 31.

did not conform to this formula was legalized robbery and constituted a danger to the national economy. *Dessewffy* was convinced that the robot was such an essential portion of the landowner's profit that noblemen would be the losers if *jobbágy* were permitted to purchase the land. Paid labor could never compensate the landowners for such a loss<sup>43</sup>).

By the time of the 1832—1836 Diet the reform ideas of *Széchenyi*, *Wesselényi* and the *Dessewffys* began to have an impact on many noblemen<sup>44</sup>). The various political writings had such influence that even the Vienna Government took notice of them. After the opening of the Diet, the Habsburgs would no longer permit the publication of polemical literature by influential men such as *Széchenyi* and *Wesselényi* for fear that it would arouse liberal and nationalistic sentiments among the deputies. *Stadium*, a book which *Széchenyi* planned to publish in time for the first session of the Diet, encountered so many difficulties with the censor that it finally appeared in Leipzig only in 1833. Similarly, *Wesselényi* had to go to Bucharest to avoid censorship of his *Balitéletekről*, which also appeared in 1833. Even without *Balitéletekről* and *Stadium*, the Vienna Government had cause for alarm. The gentry favored the economic aspects of *Széchenyi's* reform and they wished to incorporate as many as possible of his recommendations into Hungary's *corpus juris*.

Despite the fact that *Széchenyi* also advocated remedying the plight of the peasantry, most of the gentry still hesitated to reform the *Urbarium*, which they had turned to their own advantage. They abused the robot and encroached on the privileges and tenures of the peasantry. Due to their financial distress most of the gentry depended on gains from these violations. They had to recapture the loyalties of the *jobbágy*, yet they could scarcely attain their objective without granting them certain meaningful concessions. By this time, all but the most conservative were willing to depart to some extent from the rigid standards of the aristocratic system of Hungary but few of the gentry wished to compromise their own economic advantages<sup>45</sup>). They planned to consider economic legislation first, believing with some justification that this reform would help their own class and the peasantry as well<sup>46</sup>).

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<sup>43</sup>) A. Dessewffy, op. cit., p. 4.

<sup>44</sup>) F. Pulszky, Pulszky Ferencz kisebb dolgozatai [The minor works of Francis Pulszky], ed. A. Lábán, Budapest 1914, p. 182.

<sup>45</sup>) *Csapó's* speech at the Plenary Session of the Lower House, 8 August 1833, Kossuth, op. cit., II, p. 33.

<sup>46</sup>) *Majer's* speech at the Regional Session of the Lower House, 28 December 1832, Kossuth, op. cit., I, pp. 40—42.

By their hesitancy to work for immediate *jobbágy* reforms, the gentry played into the hands of the Vienna Government, which insisted that reform must commence with legislation to remedy the abuses arising from the *Urbarium*. In the first few weeks of the Diet the gentry attempted in vain to get the King to reconsider the order of business. Finally *Széchenyi* intervened and convinced the Lower House that it was pursuing a course which would alienate the peasants further. He persuaded the gentry to place the *Urbarium* on the agenda<sup>47</sup>). The gentry recognized that the Government had outmaneuvered them. *Lajos Kossuth* explained in 1832: "The Government's strategy to place the *Urbarium* first on the agenda was clever because it put the Diet in a slippery position. Any inadvertent misstep by the Diet now could easily cause public opinion to join with the Vienna Government against it. How can a Diet accomplish anything if it has to battle public opinion?"<sup>48</sup>).

By forcing the gentry to consider legislation opposed to their own interests, the Habsburgs had an excellent opportunity to confirm their image as protectors of the peasants. Because of this dilemma many deputies who seemed to support the cause of *jobbágy* reform, especially at the public Plenary Sessions, were not sincere. To prevent adverse publicity deputies decided to confer privately in Regional Sessions before facing the public, and to limit, as far as practicable, controversial argument concerning the peasantry<sup>49</sup>). They concluded gentlemen's agreements not to reveal their anti-*jobbágy* sentiments at the public sessions because such comments would cause unrest among the peasantry.

