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# A U S T R I A

IN

1868.

BY

EUGENE OSWALD.

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## AUSTRIA IN 1868.\*

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### I.†

If there is a subject on which it is high time the friends of justice and freedom—the Liberals of Europe, if there must be a party name, or the party of progress—should revise their former opinions, that subject is that of Austria. And it is not an inconsistent reversion of a former judgment, by ignoring the evidence hitherto before us, which we recommend; it is a reconsideration of it by the light of new and altered facts, and in the greater clearness of aspect which recent changes, by repressing gloomy shadows, have, at last, allowed us. He who was an opponent to Austria, because he was a friend of freedom, is not hereby required to be a friend of freedom no longer. He is invited, on the contrary, to discover in the new turn which things have taken in Austria the possibility of a new element being added to the cause of freedom. We say the possibility, we wish we could at once use a stronger term. But our feeling, after so many disappointments, is not one of certitude, is one barely of hope, and even this wants, sometimes, faith to prop it up against doubt. Still, this is the position which, we believe, we plainly see before us. Austria was formerly a bulwark of Conservative despotism in Europe. Severely chastened, she promises now to be a bulwark against the aggressive despotism of Russia. She was the former because she misunderstood her own position, and began by repressing the energies of her own people. She promises to be the latter, because she seems to have arrived—at a late hour, it is true—at feeling her own mission, and she begins by calling forth the vitality that is in her populations. Grievously battered by successive storms, heavily burdened by the acts of her former captains, with but little confidence expressed in her by those who surround her, the old ship starts on her new voyage. But many of the causes which threatened disaster formerly have been removed, her course is now steered by the firm hand of a clear-sighted helmsman, and if the crew do but keep up a good heart and a good understanding among themselves a long career may be yet before her, and she may protect old

\* In this reprint of the following chapters, which originally appeared in the weekly paper, the *English Leader*, only a few verbal alterations have been made, and two or three footnotes and documents have been added.

† Austria, a Constitutional State: a Short Sketch of the Rise, Progress, and Development of Constitutional Life in the Austrian Dominions. London: Dulau & Co. pp. 100.

dominions and discover new ones, a blessing to herself and others. If!

We of the present generation, when, youthful and hopeful, we took our stand under the banner of freedom, and began a long and chequered march, did not set out as friends of Austria. She was to us a dark and frowning image, an image to be broken ere the goal of that young army of 1848 could be reached. But if it is grievous as life wears on to lose many of the rosy illusions for whose realisation we longed, is it not a gracious, and a rare, experience to see depart from us the darkening shadow of hatred? We have hated Austria—the State, though not the Austrian people. We have now done with our hatred, and we are not the poorer for that.

We have hated Austria. And was that hatred a mere heirloom, and a thing which had come to us from our reading the outpourings of French republicanism, of Protestant antagonism? No doubt, on such historic basis, on the recollections of the French Revolution, or of the philosopher-king, Frederic II., or of the Thirty Years' war, stood many a one unconsciously when he joined in the chorus: *Delenda est Austria*. But was there not ample reality about us in the doings which the generation immediately before us witnessed, and which we witnessed ourselves? Did not Austria stand before us, soulless, cold, with a mighty shadow and a leaden weight, an oppressor, together with the Bourbons, in Italy; an oppressor, together with Prussia, in Germany; an oppressor, together with Prussia and Russia, in Poland; an oppressor, on her own account, in Hungary, and in oppressive league with the enemies of freedom in Switzerland? So she appeared to us, and when we were startled by the moan from Silvio Pellico's dungeon, or listened indignantly to La Fayette's prison tale, no voice but that of sweet, thought-lulling music came on the side of Austria; or, now and then, though the hand of Government rested heavily on literature, the lyre of an anonymous poet, like Anastasius Grün,\* broke through the stillness, saying but too plainly—"Yes, you are right; this beautiful Austria of ours is a prison, and a place of gaolers, and therefore hateful." But it added, "It need not be so; over these beautiful lands, these broad rivers, these waving forests, the life of freedom may yet be shed; the night may give way to the day, and her people may be happy, and render others happy, if she only learn her own interests and keep to them." If!

And so, though all is not yet as it might be, the day has broken, and Austria, having released the spasmodic grasp at the throat of others, feels the new life flowing through her, and with it comes a new mission—which was, indeed, long present before her, but could not be clearly perceived, because oppression dims the eye of the oppressor. And our hatred is gone, and we look hopefully on the new brother, thinking his life may be of a new—and to most of us unexpected—value to himself, and to all of us, if he but cure him-

\* Count C. von Auersperg.

self of those severe wounds which the contest has left all over his body. If!

But the conversion of the friends of freedom to new views towards Austria is, as yet, by no means complete, and as far as it goes, it has made progress but slowly. And so far-reaching are the decrees of fate, so inevitable the consequences of ill-deeds, so interwoven the destinies of men and States, that when in 1866, for the first time since many a long day, Austria came forth, as against Prussia, as the champion of justice, by upholding the Bund, which, forbidding war between the members of the Confederation, was one of the guarantees of European peace, and in defence against the most atrocious double-dealing, the most shameless swindle attempted—and now, alas! carried out—by Prussia against the inhabitants of Schleswig-Holstein, whom she pretended to free that she might swallow them better, substituting herself as King Stork for King Log—even in that hour, and with that most righteous cause, Austria succumbed. For Prussia, who had just come forward in the vilest service to Russia as her hangman's assistant against the poor Poles, opening her territories for Alexander's bands to capture the fugitives, Prussia, most perfidiously, called up another righteous cause to her help; and the conscience of mankind was divided, and in many an honest breast the feeling for Italy against Austria overlaid the feeling for Austria against Prussia. Might she lose there and win here!—such was the wish of many, and it was a natural and a legitimate wish. Still, almost general were the sympathies with Italy, spare those for Prussia, till the luck of Austria went down in that terrible evening sun of Sadowa, and Prussia, the successful seceder from her federal bond, was applauded by those whose cry of condemnation against the American seceders could never rise high enough; and the Hohenzollern, under the dictates of his unscrupulous statesmen, filched from the lips of honest and short-sighted enthusiasts the cry of Unity, to use it in order, by his aggrandisement, to bring about the disruption of the Fatherland.

Deprived of her Italian possessions, which had driven her into the abyss, expelled from that Germany which she had led for five hundred years, and often misled, and often neglected, and which she had, in the face of Prussian intrigue, unsuccessfully endeavoured, in 1863, to reform, shorn of most of her prestige while acquiring a new and unexpected one on the sea, shaken in her very foundations, bleeding from many wounds, yet not without a ray of hope, though even that is overclouded with shadows (for had not Albert conquered at Custozza, he whose daughter, in the promise of youth, has just been burnt to death; had not Maximilian prepared the victory of Lissa, he who nobly dying expiated dearly his misjudgment?) Austria bestirred herself setting her house in order.