Some Deputies, however, were not satisfied. Deputy *Novák*, for example, realized that "there can be no talk of tranquility in Hungary until nine millions of our fellow inhabitants are admitted to citizenship. Now is the time! Let us open up the gates!<sup>50</sup>) Deputy *Somsich* urged the Lower House to "bind the interests of the commoners to those of our own . . . Every nation's power is grounded principally in its commoners, the most useful of whom are the peasants. The tiller of the soil is the strongest pillar of our freedoms"<sup>51</sup>).

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<sup>47</sup>) *Széchenyi's* speech in the Upper House, 22 January 1833, *K o s s u t h*, op. cit., I, p. 115.

<sup>48</sup>) *Ibid.*, pp. 36—37 (*Kossuth's* editorial comment).

<sup>49</sup>) *Bencsik's* speech at the Regional Session of the Lower House, 12 April 1833, *ibid.*, pp. 308—309; *Kölcsey's* speech at the Plenary Session of the Lower House, 31 January 1833, *K ö l c s e y*, op. cit., p. 1279.

<sup>50</sup>) *Novák's* speech at the Regional Session of the Lower House, 27 April 1833, *K o s s u t h*, op. cit., I, p. 338. (When referring to nine million inhabitants the speaker meant the entire population of Hungary, including non-Magyars).

<sup>51</sup>) *Somsich's* speech at the Regional Session of the Lower House, *ibid.*

*Kölcsey* felt that the peasants looked upon the gentry as their enemies and regarded the Habsburgs as their benefactors because Vienna had rectified so many abuses of the *Urbarium*<sup>52</sup>). Another Liberal Deputy, *Ferenc Deák*, warned his colleagues that "if we promote any laws that are unjust, the peasants will become totally alienated from us and seek redress of their grievances from Vienna as a matter of course"<sup>53</sup>). Despite these warnings a significant minority of gentry Deputies insisted on the existing practices and refused to rectify the abuses of the *Urbarium*.

There were important differences between Liberals and Conservatives in both Houses with respect to the *Urbarium*. The Liberal Deputy *Novák*, for example, attacked the *robot* and declared that "the Christian religion has eradicated idolatry and so will the moderating influence of civilization do away with this last vestige of oppression"<sup>54</sup>). Deputy *Gyertyánffy* reminded his colleagues that for some time in Bánát County the peasantry had been permitted by the gentry to redeem their *robot* in cash. These transactions were so successful that he urged the adoption of similar measures throughout the nation<sup>55</sup>). Conservatives conceded that voluntary agreements between peasants and landlords were not forbidden by law but, they claimed, if a law was promulgated in the spirit of *Gyertyánffy's* suggestion then redemption of the *robot* would become compulsory for everyone. This would be unjust because conditions differed from place to place and uniform redemption tables for each and every community could not be created without violating the principle of equity. Conservatives also stressed that in many regions labour was scarce and without the *robot* many landlords would be unable to harvest their crops<sup>56</sup>).

Most Conservatives also defended the ninth-tax on legal grounds but admitted that the law led to discontent, disputes and loss of time<sup>57</sup>). Moderate Deputies in the Upper House approached the question of the ninth-tax cautiously. Hungary's Chief Justice declared, for instance,

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<sup>52</sup>) Debates at the Plenary Session of the Lower House, 10 November 1834, K o s s u t h, op. cit., III, pp. 679—680.

<sup>53</sup>) *Deák's* speech at the Regional Session of the Lower House, 1 August 1833, F. Deák, *Deák Ferencz beszédei, 1829—1847* [Francis Deák's speeches, 1829—1847], ed. M. Kónyi, Budapest 1882, I, pp. 23—26.

<sup>54</sup>) *Novák's* speech at the Regional Session of the Lower House, 29 August 1833, K o s s u t h, op. cit., II, p. 120.