She had tried it before, over and over again, these last nineteen years; and the *mémoire* which we cite at the head of these observations gives us the record of her attempts. It is not cheerful reading, this account of the long travail of constitutional life in Austria; but

to him who will understand the present, it is useful, nay necessary. Manifold and sometimes violent were the experiments to cure the "sick man;" and it required indeed no slight robustness in the impatient patient to outlive the tentative doctors of Centralisation, of Federalism, of Dualism. It is in the latter that we see Austria now settled. The Magyars have gained their cause, for which they struggled for so many years, with a persistency admirable, though not free from national selfishness. The other populations of the empire might before this have consolidated the building of their political freedom, had the Magyars chosen to throw their lot in with them. Yet it is not to be wondered that they stood out from what would appear to them but the shifty quicksands of experimentalising, as compared with the firm rock of their Golden Bull, their Pragmatic Sanction, their Coronation Preamble of 1790, their Laws of 1848, their Continuity of Right. They have gained their point, and—though some clever writers are willing to taunt them with their being no literary people\*—they have fulfilled their special mission among the nations of the continent, by proving what can be achieved by a firm, and it may be a stubborn, adherence to existing law—existing though all the scaffolds in the world should take the place of its judgment-seats, and all the inkstands flood the writing on its parchments. They have achieved what the more moderate, and the great bulk of that nation of aristocrats required; and there is satisfaction in seeing this firmness of national character rewarded, though its aims are not quite—or rather are far away of what the democratic sympathisers in Great Britain have fancied them to be, or what the words of Kossuth, trying to be "all things to all men," would have led one to believe, when in one of the brilliant hues of the many-coloured rainbow of his splendid eloquence he identified himself with the republicans of France against that Louis Bonaparte, whom, an emperor, he followed in so docile a manner. And it must not be overlooked, but mentioned in their praise, that the Magyars, as the hour of their victory drew near, gave more heed to the moderate councils of Deák, Pulszky, Eötvös, and others, and that by agreeing to the common treatment, between Vienna and Pesth, of many affairs, they have indeed, on their side, made important concessions to the general interests of the empire, so far overcoming their national egotism. In what way they will further tend remains to be seen. In their hands, in a great measure, the fate of Austria now lies. If, judging sanely of their own position, surroundings, and numbers, they go hand in hand with the German population of the empire, and if both together know how to conciliate by justice the different other races, the great Danube State, the wedge between Russia and Europe, may yet be saved from the threatening danger of Panslavism. If, on the other hand, they burrow deeper into the isolation of their Magyarism, they are indeed in a position to cut Austria's throat—and their own.

\* *Cornhill*, August: "The Pageant in Pesth."

## II.

ALREADY there lies before us a most important outcome of the yielding of the emperor to the voice of the people on this side, and on that of the Leitha, the little frontier river between Germany and Hungary. Those legislative steps have been taken at Vienna and Pesth which seal the doom of the unfortunate Concordate.\* Many of our readers will recollect the unfavourable impression produced in 1855 by this unlucky compact with Rome, by which Austria, enormously exaggerating the respect due to the Church of the great majority of her inhabitants, and in her then pursuit of a thoroughly reactionary policy, striving to be the Catholic-Conservative power *par excellence*, gave up to the Papal Court and its hierarchy so much of the rights of the State, so much of the rights of the individual. By so doing she created an atmosphere of priestly influence and interference, which gradually became unbearable, not to the Protestants and Confessors of the Greek, or Orthodox faith alone, but also to very many of the Roman Catholics themselves. Well, and with rare eloquence was this compact denounced by Kossuth, himself a Protestant, yet once acknowledged as leader by a nationality chiefly Catholic. Still we should put too great a blame on Austria for this mistaken step, were we to look at it as an isolated fact. It must not be forgotten that it belongs to a period of general continental reaction against the spirit of 1848, a period which saw the priest and the dogma called in on every side, to help the corporal and the bayonet to uphold the tottering thrones. This revival of priestly influence, long prepared by literary agencies, and showing its head openly in the Sonderbund of Switzerland, tentatively in most countries of Europe, in Belgium especially, nay in England herself, had received, in 1849, a mighty impulse by what the eloquent and learned historian, Edgar Quinet, trying to arrest the calamity, aptly called the crusade against the Roman Republic.† The fall of Rome, which the enthusiasm of Mazzini and the heroism of Garibaldi could no longer delay, carried the shortsighted victors farther than they, or some of them, had intended, and the newspaper of the then President of the Republic, Louis Bonaparte's letter to "mon cher Edgar," proved a very inefficient drag in the course of Papal ascendancy. Events being turned from one direction, irresistibly rolled into the opposite one, and the temporal power being re-established, offered its help to all the secular powers.

\* Whilst this reprint passes through the press, news arrives of the Upper House of the Austrian Reichsrath having, amidst great public rejoicing, adopted the Bills on Public Schools, and on Civil Marriage—bills which virtually and by regular legislative proceedings put an end to the Concordate.

† "La Croisade Autrichienne, Française, Napolitaine, Espagnole, contre la République Romaine." Par E. Quinet, représentant du peuple. 4me éd. Paris: Chamerot.

A politico-priestly odour went through the world.\* The late King of Prussia, burying in mysticism his originally bright gifts, and tending to his own insanity, and to the stupefaction of his subjects, saw with a well-pleased eye the activity of Protestant Pietists—the sort of people who represent to worthy Lord Shaftesbury the modern German mind, and give him so much satisfaction—and was not wholly averse to the perambulations of the Jesuits. One of the first acts of Louis Napoleon's new power, after the subversion of the constitution, was to hand over the national pantheon to the Roman Catholic clergy, who thenceforth, and till 1859, proved stout allies, and were treated as such. What wonder that Austria, which but once, under Joseph II., and during the short reign of Leopold II., had seen her sovereign free from priestly influence, should offer to grasp the hand of Rome, or be seized by her grip. Perhaps even a greater thought than one of mere internal reaction was among the motives of Baron Bach, the then leading spirit of the Hofburg: "Hungary lies at the feet of your majesty," were the words with which the Russian Prince Paskiewitch had announced to his master at St. Petersburg the result of the help vouchsafed to the House of Hapsburg. And this dangerous protector is a member of the Orthodox Greek Church. Might not the Court of Vienna hope that, by making itself the chief champion of Roman Catholicity, it could gain in a possible collision the sympathies of Catholics in Europe—and in the Russian Empire, in Poland, for instance? If so, the arrow overshot its aim: the loss of sympathies at home and abroad greatly outbalanced any possible advantage in the direction indicated. But we cannot wonder at the conduct of the Vienna government, for without such far-reaching motives, even the governments of two of the smaller states that have always been in the van of German progress—though the Prussian scribes have tried to obscure the fact—fell into the snare: Baden, which by sustaining temporary Prussian conquest and occupation, and driving into exile one man in every 120, had been rendered pliable enough for a little while, to give way under repeated pressure, and so had Wurtemberg, without such excuse, and by we know not what freak of popular weakness. It is true such victory did not last long, and, in 1860, the estates of Wurtemberg, by formally asking again for the convocation of the German Parliament—not meaning thereby the sham of Bismarkia—and those of Baden, by annulling the Concordate, again inaugurated the German movement for freedom which, in 1849, had been suppressed by the Prussian cannon. The turn of Austria has now come. We must indeed not expect her, as some members of Messrs. Whalley and Murphy's Society might wish, to take a position hostile to Catholicism; and no doubt, by doing so, her Government would act both unwisely and unjustly; for the Roman Catholics are the majority of her population, both in the whole empire and in each of the two parts—the Cis-Leithian

\* Very full details in the pious W. Menzel's "Geschichte der letzten vierzig Jahre." 3rd edition. Stuttgart, 1865. Tom ii., pp. 384-392.



countries and Hungary, taken separately. They are credibly stated to form 70·39 per cent. of the whole population. This, without counting the United Greeks, that is, those who are in some sort connected with Rome, having, in exchange for the concession of the marriage of priests and the Eucharist in both forms, acknowledged the supremacy of the Pope. These form 9·87 per cent. of the whole population. The members of the not united or Orthodox Greek Church, again, are 8·44 per cent. The confessors of both forms of the Greek Church—18·21 per cent. of the whole population—are chiefly found in the South Slavonic portions of the empire, in Croatia, Slavonia, and parts of Hungary. The Protestants—9·35 per cent.\*—inhabit principally Transylvania (Unitarians) and parts of Hungary, though a considerable fraction are also left, the remnants of once powerful Churches, in Austria proper and Bohemia. The terrible converting process to which the Hussites and other Protestant Czechs, or Slavonians of Bohemia, have been subjected in the fifteenth and seventeenth centuries has led them, of course, back to the Roman Church, to which it is well known the Poles, or Slavonians of Galicia, likewise in their great majority belong; and these two facts, coupled with strong dialectic differences, are of political importance, as they may go some way towards counteracting the machinations by which both the West Slavonians and the South Slavonians are to be drawn together into what appears to some enthusiasts† a bond of loving brotherhood, but to others the meshes of the Russian net. In the Tyrol the people are nearly to a man (and woman) Roman Catholic. Sincerely religious, and a trifle bigoted, they have even to be weaned by Government from expressing their dislike of Protestants by the upholding of inadmissible restrictions. Under such circumstances, it is natural enough to expect that considerable regard will still have to be shown to the Roman Catholic religion by the Austrian Government. But that government, in unison with the Vienna Reichsrath and the Pesth Diet, is on the good road to that equality of rights of all religious

\* We take these figures as to the number of different Churches from Reden's "Staatshaushalt und Abgabenwesen des Oesterreichischen Kaiserstaats," Darmstadt, 1853, pp. 1,024. The numbers of the population there given have, no doubt, increased since the period to which this very comprehensive work refers, but the proportions cannot have essentially changed.

† The two ladies, amongst others, Miss Mackenzie and Miss Irby, who have just published the results of their travels, for which they were prepared by the Pan-slavist agitators of Prague and Vienna. "The Turks, the Greeks, and the Slavons." Bell & Daldy, 1867, pp. 688.

In this connection may also be mentioned Dr. Humphrey Sandwith's "Notes on the South Slavonic Countries, in Austria and Turkey in Europe." (Blackwood & Sons, 1865, pp. 66.)—The Author knows more about Turkey than about Austria, but he is willing enough to include, in favour of the Slavonians, the latter in his condemnation of the former. It is perhaps fair to suppose that, had he lived to see Austria turning into a new path, his views might have been modified. Compare also "The Serbian Nation and the Eastern question," by Vladimir Yovanovitch. (Bell & Daldy, 1863.) The author is unjust to the Turks, quoting against them pretended words of the Koran which he cannot have read.

professions which has become, in our days, the unabateable claim—or, at least, the ideal—of the political philosopher. Let the dead body of the Concordate be buried out of sight in as decent and decorous a manner as may be; its departed spirit will no longer vex the soul of any friend of freedom and justice.

### III.

THE pamphlet which we mentioned at the head of these articles, and whose title we again cite below,\* betrays its origin by a number of Germanisms. These occur rather in the manner of viewing and illustrating matters, than in mere verbal peculiarities, and need repel no reader. This German, or, we should say, Austrian origin does, in our eyes, no harm to the value of the *mémoire*, and we rather like that this origin should be so manifest to the reader as almost to lift the pamphlet out of its sphere of anonymous productions, and give it somewhat of the stamp of tangible responsibility. It is highly desirable that the public should learn more about Austria from Austrian sources, or from the friends of Austria, and in this view we were glad to see in the ably conducted new weekly, *The Chronicle*, a series of articles proceeding evidently from very unusual knowledge of the case, and others during the last year in *Macmillan's* and the *Cornhill*, though some of the contributions in the latter be tinged by the personal disappointments of a minor diplomatist. What an English author, conversant by a long stay with Austria, has said of her, is certainly in a great measure true. "The chief sources from which we have obtained information respecting her, have been those inimical to herself." And again—"We were in reality ignorant of her true condition, of her necessities, of her difficult and peculiar position towards her various peoples, and of the real motives which guided her."†

This want, then, of more direct information, or, at any rate, of evidence for the accused, is to some extent supplied in the pamphlet before us. Not fully; further elucidations in the same direction will from time to time become desirable; and even now it would help one greatly to get out of a state of bewilderment which so many attempts at constitutional organisation leave behind, were the author to draw up a little collection of documents, which at the side of the historic account would state, as nearly as might be in the words of the charters and resolutions themselves, the actual condition of things, omitting that which has been abrogated, and filling

\* "Austria, a Constitutional State: a Short Sketch of the Use, Progress, and Development of Constitutional Life in the Austrian Dominions." London: Dulau & Co., Soho Square, 1867.

† "Prussian Aggression and England's Interests." London: E. Stanford, Charing Cross, 1866.

up the picture with such geographical and statistic detail as would, in such connection, be very welcome to the foreigner.

On this present state of things we will hear our author, premising, however, that the reader has to represent it to himself as preceded by these sevenfold successive different conditions.

(a) Before 1848 Absolutism, practically *pur et simple* on this side of the Leitha, with an occasional and almost nominal activity of provincial estates unconnected with each other, and totally without practical influence; but on the other side of the Leitha, the full activity of [the Hungarian Diet, then simply an oligarchic body, protecting the privileges of the nobility; Metternich the master.

(b) In Vienna, in Hungary, everywhere, the revolutionary fever of 1848, resulting in much bloodshed, abolition of old rights, aspirations after new ones, but practically leaving behind it the great result of freeing the cultivator of the soil from the remainders of serfdom; nobody in particular governing, everybody wishing to govern.

(c) The octroyed constitution of March 4th, 1849; a dead-born child wishing to grow great by abolishing the authority of Hungary; granting centralised parliamentary institutions which never acted; a baby Hercules strangling himself with the serpents he wanted to kill; Baron Bach the nurse.

(d) After the great catastrophe of 1859, the establishment of the Reichsrath, or rather its change, or "enlargement" by decree of 5th March, 1860, from a Council of State into a semi-parliamentarian assembly drawn from the revived provincial diets, and with small powers to be exercised by its eighty members, some appointed by the emperor for life-time, others selected by him out of a list of candidates, three for each seat, to be proposed by the diets; assembly meeting, so constituted, yet demanding financial and other reforms; obtaining the change of the character of the Reichsrath from a consultative into a "deliberative and consulting" body. (Imperial Rescript of 17th July, 1860.) Counts Goluchowski and Rechberg the inefficient soothers of the patient.

(e) The period of the diploma of 20th October, 1860, extending the numbers of the Reichsrath, and especially its functions, re-establishing the Hungarian Parliament, though not yet all its privileges; creating a restricted Reichsrath for affairs respecting the Cis and Transleithan countries; attempting a reorganisation of the constitution of the estates of non-Hungarian crown lands, not without a good by-taste of feudalism; steering a middle course between federalism, that means in Austria the almost complete autonomy, under feudal leaders, of the single provinces, and centralism, that is the bureaucratic negation of local individuality; satisfying no one, erecting nothing tangible but loud agitation in Hungary, declaring in unmistakable Magyar, not elsewhere intelligible, that they would not go to Vienna, happen otherwise what might; the father and would-be manager of the chaos, Count Goluchowski, a Pole.

(f) Out of which chaos sprung the imperial patent of February

26th, 1861, parliamentary again, interpreting itself as being the fulfilment of the October diploma, and as being its counterpart also; the position of Hungary remaining essentially the same; that of the other provinces being by the influence of German liberals modified, in a sense unfavourable to the federalistic, feudal, and Slavonic views; the constitution of the Reichsrath somewhat assimilated to the English model, an upper and lower house created, the members of the lower house no longer nominated by the emperor, but elected by the provincial diets, which were confined, however, in their choice of delegates, being bound to elect a certain proportion from among the supposed representatives of the different interests or localities, according to a principle on which the provincial estates themselves were made to rest, and which was not quite an innovation;\* the new "Reichsrath"—after the abolition of the old one, restricted and not restricted—being called together, expecting to be joined by the Hungarians; Hungarians declining, as usual, won't go anywhere, stand by Pragmatic Sanction; Reichsrath turned into a special and restricted Reichsrath, meaning this time for the treatment of all non-Hungarian affairs; this, in all essentials still, or again, the new constitution, *auctore* Chevalier Von Schmerling; Reichsrath meeting now, 1867, again, but no longer expecting Hungarians. But this is anticipating—

(g) The Hungarians still standing out, not coming to Vienna, though Transylvania, that is, the non-Magyar portion thereof—Germans and Roumains—did send deputies, the Reichsrath at Vienna gained indeed control over the finances (not sufficient to end the financial troubles), and the principle of ministerial responsibility†—the former of which principles the Prussian Chamber has

\* At the same time each crown-land was furnished with special regulations in respect to the number of representatives, and the mode of their election by the different classes of electors; the boundaries of the country districts being carefully defined. The various classes of electors were divided into three categories:—1st. The large landed proprietors. 2nd. Citizens of towns and market-places, including members of the Chambers of Commerce. 3rd. Inhabitants of country districts, including voters in their own right having a so-called *votum virile*. The two first categories were direct voters, the third category were indirect voters; they had to choose a voter for every 500 inhabitants. Thus many citizens were entitled to a double vote; as, for instance, a member of the Chamber of Commerce could vote in that capacity as well as in that of a ratepayer, so that already a greater regard was paid to the principle of the "representation of interests" than "class representation," as was formerly the case. Taking the diet of Lower Austria as an example, we find it composed of two ecclesiastics (the Archbishop of Vienna and the Bishop of St. Polten), the rector of the university, fifteen deputies from among the large landowners, twenty-four from towns and market-places, four from the Chamber of Commerce, and twenty from the country districts. The qualification for an elector of the first category was the payment of 200 florins annually in direct taxes. For the second category, 20 florins in Vienna and 10 florins in the other towns. Members of the Chambers of Commerce, clergymen, professors, and officials, were voters without regard to the payment of taxes.