<sup>55</sup>) *Gyertyánffy's* speech at the Regional Session of the Lower House, 29 August 1833, K o s s u t h, op. cit., II, p. 121. For similar views see *Bük's* speech, *ibid.*

<sup>56</sup>) Debates at the Regional Session of the Lower House, 29 August 1833, K o s s u t h, op. cit., II, p. 122. Also see *La Motte's* speech at the Regional Session of the Lower House, 30 August 1833, *ibid.*, p. 128.

<sup>57</sup>) *Nyitzky's* speech at the Plenary Session of the Lower House, 22 August 1833, K o s s u t h, op. cit., II, p. 89.



that although noblemen were legally entitled to the ninth-tax, the obligations of the peasantry had to become more tolerable. Their duties, in his opinion, were so onerous that they destroyed the peasants' initiative to work. Nearly all Upper House members agreed that, even at its best, the ninth-tax was such a rigid obligation that it must alienate peasants from their landlords<sup>58</sup>). Liberals were even more critical of the ninth-tax. Deputy *Bencsik* urged his colleagues to solicit the *jobbágy's* affection by permitting them to redeem their ninth-tax in cash. Deputy *Borsinczky* even warned that if the gentry disregarded *Bencsik's* advice they might fare like the French aristocrats who refused to renounce their privileges until it was too late<sup>59</sup>).

With some minor exceptions both Moderates and Liberals shared the view that the peasantry must be guaranteed unobstructed freedom of movement throughout the nation. The Treasurer-General complained in the Upper House that landlords frequently failed to respect their agreements with their *jobbágy*. For example, a landlord would permit a *jobbágy* to terminate his tenure contract and then prevent his departure. This was a misdemeanour punishable with a fine of two hundred florins, but the fine went to the gentry-controlled County treasury and the peasant was not indemnified. Liberals argued that landlords should be criminally prosecuted and the fine given to the injured *jobbágy* as compensation<sup>60</sup>). In the Lower House *Felsőbüki Pál Nagy*, one of the most influential liberal-minded Deputies in the Diet, was not satisfied because current law merely stipulated that peasants were free to move and he demanded more humanitarian attitudes toward them. In his view: "This is truly a meagre concession . . . It is not enough for a man to go on his way and not be beaten up. He must also make a living and have wood so that he will not freeze in the winter"<sup>61</sup>).

The attention of Liberals was also focused on the judicial practices which discriminated against the peasantry. *Ferenc Deák* pointed out that a *jobbágy* frequently appeared as litigant before a court of law in which the accused nobleman acted as his own judge. *Deák* was concerned because it was common practice that a *jobbágy* was condemned even without a hearing. Frequently he was not guilty of

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<sup>58</sup>) Speech by Hungary's Chief Justice in the Upper House, 17 September 1833, *Kossuth*, op. cit., II, p. 241.

<sup>59</sup>) *Borsinczky's* speech at the Plenary Session of the Lower House, 22 August 1833, *Kossuth*, op. cit., II, pp. 89—91. For similar views see speeches by *Somsich*, *Rohonczy*, *Aczéli*, *Borsinczky* and *Bencsik*, *ibid.*, pp. 88—91.

<sup>60</sup>) Speech by Hungary's Treasurer General in the Upper House, 12 September 1833, *Kossuth*, op. cit., II, p. 140.

<sup>61</sup>) *Nagy's* speech at the Plenary Session of the Lower House, 12 August 1833, *Kossuth*, op. cit., II, pp. 50—51.

violating the law, all too often his landlord made a false grievance against him<sup>62</sup>). *Nagy* agreed with *Deák* that with few exceptions manorial courts perpetrated such infamies that „even if there were fifteen higher courts in Hungary they could not rectify these injustices“<sup>63</sup>). Deputy *Andrássy* feared that the *jobbágy* would not tolerate such treatment much longer. He was aware of the dangers confronting the gentry and saw a strengthened nation only in terms of elevating the status of the peasantry. *Andrássy* denied the allegation by Conservatives that by extending equal justice to the peasants the gentry's privileged position would be imperiled. In his view, a unified people would be more able to defend the homeland against both internal and external perils than would a few hundred thousand noblemen caught between two fires, the disgruntled and hostile peasantry and the Vienna Government<sup>64</sup>). Conservatives opposed the Liberals on the judicial issue and refused to remove the peasantry or their property from the jurisdiction of the nobility. They were convinced that the loss of such control would lead to the abolition of the nobility's constitutional rights<sup>65</sup>). Conservatives insisted that Hungarian law, according to which no person might be disturbed without due process, was not meant for commoners. To include them in any such guarantee, they feared, would irreparably damage the spirit of the fundamental laws<sup>66</sup>).

The equitable distribution of pastures was a further difficult problem confronting the gentry, because they had purchased herds of sheep which required more land than was available. A general compromise solution, according to *Kölcsey*, was virtually impossible because of regional and other differences<sup>67</sup>). Deputy *Nagy* considered sheep raising the chief cause of the peasants' ruin since landlords, in order to make room for their own sheep, encroached on the tenants' pastures. With his pastures gone, a *jobbágy* could no longer maintain

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<sup>62</sup>) *Deák's* speech at the Plenary Session of the Lower House, 15 June 1833, *Deák beszédei*, I, p. 140.

<sup>63</sup>) *Nagy's* speech at the Plenary Session of the Lower House, 12 October 1833, *K o s s u t h*, op. cit., I, p. 302. For similar views see speeches by *Pálóczy*, *Szent Horváth* and *Bernát*, at the Plenary Session of the Lower House, 12 October 1833, *ibid.*, II, pp. 301—302.

<sup>64</sup>) *Andrássy's* speech at the Plenary Session of the Lower House, 15 October 1833, *K o s s u t h*, op. cit., I, p. 305. For similar views see *Bezerédy's* speech at the Plenary Session of the Lower House, 3 September 1833, *ibid.*, II, pp. 160—161.

<sup>65</sup>) Debates at the Plenary Session of the Lower House, 17 June 1833, *Deák*, *Deák beszédei*, I, p. 16—17.

<sup>66</sup>) Debates at the Regional Session of the Lower House, 3 December 1834, *Deák*, *Deák beszédei*, I, pp. 99—100.

<sup>67</sup>) *Kölcsey's* speech at the Plenary Session of the Lower House, 15 March 1833, *K ö l c s e y*, op. cit., p. 1322.

cattle, and the loss of even one ox could ruin him for as many as ten years. Under these circumstances he had every right to participate in the final decision regarding the separation of pastures<sup>68</sup>). The Conservative Deputies *Dubraviczky* and *Csapó* maintained that the separation of grazing grounds between the peasantry and landlords was not necessarily an evil because such divisions often benefited the *jobbágy*. Deputy *Marczibányi* opposed any change whatever in the status quo and maintained that any alteration in the law would undermine the privileged status of the gentry<sup>69</sup>).

On the issue of separation Deputies arrived at a preliminary agreement, whereby both peasants and landlords would be lawfully bound by a separation agreement<sup>70</sup>). *Kölcsey*, however, protested, for this was meaningless because "all landlords had to do was to 'persuade' their *jobbágy* how to vote"<sup>71</sup>). *Kölcsey's* objections brought about another proposal. Pastures would be divided between the peasantry and landlords on the basis of 'equity' for both parties. Where pastures were scarce or where separation was impracticable, pastures could either remain as before, or new gentry-*jobbágy* agreements could be reached on the basis of equity. This proposal was also meaningless, as Deputy *Nagy* pointed out, because landlords would never agree to have their own advantageous situation changed<sup>72</sup>).