† On the 1st of May, then, Minister von Schmerling declared himself authorised to inform the members of both Houses that the declaration made in the House of Representatives on the 2nd of July, 1861, by the ministry to hold themselves

just lost by means of the North German Bismarkian hoax, while she could never gain the latter—and thus, already five years ago, a French writer could say, and be reprimanded for it, that there was more liberty in Austria than in France. But neither the State in her integrity, nor the government itself, nor the advantages gained by the liberal party, could gain consistency and duration, while the Hungarians, allying national with aristocratic feeling, and with whom for a while the Slavonians, both feudal and generally destructive, joined, continued to stand out, deaf to every consideration but those drawn from their own valuable privileges. As to the rejection of the proffered gifts, there was no doubt among them, they divided only whether they should reject them by an address to the emperor—or rather king—or should pass them by with a resolution. The speech of Deák, the great leader of the moderates, will be long remembered, and is noteworthy as containing the substance of the Hungarian grievances against Austria (13th May, 1861).

“In former times,” he said, “the disputes between the sovereign and the Hungarian nation arose from two parties giving different interpretations to the laws, the validity of which was recognised by both. At present the Austrian government is trying to force Hungary to accept a constitution as a boon, in lieu of those fundamental laws to which she is so warmly attached. On the side of Hungary are right and justice, on the other side is physical force. During the last twelve years we have suffered grievous wrongs. The constitution which we inherited from our forefathers was taken from us; we were governed in an absolute way, and patriotism was considered crime. Suddenly his majesty resolved ‘to enter the path of constitutionalism,’ and the diploma of the 20th of October, 1860, appeared. That document encroaches on our constitutional independence, inasmuch as it transfers to a foreign assembly (the Reichsrath) the right to grant the supplies of money and men, and makes the Hungarian government dependent on the Austrian, which is not responsible for its acts. If Hungary accepted the diploma of the 26th October, she would be an Austrian province. The policy of the Austrian government is a direct violation of the Pragmatic Sanction, the fundamental treaty which the Hungarian nation in 1723 concluded with the reigning family.\* We must therefore solemnly declare that

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responsible to the Reichsrath for the maintenance of the Constitution and for the exact fulfilment of the laws, had been given with the express sanction of the emperor; that his majesty had consented to the principle of ministerial responsibility; and that the decree of the 20th of August, 1851, enacting that the ministry should be responsible solely and exclusively to the monarch, had been revoked. With this declaration another corner-stone was inserted in the constitutional edifice which considerably strengthened the moral power and authority of the House.

\* The Pragmatic Sanction is the fundamental political contract with respect to the succession to the throne which the Hungarian nation in 1723 concluded with the King of Hungary, the ancestor of the present reigning family. The Hungarian nation gave the female line of the Hapsburgs the right to reign in Hungary on condition that the future sovereigns of that line should govern according to the existing laws of the country, or according to the laws which might in future be made. The Emperor Joseph II., who was never crowned in Hungary, governed that kingdom absolutely; but its inhabitants never recognised him as their lawful sovereign. Maria Theresa was the first “king” who in virtue of the Pragmatic Sanction ascended the throne of Hungary, and she faithfully fulfilled the conditions of that bilateral treaty. Leopold II., the second Hungarian king, who ascended the throne on the death of Joseph II., signed an inaugural diploma, took the usual coronation oath, and, besides, sanctioned the 10th

we insist on the restoration of our constitutional independence and self-government, which we consider the fundamental principles of our national existence. We can on no account allow the right to vote the supplies of money and men to be taken from us. We will not make laws for other countries and will share our right to legislate for Hungary with no one but the king. . . . We will neither send deputies to the present Reichsrath nor take any share in the representation of the empire." At a subsequent sitting of the Hungarian Diet, Count Julius Andrassy (now Hungarian minister), made a still more determined speech in defence of Hungarian independence. "The nationalities inhabiting the empire," he said, "must choose between *centralization* and *federation*. Centralization and absolutism must necessarily go hand in hand. If the principle of *duality* is recognised, and Austria has a free constitution, a union between the empire and Hungary may easily be effected. The Hungarian nation refuses to have anything to do with the promulgated constitution of the 26th of February. The position of Austria as a great power is better secured by the principles of *duality* than by the principles of *unity*. The Hungarians will continue to insist on the restoration of the laws of 1848."

#### IV.

THE Radical-Magyar party had insisted and carried that the title of "Imperial Royal" should not be given in the address to the king, who was simply called "your majesty," consistently with the Magyar doctrine, which did not admit the validity of his predecessor's abdication, and the present emperor's accession, and with the Hungarian axiom, *Princeps est qui jurat, qui jurata servat et qui coronatus est*, an axiom which is worthy of a free nation, and pleasing to an imaginative one.

With a royal rescript, dated the 30th June, the address was returned—

"We consider it to be our first duty," said the emperor in this rescript, "in order to preserve the humble respect that is due to our royal person and our royal hereditary rights—a respect which the throne and its dignity demand by good right, and which has been set aside in this address of the States and representatives by their discarding the forms legally used, to reject the address which, in violation of the royal prerogatives, is not addressed to the hereditary King of Hungary."

The Hungarian Parliament gave way on this point, and the form of the address in which it had been proposed by Deák being restored, it was adopted unanimously, and received by the emperor from the

Article of the Laws of 1790, which guaranteed to Hungary all her constitutional rights and privileges. Francis I., in his inaugural diploma, guaranteed the maintenance of the rights, liberties, and laws of the nation, and in the 33rd year of his reign (1825) he solemnly recognised the validity of the above-mentioned 10th Article of the Laws of 1790. King Ferdinand V. (the ex-Emperor Ferdinand I., of Austria) gave similar guarantees in his inaugural diploma, and besides sanctioned the Laws of 1848. The male line of the Hapsburgs was extinct in 1740 (Charles VI. died in that year), and Hungary would have been at liberty to elect her own king had not the Pragmatic Sanction been concluded in 1723. By the Pragmatic Sanction Hungary and Austria are united in the "person" of the sovereign, but there is no trace in the Hungarian laws of a "real" union between the two countries.

hands of the two presidents. Our author summarises as follows the answer which, after some wrangling between the October men and the February men—distinctions little observable from here and at this time—was given by Minister Schmerling's advice :—

The emperor does not insist on amalgamation, and grants internal autonomous administration, but requires dynastic, military, diplomatic, and financial unity with the rest of the empire. . . . The emperor will spontaneously restore the Hungarian Constitution under the conditions necessary to the development of the whole empire. He recognises the laws of 1848, concerning the abolition of the privileges of the nobles, the *corvées* and feudal burdens, the general admissibility to public employments and to the possession of landed property—that relating to the electoral rights of the lower classes ; but he cannot sanction the laws of 1848, which are hostile to the rights of the non-Magyar population of the Hungarian counties and to the Pragmatic Sanction, and must be modified before the negotiations are entered into about the Coronation Diploma. The Diet is requested to bestow its attention upon this revision ; it is besides requested to send provisionally deputies to the present sittings of the council of the empire—according to the fundamental law of the 26th of February—in order to protect the influence of the country upon the general affairs which are to be debated and settled in the course of August.