The last proposed law was never ratified by the King, yet in most regions the gentry adopted it as the standard for dealing with divisions of pastures. The peasants hoped that at least illegal land seizures would end. In fact, landlords were able to deprive them of their good pastures in exchange for sandy useless tracts because standards of exchange between good and poor pastures were only vaguely defined. Although one provision of the law specified that exchanges could not take place without the consent of the majority of the peasantry, this stipulation had little value. As *Kölcsey* indicated, landlords coerced their tenants and deprived them of their remaining good pastures. To the gentry these exchanges were of crucial importance. Formerly most of their lots had been scattered and this made sheep raising on a large scale unprofitable. Despite the fact that the proposed law never received Royal sanction, it was implemented in practice by the

<sup>68</sup>) *Nagy's* speech at the Regional Session of the Lower House, 15 March 1833, *K o s s u t h*, op. cit., I, pp. 281—282.

<sup>69</sup>) Debates at the Regional Session of the Lower House, 15 March 1833, *K o s s u t h*, op. cit., I, p. 291.

<sup>70</sup>) *Ibid.*, p. 284.

<sup>71</sup>) *Kölcsey's* speech at the Plenary Session of the Lower House, 7 August 1833, *K o s s u t h*, op. cit., II, p. 28.

<sup>72</sup>) *Nagy* referred to Law III, Article 9, *K o s s u t h*, op. cit., IV, p. 20; Magyar Országgyűlés, Magyar Országgyűlésének Írásai, 1832—1836. Pozsony 1832—1836, I, p. 513.

gentry, who arbitrarily reapportioned pastures in their own favour<sup>73</sup>). It was a clear indication that, when their economic interests were involved, the gentry were not willing to legislate in favour of the peasantry.

The allocation of clearings had similar implications for both the gentry and the peasantry. The Liberal Deputy *Deák* opposed a proposal which would have permitted bilateral agreements between a peasant and his landlord. *Deák* feared that the law would make the *jobbágy* dependent on the good will of the gentry and he tried to convince his colleagues that many of the poorer peasants depended for their survival on these clearings. An ambiguous law would render thousands of them homeless and make them vagabonds. This represented a great danger, for people attached to the soil always defend law and order no matter how poor they are, but individuals who are evicted from their land, *Deák* warned, devote their energies to the destruction of the system which had mistreated them<sup>74</sup>). Count *Fekete* expressed a similar view in the Upper House by saying:

"The fate of thousands of *jobbágy* hinges on this decision. It would be unworthy of foresighted lawmakers to bring about economic insecurity among the *jobbágy* and engender a lack of confidence in the legislators. At least until now the Vienna Government, as arbitrary as it might have been, has generally intervened and prevented the peasants from starving. However, once we promulgate a law, the benevolent interference by Vienna will cease"<sup>75</sup>).

Despite the awareness of the need for reform, clearings were potential grazing grounds and many of the gentry had no intentions of sharing them with their tenants. A group of Conservative Deputies succeeded in passing a bill in the Lower House which would have permitted landlords to seize a large portion of the tenants' clearings. Only a Royal veto saved them. The King issued a strongly worded rescript which confirmed the principle of inviolability for nearly all *jobbágy* clearings, whether authorized by their landlords or not. The gentry had to accept the Crown's censure and eventually a law which they considered economically harmful to them<sup>76</sup>). The incident showed once again that, regardless of their avowed sentiments, most of the gentry

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<sup>73</sup>) For the best account how peasants were cheated see Staatsrat, Doc. No. 1822: 1384, 25 September 1822, quoted in F. E c k h a r t, *A bécsi udvar gazdaságpolitikája Magyarországon, 1780—1815* [The economic policy of the Viennese Court in Hungary 1780—1815]. Budapest 1958, pp. 419—426.

<sup>74</sup>) *Deák's* speech at the Regional Session of the Lower House, 1 August 1833, *Deák*, *Deák beszédei*, I, pp. 23—25. For similar views see *Bezerédy's* speech at the Plenary Session of the Lower House, 3 September 1833, *K o s s u t h*, op. cit., II, p. 161.