The answer of the Hungarians was so energetic and thorough a "*non possumus*" that the pope might have envied it. Received with much emotion, the Imperial rescript was handed for reply to Deák, who produced a voluminous document, asserting with great judicial knowledge the rights of Hungary, declaring to "hold fast the constitutional independence of the country and the Pragmatic Sanction, without any exception whatever," and rejecting the Imperial Diploma of October 1860, and the intended application to Hungary of the patent of the 26th of February, 1861 ; solemnly protesting "against the exercise on the part of the Reichsrath of any legislative or other power in regard to Hungary," and reiterating the declaration "that they will not send any representatives to the Reichsrath, whose acts and ordinances referring to Hungary, or its annexed parts, must be regarded as unconstitutional and not binding." Received with rapturous approval, the proposed address was immediately adopted in the Lower House by an immense majority, in the Upper House unanimously and without any alteration.

The emperor's unfavourable reply was followed by many resignations of high Hungarian officials.

"On the 22nd of August the royal rescript, dated the 21st, decreeing its dissolution, was read in the Diet. The plan of opposition adopted by the Hungarians was that of passive resistance by the non-payment of taxes. In consequence of this, and in order to quell the demonstration of the comitats, the committee meetings of the latter were closed by the military. General Count Palfy was appointed Governor of Hungary, the country placed under martial law, and a sort of military dictatorship established. Soldiers were billeted on the inhabitants, the taxes were sullenly paid, but no outbreak occurred, although the feeling of discontent was stronger than

ever. In an autograph letter the emperor made known his intention of restoring the Hungarian Constitution, promising at the same time to keep intact the rights and liberties of the people, and to convoke the Diet and the municipalities of the kingdom in accordance with the terms of the October Diploma ; but the six months within which the Diet was to be re-convoked passed without any change being made in the situation. The Cabinet of Vienna determined to break the spirit of the nation by applying to the countries beyond the Leitha the worst maxims of the Bach period. The passive resistance of the Hungarians, however, continued up to the time of the reconciliation effected by Baron von Beust's ministry."

Under such circumstances, the Vienna "Reichsrath" and the constitutional laws establishing it could not, as we have observed, gain much consistency. In vain the emperor, struggling against the resisting force of circumstances and men, spoke to his Vienna Parliament these solemn words—

I consider it to be my duty to my peoples to declare the General Constitution in accordance with the diploma of the 20th of October, 1860, and with the fundamental laws of the 26th of February, 1861, to be the "inviolable foundation of my united and indivisible empire," and I on this solemn occasion swear faithfully to observe it and to protect it with my sovereign power, and I am firmly resolved energetically to oppose any violation of the same, as I shall consider it as an attack on the existence of the monarchy, and on the rights of all my countries and peoples.

The Slavonic agitation increased these difficulties, thus résuméd by our author :—"Owing to the agitation prevailing in Hungary, the issue of writs for new elections, as prescribed by the Patent of 26th February, 1861, could not have led to any result. Consequently, of the 343 members who ought to have attended, 85 deputies of Hungary were absent from the Reichsrath ; so were, from analogous reasons, the 9 deputies from Croatia and Slavonia, and the 20 Lombardo-Venetians, and even of the remaining 203 members of the Germano-Slavonian provinces all were not present. The Reichsrath thus lost much of its importance and its influence, because it represented only those countries the affairs of which belonged to the sphere of the restricted Reichsrath, and as such it was also shortly after regarded by the Government. By strict right this assembly was incompetent, especially in regard to financial matters, which could only be legally and constitutionally settled by the co-operation of a complete Reichsrath in which all the kingdoms and countries of the empire were fully represented."

At last, on the occasion of a visit of the emperor to Pesth, in the winter of 1864-65, a journey which he is said to have undertaken contrary to the wish of his ministers, signs of the feasibility of an arrangement with the Hungarians appeared. Schmerling had thought, we know not on what ground, that only with Ultra Liberals of Hungary, was such an arrangement possible. But the Conservative Count Majlath was named chancellor. The Conservatives and moderate Liberals together inclined to a compromise.



"Ever since the dissolution of the Hungarian Diet," says our author, "and the retirement of Vay and Szesen, close relations had been kept up between the Hungarian Old Conservatives and the Federalist section of the Reichsrath. They showed, on the other hand, great attention to Francis Deák, and endeavoured to come to an understanding with him as a leader of the moderate Hungarian Liberals. About Easter, 1865, a highly conciliatory article appeared in his organ at Pesth, which was speedily followed by three letters from Pesth, published in the *Debatte*, setting forth authoritatively the programme of the moderate Hungarian Liberals. The *Debatte*, speaking in the interest of the Old Conservatives, claimed for these letters a careful and candid perusal, which they obtained from a very wide circle, and so contributed materially to prepare the way for a reconciliation. The principal points laid down in those letters were that without the retirement of M. von Schmerling no good understanding between Hungary and Vienna could be dreamt of, and that Deák and his friends were generally in favour of a conciliatory policy. They then pointed out that the Hungarians took their stand upon the Pragmatic Sanction, and that to leave so firm a standing-ground would be impossible. The leading principles enunciated by the writer were, that a central parliament was impossible; that a separate Hungarian ministry was indispensable; and that the countries east and west of the Leitha must be considered as two aggregations of lands having a parity of rights."

But it was thought that no compromise could be effected while the Vienna Reichsrath, with its claim to comprise all parts of the monarchy, was in activity. An Imperial "patent," of September 20, 1865, suspended its activity. From this lengthy document we will quote the concluding passages—

Until the fundamental laws of the different provinces are brought into accord, the great and promising idea of a general and constitutional representation of the empire cannot be properly realised.

In order to redeem my imperial promise, and to avoid sacrificing the reality to the form, I shall endeavour to come to an understanding with the legal representatives of my peoples in the Eastern parts of the empire, and shall propose to the Hungarian and Croatian Diets to accept the diploma of the 20th of October, 1860, and the fundamental law relative to the representation of the empire, which was published with the patent of 26th February, 1861.

It being legally impossible to make one and the same ordinance an object of discussion in the one part of the empire, while it is recognised as a binding law in the other parts, I am compelled to suspend the law relative to the representation of the empire, at the same time especially declaring that I reserve to myself the right, before I come to a decision, of submitting to the legal representatives of my other kingdoms and countries, whose opinions will receive the consideration due to them, the results of my negotiations with the representative bodies of the Eastern kingdoms, should they be in accordance with the law which provides for the maintenance of the unity, power, and influence of the empire.

I regret that this measure, which is absolutely necessary, will lead to an interruption of the constitutional action of the lesser Reichsrath, but the organic connection and equal value of the various parts of the fundamental law, on which is based the action of the Reichsrath, renders it impossible that one part of it can be in force while the other is in abeyance.

Previous to this, Chevalier Schmerling had been replaced as head of the Austrian Cabinet by Count Belcredi, the friend of the Slavonic federalists.

The considerations of the compromise with Hungary and the representation of Parliamentary life in Austria we must reserve for our next article.

## V.

IN our preceding article we brought the history of the Austrian constitution and the re-establishment of the Hungarian institutions down to the appointment of Count Belcredi, and the issue of the imperial patent of September 20th, 1865, by which the exercise of the Austrian constitution of October, 1860, and February, 1861, was suspended until it could be, after due constitutional deliberation, accepted by the Hungarian Diet.