<sup>75</sup>) Count *Fekete's* speech in the Upper House, 16 September 1833, *K o s s u t h*, op. cit., II, pp. 210—211.

<sup>76</sup>) King's Law V, Article 2, of 4 September 1833, introduced in the Lower House, 10 September 1834, *Deák*, *Deák beszédei*, I, pp. 86—87.

were still not prepared to sacrifice immediate economic gain for the sake of the peasantry.

Few issues in Hungary at that time provoked as much controversy as the Liberals' proposal which would have allowed the peasants to commute their obligations to money payments. Conservatives criticized the measure on both legal and practical grounds. Deputy *Rohonczy* objected because in his view the law would give the peasantry de facto property rights and thus a new Estate would be created. Deputy *Szlucha* declared that the law would transform the *jobbágy* into a landowning class whereas the Constitution only permitted noblemen to own property. The Deputy feared that this measure would destroy the economic basis of both landlords and peasantry. Gentry landowners would go bankrupt because contributions from the peasants would cease. The peasants, in turn, would be ruined because their commutation payments would be so excessive that they would be unable to pay their taxes<sup>77</sup>).

Although the Liberals proposed the bill of commutation, they did so not because they wanted to help the peasantry but to show that the King was not their real protector<sup>78</sup>). Liberals were convinced that the King would have to veto the bill because he did not approve of any radical change. However, the hesitation of the gentry enabled the Vienna Government to score a legislative victory. The King was confident of the support of the peasantry and felt that Liberals wielded little influence with them. Besides, the gentry had committed a blunder earlier by passing another bill in the Lower House, according to which ownership of the land was vested only in the noble landlord and consequently all the soil cultivated by the peasant class was the landlord's property<sup>79</sup>). The King pointed out the contradiction and vetoed the second bill. The gentry's clumsiness, if not incompetence, allowed the King to turn the issue into a jurisdictional struggle. In his rescript to the Lower House the King pointed out that the problem of land allocation was so complex that it could no longer remain within the jurisdiction of the Diet<sup>80</sup>). After a formal protest the Lower House yielded to the King and abandoned the bill on commutation<sup>81</sup>). The

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<sup>77</sup>) *Szlucha's* speech at the Plenary Session of the Lower House, 3 September 1833, *Kossuth*, op. cit., II, p. 157; debates in the Upper House, 13 September 1833, *ibid.*, p. 186.

<sup>78</sup>) Debates at the Plenary Session of the Lower House, 3 September 1833, *Kossuth*, op. cit., II, pp. 153—161.

<sup>79</sup>) Magyar Országgyűlés, *Írásai*, 1832—1836, I, p. 518.

<sup>80</sup>) King's rescript to Lower House, 10 November 1834, *Deák*, *Deák beszédei*, I, pp. 93—94.

<sup>81</sup>) Debates at the Plenary Session of the Lower House, 10 November 1834, *Deák*, *Deák beszédei*, I, pp. 93—99.

Vienna Government then forced the Lower House to accept an alternate law which authorized the Habsburgs to intervene in *jobbágy*-gentry relations more than ever before. The new law stipulated that landlords were not permitted to conclude individual agreements with their tenants until the Vienna Government had scrutinized the contract for possible violations and subterfuges on the part of the gentry<sup>82</sup>). This enabled the Vienna Government to appear again as the protector of the peasants.