A doubt is allowed whether this step was so "absolutely necessary" as the imperial patent declared it to be. It certainly was far from being considered so by a great part of the people, and a great number of leading politicians. It gave very great satisfaction, no doubt, to the Czechs of Bohemia, who knew the presiding minister, Count Belcredi, to be favourable to their particularist tendencies, and who promised to themselves all sorts of successes as the result of the new discussions into which the as yet new-born constitutional life of Austria was to be drawn. A similar feeling existed in Galicia, the Poles for once finding themselves on common Slavonic ground with the Bohemian Czechs.\*

An assembly of German deputies at Vienna, in October, expressed

\* By no means a common thing. The Poles find as little sympathy among the Czechs as do the Germans or the Hungarians. Some valuable testimony to that effect has just been offered to the English public: a well-informed writer in the *Westminster Review* for October, who looks forward to the destruction of Austria in the interest of the Slavons, and who, in his dislike to Germans and Magyars, almost lifts the visor of anonymity, to show a Russian countenance, says of the Poles:—"Whose last insane insurrection, we may say in passing, the Czech politicians from the first condemned" (*W. R.*, vol. lxiv., new series, p. 454). Such a passage is worth volumes of writing and hours of talk; it shows at once the great necessity, on which we have before insisted, of Germans and Hungarians standing firmly together, in view of the threatened Slavonic upheaving, whilst sharing in a spirit of justice all civil freedom with their fellow subjects. Yet so much was it the fashion but a few months ago in English liberal circles to greet with a welcome any movement hostile to Austria, that a very well-meaning man, while the Hungarian difficulty was not yet quite decided, said to the present writer that "the Hungarians ought to make common cause with the Czechs against Austria." Any combination, however impossible or unnatural, was wished for or welcomed which would seem to lead forces against the German civilising element. And as yet it is hardly acknowledged that it is by the Austria of to-day that the Poles receive the fairest measure, while oppressing Prussia is extolled, and oppressing Russia ogled with.

themselves unanimously against the suspension of the constitution, and when the different provincial diets were convoked, for their action was not suspended, it became clear that the step which Count Belcredi had caused the emperor to take was by no means generally approved on this side of the Leitha. Seven of them, representing a population of about four and a half millions, expressed, either in resolutions or addresses, dissatisfaction with the September Act, which dissatisfaction was most decidedly pronounced in the addresses of the Diets of Lower Austria and Vorarlberg. That of the latter was couched in such violent and disrespectful language that it was not received by the crown. The Diets of Galicia, the Bukowina, Bohemia, and of the seaboard of Istria, Trieste, etc., acted quite contrary to the former, and voted addresses expressing gratitude for the September manifesto. The Diet of Dalmatia likewise voted an address approving of it, but regretting the suspension of the Reichsrath. In the Diets of Moravia and Carniola, neither motions nor addresses to express thanks or dissatisfaction were carried. The Diet of Tyrol did not enter into any discussion of the September manifesto. It simply received it in silence. The diets (including Dalmatia) which in their addresses to the throne expressed approval of the September Act, represented a population of upwards of ten and a half millions.

The "silence" of the Tyrol Diet is not a little significant. It was bought by Count Belcredi making concessions to the bigoted feeling which pervades too much the otherwise excellent population of that interesting country. Baron Schmerling had at last ordered—what was but a long over-due fulfilment of a privilege conferred by the constitution of the German Confederation, of which the Tyrol formed a part—that Protestants had a right to acquire landed property and settlement in that Catholic country. Count Belcredi supplemented or interpreted this declaration so as to forbid the formation of Protestant communities, unless the consent, in every case, of both the government and the diet could be obtained, and he exemplified his meaning by refusing permission to the Protestants of Meran to constitute themselves as a community. By such acts, and by the favour shown in Bohemia to the Czechian language over the German, the language of the intelligent and industrious minority, the presiding minister showed that he looked for his support to the feudal chiefs, the Slavonic populations, the Ultramontane priests.

With all that, he was not prepared to make to the Hungarians the large sacrifices which they required; and the suspension of the constitution, effected, it was said, to render an agreement with Hungary more possible, gave hardly more satisfaction on the other side of the Leitha than on this. The Hungarian press even regretted the suspension of the activity of the "restricted Reichsrath," which ought to have continued its activity while the negotiations with Hungary were being carried on. And indeed the argument in the imperial rescript as to its "being legally impossible to make one and the same ordinance an object for discussion in the one part of

the empire, while it is recognised as a binding law in the other parts," seems to us but to be a narrow and pedantic lawyer's view. The restricted or lesser Reichsrath might, it still appears to us, have further transacted the business of the non-Hungarian countries. The emperor's advisers had, however, as we have shown, prevailed on him to declare that "the organic connection and equal value of the various parts of the fundamental law, on which is based the action of the Reichsrath, renders it impossible that one part of it can be in force while the other is in abeyance." But even this kind of homage paid to the Hungarians by temporarily suspending for their sake the recently acquired constitutional rights of the non-Hungarian populations, failed to conciliate the proud Magyars, deaf at that time to any consideration drawn from the general weal of the empire, and bent exclusively on the re-establishment of their peculiar institutions and practical independence. Count Belcredi, however, by no means meant to go the length of their desires, and they by no means meant to accept the diploma of October, 1860, and February, 1861, even though they were no longer to be imposed on them, but submitted to their discussion and approval. "No common representation at Vienna" continued to be their battle-cry, after their Parliament had been restored as well as before. They simply continued to demand their own constitutional liberties, from which demand they knew not to separate the other of having the *partes annexæ*, especially the unwilling Croatia, and the but half-willing Transylvania, restored to their control; showing again that curious compound of love of freedom for themselves and of dominion over others which, we fear, is a characteristic of the Magyar race.

These demands, the "Continuity of Rights," and the "territorial integrity of the Crown of St. Stephen," were formulated in extra parliamentary conference at Pesth, November 11, and the imperial government showed compliance at once with the second demand while it prepared itself partially to give way to the first; the direction of the public mind in Hungary passing in the meanwhile more and more from the hands of the Old-Conservative party, on whose support the emperor had counted, and one of whose chiefs, Count Majlath, had found a place in the ministry, into that of M. Deák and the stern defenders of Hungarian constitutional doctrine. On December 14, 1865, the Hungarian Diet was opened at Pesth by the emperor. In the conciliatory speech from the throne, he said that a contradiction existed between the view of some Austrian statesmen, who asserted that Hungary had forfeited all her constitutional rights by the insurrection of 1848-49, and the claim of the Hungarians to have all reform carried out on the basis of historical rights. This contradiction could only be reconciled by the Pragmatic Sanction, which both parties had taken as their point of departure. He recognised the necessity of the self-government of Hungary, so far as it did not affect the unity of the empire and the position of Austria as a great power. He wished to re-establish the integrity of the Hungarian crown, and, in order to effect this, steps had been

taken that Transylvania and Croatia should be represented in the Diet at Pesth.

The first task before the Diet was to take into consideration those questions which concerned all the provinces. The emperor wished the Diet to keep in view, as their principal aim, the unity of the empire and the position of Austria as a great power.

The second object of the Diet was to be the revision of the laws of 1848, which had to be modified, since they were incompatible, not only with the unity of the empire, but also with the rights of the sovereign.

After these questions the Diet was to discuss the programme of the coronation of the Emperor of Austria as King of Hungary. He hoped that the confidence between the nation and the king would be increased, and that the great work of decentralising Austria and Hungary would give satisfaction to all the nationalities composing the empire.

Thus the royal speech set aside for ever that dangerous doctrine which had occasioned so much bitterness and rendered all sincere understanding impossible—the doctrine of the “forfeiture of rights” —choosing as a starting point the mutually admitted basis of the Pragmatic Sanction. The emperor recognised in his speech the political and autonomous independence of Hungary and its dependencies, and declared that the crown would keep intact all clauses of that compact referring to the integrity of the Hungarian crown, laying particular stress, however, on the requirements of the empire as a great power, and on the necessity for a combined constitutional management of those affairs which concerned the whole realm. Upon this clear legal foundation the pending political questions had to be settled.