Because the majority lacked sincere interest, as Count *Andrássy* pointed out in the Lower House<sup>83</sup>), the Diet of 1832—1836 failed to promulgate legislation which would substantially aid the peasantry. A few legal steps, however, relieved the worst abuses in judicial matters. The gentry could no longer exercise personal judicial control, and only lawfully appointed judges could preside in litigations involving a *jobbágy*. He could no longer be arrested without a formal hearing, nor could he be punished without first having been sentenced by a court. It was even more important that the peasantry obtained the right to initiate lawsuits on their own behalf, without the landlord's permission. Impartial commissions were also established in order to settle minor issues between *jobbágy* and landlord<sup>84</sup>). The peasants' economic gains were minor. They won a small concession by having some of their ninth-tax abolished and their right to keep store reaffirmed<sup>85</sup>). One law, although it concerned the *armalists*, brought indirect benefit to the peasants. Under the new law *armalists* were required to pay tax on fields, pastures and plots surrounding their houses, provided these lands were legally *jobbágy* tenures. When *armalists* occupied this type of land they also had to pay all other tax obligations normally discharged by the peasantry<sup>86</sup>). This law not only assured the *jobbágy* a fairer tax distribution, but it also indicated that the *armalists'* noble privileges were beginning to be limited in certain respects. Except for these relatively small measures, most of which originated in the Diet by Liberals, the gentry made no substantial move to gain the confidence of the peasantry.

The legislative steps of the gentry, and the new attitudes which accounted for them, reflected a social class in the process of change. As the gentry gradually accepted more progressive ideas, conflict emerged between their developing liberalism and their economic interests. The economic circumstances only served to aggravate the

<sup>82</sup>) Law VIII, Article 2, Magyar Országgyűlés, Irásai, 1832—1836, VI, p. 48.

<sup>83</sup>) *Andrássy's* speech at the Plenary Session of the Lower House, 7 August 1833, K o s s u t h, op. cit., II, p. 31.

<sup>84</sup>) Magyar Országgyűlés, Irásai, 1832—1836, ibid.

<sup>85</sup>) Law III, Paragraph 7, Point 1, ibid., p. 47, pp. 309—311.

<sup>86</sup>) Law II, Articles 1—12, ibid., pp. 311—316.

dilemma. A sizeable minority favoured agricultural reform and various schemes for improving the condition of the lower classes, but only so long as these innovations did not compromise their own position. The majority rejected any concessions and in the early nineteenth century this divisive issue prevented any meaningful Magyar reconciliation.

The gentry were unable, by themselves, to rally the various Magyar social classes, and eventually a small group of influential magnates provided the catalyst for reconciliation. *Széchenyi's Hitel*, the work chiefly responsible for reform, appeared only two years before the Diet of 1832—1836, and few of the Deputies had either the time or the opportunity to comprehend it fully. As a result, they were frequently confused and divided among themselves and the Habsburgs used their division and indecision to force the nobles to consider reform of the *Urbarium*. Despite these drawbacks, the atmosphere for an understanding among Magyars was improving. Some of the most progressive magnates had begun to reconcile the gentry, the *armalists* and the *jobbágy*; a few modest measures introduced at the 1832—1836 Diet inaugurated a new phase in the gentry's relationship with commoners, and during the Diet discussions, for the first time, a group of noblemen showed an awareness of the need to improve the plight of the peasantry and to create an atmosphere for further reconciliation.

The legislative achievements of the 1832—1836 Diet were not, however, nearly sufficient by themselves to secure Magyar unity. One of the nobles at the Diet in 1833 explained why: "I, and the noble public in general, have cast off many of our old, archaic notions and our souls have become more receptive to the ideas of modern progress . . . It is difficult, however, to cast off the aristocratic notions which cling to me in spite of myself"<sup>87</sup>).

The following year another noble at the Diet indicated that "the Diet in 1834 already bore the stamp of the New Age because there were ample numbers of individuals in whom the new ideas had struck a spark. Yet the nation was fooled by the dazzling speeches and the mighty concepts; few, unfortunately, noticed that the speakers were not so numerous"<sup>88</sup>).

In fact, by 1836 some nobles held even more strongly than before to the principles embodied in the fundamental laws, and they refused to relinquish their class privileges in favour of a more egalitarian social order. The interference of the Vienna Government, together with the economic self-interest and class consciousness of the nobility, prevented the formation of a meaningful Magyar unity.

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<sup>87</sup>) J. Madarász, *Emlékirataim* [My memoirs]. Budapest 1883, p. 20, 22.

<sup>88</sup>) Pulszky, *op. cit.*, p. 184.