The draught of the address in reply to the emperor's speech from the throne did not come on for discussion in the Lower House of the Diet until the month of February, 1866. Like M. Deák's addresses of 1861, it was very firm in tone. It contained 58 long paragraphs and was remarkably loyal, expressing confidence in the sovereign, and congratulating his majesty on the constitutional sentiments contained in the speech from the throne and his recognition of the continuity of rights. But it pleaded for the letter of the law as regarded the old constitution. It rejected the October Diploma and the February Patent as bases of negotiation, and expressed great satisfaction that the monarch had acknowledged the Pragmatic Sanction as the point of departure, pointing out that the safety of Austria and the independence of Hungary were not antagonistic. It announced that a special bill would be prepared for the settlement of matters common to Hungary and the rest of the monarchy, and declared the readiness of the Diet to negotiate with the other provinces while reserving the independence of each. It stated that it was the desire of the Diet to bring about the real restoration of the constitution, and expressed a hope that his majesty would speedily be crowned as King of Hungary. It thanked his majesty

for having summoned the Croatian and Transylvanian deputies to the Diet at Pesth, and demanded that the Hungarian crown should be fully reintegrated by the reincorporation of Dalmatia and Fiume with Hungary. It solicited an amnesty for political offenders, and demanded the re-establishment of municipal autonomy and the nomination of a Hungarian ministry. There were other passages in the address which seemed intended to admit of compromise, particularly as to the necessary unity in the treatment of affairs common to the whole empire. The draught of the address was adopted almost unanimously.

The Upper House was not satisfied with the address voted by the Lower House, and the magnates decided by a majority of 83 (136 against 53) to present a separate address, which, however, in principle coincided with that of the Lower House.

On February 27, deputations from both Houses presented addresses to the emperor at Ofen. In reply his majesty said, he hoped the magnates, faithful to their traditional mission, would throw the whole weight of their wisdom and impartiality into the scale for the realisation of his paternal intentions, and that the Lower House would follow the course pointed out in the speech from the throne, in order to combine the attainment of their own constitutional rights with an arrangement equally satisfactory to the other nationalities. His majesty then abruptly left the audience room, and the deputation withdrew in surprise without pronouncing the usual *Eljens*.

On the 28th February, M. Deák moved in the Lower House at Pesth the appointment of a commission of 67 members (52 Hungarians and 15 Transylvanians) to arrange the mode of treating the affairs common to Hungary and Austria, thus taking the first step towards arriving at an understanding.

A few days afterwards, on the 3rd of March, an imperial rescript in reply to the addresses of both Houses was read in the Diet, in which the emperor expressed his satisfaction at the acknowledgment made by the Diet that certain affairs were common to Hungary and Austria; he also said he expected that further negotiations would lead the Diet to acknowledge the necessity for a revision of the laws passed in 1848. The rescript then stated that the 3rd Article of the Laws of 1848, establishing a separate ministry for Hungary, could not be maintained consistently with a proper treatment of common affairs, and that Article 4 of the Laws of 1848, stipulating that the Diet could not be dissolved by the government before the budget had been voted, could not be carried out. The rescript further announced that an immediate re-establishment of the Comitates was impossible, and finally referred to the laws of the year just mentioned, relative to the National Guard, in which body the emperor thought some modifications necessary. In conclusion, his majesty repeated that the re-establishment of the laws of 1848 was impossible without their previous revision.

This rescript, which left the hopes of the Hungarians unfulfilled, gave rise to another address of both Houses of the Diet, deploring

not only the rejection of all their requests, but also the suspension of those laws which required no modification. It stated that if his majesty did not intend an absolute government, a constitutional state of affairs must be practically re-established. The various points of the imperial rescript were controverted in these addresses, and the re-establishment of a parliamentary and legal municipal government again demanded. Hungary, it was stated, required a real constitutional rule, the establishment of which was by no means a political impossibility.

This address was unanimously adopted by the Lower House, but by the Upper House with the very small majority of only 106 against 102 votes. On the 26th of April the address was received by the emperor, who expressed a hope that the Diet would accelerate the arrangement of those matters upon which depended the tranquillity, power, and prosperity of the whole monarchy as well as of Hungary.

This was the position of the constitutional struggle when the war with Prussia and Italy broke out. With the beginning of the fighting, June 27th, the Diet of Pesth was prorogued, and Austria, on this side of the Leitha and on that, was without any parliamentary activity when the terrible crush of Sadowa fell on her, and Austria's difficulty became Hungary's opportunity.

## VI.

WHETHER, and how much, the appearance on the theatre of war of a Hungarian legion under General Klapka, in the service of Prussia, and the rumours of a Prussian prince offering himself as a candidate for the Hungarian crown, had to do with disposing the Austrian government to large concessions to Hungary, we are not in a position to decide. On the whole, we are inclined to think that the influence of these facts, though not null, was not considerable. The legion, even on paper, never surpassed 4,000 men; and it did not get into actual conflict. Whether it would have been increased from out of the ranks of the army, and whether there was any party prepared to accept the offer, never formally made, of the Prussian prince, remains doubtful. Still, both circumstances might appear ominous storm-signals, and should not be passed over in even this succinct account of constitutional struggles in the Austrian monarchy.\*

But what became of immediate importance, was a conference of the principal members of the Hungarian Lower House, held at the house of Baron Kemengi in Pesth, while yet the question was undecided whether Vienna should be defended against the Prussian

\* The author of "Austria, a Constitutional State," mentions neither circumstance.

hosts. In the name of his colleagues, M. Deák published on July 17, 1866, their sentiments, which under the force of circumstances, became, not disloyal, but most grave demands. "A considerable part of the country," said M. Deák, in the *Pesti Naplo*, "is inundated by hostile armies; only Hungary is yet free. But Hungary is dead. If not everything, she can do nothing, for her hands are bound. What alone can make them free and breathe life into her is a parliamentary government. If Hungary can yet do anything for the monarchy, it will be when her liberty of action has been restored to her, when a government is placed over her which is the emanation of the national will, in which the nation finds a guarantee of its territory and its rights."

On the next day, July 18, the patriotic leaders were negotiating with the government at Vienna respecting the concession of a ministry for Hungary.

During this critical time, the municipalities of Vienna, Salzburg, Glatz, etc., petitioned the emperor to convoke the Reichsrath and to put again in force the February Constitution, but, instead of granting their wishes, martial law was proclaimed at Vienna in order to prevent discussion of the internal condition of the empire. When peace was concluded, numerous meetings of deputies from the German provinces took place, at Aussee, in Styria, and at Vienna they declared themselves in favour of the system of dualism, with a joint parliamentary treatment of the common affairs, but against all federalistic tendencies, as well as against the conclusion of a compromise with Hungary made by the separate Diets of the different countries, since such a compromise was only admissible through the united representation of the countries of the monarchy not linked with the Hungarian crown.

At length, on October 14, the emperor convoked all the provincial Diets for November 16, with the exception of those of Hungary and Transylvania; the former of which, however, was likewise convoked on October 30, to meet on the same day at Pesth.

On the same October 30, an important change took place in the councils of the emperor. Count Mensdorf resigned the portfolio of the foreign affairs, which passed into the hands of Baron Beust, until then minister of Austria's faithful ally, the King of Saxony. At the same time, the Hungarian Count Maurice Esterhazy, who passed as the representative of a reactionary policy, left the cabinet. The helm of affairs was, however, intrusted to Count Belcredi, who continued secretary for home affairs, and his tendencies, which we have before characterised as Slavophile, to which we might have added bureaucratic, swayed for a while longer the general course of the constitutional question, on which as yet Baron Beust could exercise but little influence.

These changes were considered not sufficiently thorough; they awakened not the full measure of confidence required. The Diets resumed their sessions with discordant recriminations, and, as before,



Centralists, Dualists, and Federalists uttered their watchwords unharmoniously, barrenly.

Even the Hungarian Diet was not satisfied, though much was done to meet half-way the demands of the nation. The emperor-king, by a rescript to the Diet, of November 17, declared that in resuming the thread of negotiations with the Diet, on the basis of the terms mentioned in the last speech from the throne, the principal object to be accomplished was the constitutional settlement of the connection of the different parts of the monarchy, and the speedy re-establishment of the autonomous rights of Hungary. The emperor regretted the prorogation of the Diet just at the time when the Sub-Committee of the Commission of 67 \* had drawn up a project with reference to the discussion and the treatment of common affairs, which his majesty recognised as a fitting basis for the establishment of the constitutional compromise. The rescript also indicated points as to which it appeared requisite that the special attention of the representatives should be directed, the maintenance of the unity of the army with unity of command, its organisation, and also the rules regulating the terms of service and recruitment. The regulation, according to uniform principles, of the customs, of the indirect taxation, of the State monopoly system, and of the public debt and State credit. "If," continued the rescript, "the deliberations of the Diet succeed in removing the obstacles connected with the unity of the monarchy, which must be upheld, then the constitutional wishes and demands of Hungary put forward in the addresses of the Diet will be fulfilled by the appointment of a responsible ministry, and by the restoration of municipal autonomy. The system of the responsibility of the government will be introduced not only in Hungary but in all parts of the monarchy. The detailed application and realisation of the principles referring to common affairs, as well as to modifications to be introduced in the laws of 1848, will be carried out through responsible ministers, to be appointed in agreement with the estates and representatives in Diet assembled."

In conclusion, the rescript expressed a hope that the Diet would give its serious attention to these subjects with due regard to the requirements of the day, thereby accelerating the secure establishment of a constitutional organisation throughout the whole realm. Thus, the country, after a struggle of 19 years, stood at last upon the threshold of the fulfilment of its wishes.

But the Hungarians demanded the full measure of their right, and an unconditional surrender preceding any requisite modification of their constitution or the laws of 1848, which modifications they showed themselves willing to introduce after having gained their legal point.

On the motion of M. Deák it was decided in the Lower House, by 227 against 107 votes, to reply by an address to the royal

\* This means not a Committee appointed in 1867, but one consisting of 67 members.

rescript of the 17th of November, which had not been able to allay the apprehensions entertained by Hungary, notwithstanding the promises and the acknowledgments of the national rights contained therein, since the request of the Diet for an immediate and complete re-establishment of the constitution had not been complied with. The address, while drawing attention to the dangers arising from disunion at home and complications abroad, which might happen by some unforeseen incident, contained a request to his majesty to grant to the Diet means and opportunities for effecting a satisfactory compromise, and also the prayer not to render reconciliation impossible by postponing the re-establishment of a legal basis for public affairs. It also promised to consider the question of common affairs as the committee of 67 should have brought forward their report, and the Diet were in a position to pass resolutions in reference thereto having the force of law. It also asked that those persons upon whom penal sentences had been passed, or who were exiled for political offences, should be amnestied, and expressed great satisfaction that the emperor intended to introduce in his other provinces also the principle of ministerial responsibility.

There was then a dead lock ; the emperor demanding first the modification of the laws before their re-establishment, the Hungarians requiring first their re-establishment before they could be modified.

Meanwhile, voices friendly to Hungary were heard from the German constitutionalists in the Diets of the Crown lands on this side of the Leitha.

"The Diet," says the Carinthian address, "firmly adheres to the legal continuity of the Constitution of the 26th of February, 1861, and has the conviction that it will not be an impediment to an arrangement with Hungary, because all alterations which do not affect the existence of the empire as a whole can be effected in a constitutional manner, and because the interests of the western countries offer no impediment to the recognition of the autonomy of Hungary in those points which are not necessarily common to the whole State. The joint parliamentary settlement of the common affairs, with a responsible ministry, is not only an indispensable preliminary condition for the constitutional liberty of the empire, but also an absolute necessity for its continuance. Without any further delay a parliamentary government must undertake, with the support of the constitutional co-operation of the Reichsrath, to call into life such an organisation and such public institutions as will secure personal as well as civil and political liberty, and by a popular and economical government promote and durably establish the prosperity of the country."

At last Baron von Beust, accompanied by the Hungarian Court Chancellor, paid a visit to Pesth, conferring with the leading men of the country, with a view to an immediate settlement. Personal contact went far to smooth the way to such consummation. Yet the step immediately following gave little satisfaction. Baron Beust had

gained an influence over and above that belonging to his department of foreign affairs, as his chief was still Count Belcredi. A compromise of their views seemed to be found in the convocation of an extraordinary Reichsrath. The government resolved not to summon the late members, but to proceed to new elections. Consequently, by an imperial patent, dated 2nd January, 1867, the Diets of the crown lands on this side of the Leitha were dissolved and new elections to those Diets ordered; the Diets were severally to assemble on the 11th of February, and the communication of the imperial patent and the election of members to this extraordinary assembly of the Reichsrath were to form the only subjects to be submitted to them. The government, it was stated in the patent, had initiated negotiations upon the basis of the patent of the 20th of September, 1865, with the representatives of the countries belonging to the Hungarian crown for the settlement of opposing claims with regard to the constitutional institutions of the monarchy. With the intention of attaining as speedily as possible a complete solution which should do justice to all parties, the government had determined to ask the co-operation of the representatives of the other countries, in order that the rights and claims of the non-Hungarian crown lands might be discussed in a common assembly, constantly keeping in view the leading idea of securing the existence of the monarchy as a whole. The extraordinary Reichsrath was to meet at Vienna on the 25th of February, 1867, the discussion of the question of the constitution to form the sole subject of its deliberations.

This plan caused much dissatisfaction, especially among the German population, who, under Count Belcredi's management, expected to see themselves outvoted by the Slavonians. This dissatisfaction, increased by an unconstitutional imperial rescript, reorganising the army on a new basis of a general duty of bearing arms, bore Baron Beust into the highest power.

The difference of opinion between Count Belcredi and Baron von Beust as to the way of proceeding was, that the count, who was less favourable to the Hungarian claims, held that the arrangement with Hungary should be submitted for approval to the non-Hungarian nationalities, assembled in an extraordinary Diet, before being adopted by the government, while Baron von Beust maintained that such a mode would occasion further delays; also, that the Hungarians would not like to see what they considered their rights called in question. Moreover, the German provinces had to a great extent abstained from taking part in the elections, so that the extraordinary Reichsrath would not, after all, possess the commanding influence which was expected of it. Baron von Beust's view prevailed. The emperor accepted the resignation of Count Belcredi, and appointed Baron von Beust to succeed him as President of the Council. Events now moved more rapidly, and no longer with an uncertain step.

The extraordinary Reichsrath was abandoned, and the ordinary

Reichsrath, in accordance with the February constitution, convened for the 15th of February. Count Andrassy at the same time strongly urged, on the part of Hungary, the adoption by the government of the constitutional course of submitting the Hungarian propositions, in so far as they concerned the empire at large, to an ordinary Cis-Leithan representative assembly.

On the 6th of February, the committee of 67 members of the Hungarian Diet concluded their labours on the affairs common to the whole monarchy. On the 18th an imperial rescript ordered the obnoxious decree about the army to stand over for parliamentary consideration. At the same time the Hungarian constitution was restored, amid expressions of the unbounded delight of both Houses. On the 24th, Count Andrassy announced to the Diet his appointment as President of the Ministry. On the 18th, also, all the Diets of the non-Hungarian lands were opened. The emperor's message announced the repeal of the suspension of the constitution by the patent of the 20th of September, 1865, the abandonment of the convocation of the extraordinary Reichsrath, and the return to a constitutional course; it contained, at the same time, the assurance that nothing was further from his majesty's intentions than to curtail the rights granted by the decrees of 1860 and 1861, and requested them to proceed at once to the election of members to the constitutional Reichsrath, which was to meet on the 18th of March for the ordinary despatch of business. It stated that by so doing, in correct appreciation of his majesty's intentions, they would contribute what lay in their power to put an end to a constitutional crisis that had already lasted far too long.

The resistance of the Slavonic population of Bohemia, Moravia, and Carniola, who were unwilling to co-operate with the Germans, the dissolution of their Diets, followed by a victory of the ministry in the parliamentary campaign of the newly-elected Bohemian Diet, delayed the opening of the Reichsrath by the emperor till the 22nd of May last; and on the 8th of June, 1867, Francis Joseph was crowned at Pesh, and peace, and a rational prospect of harmony, re-established throughout the monarchy, a general amnesty also taking place. Here closes our account of the constitutional travail of Austria, and we may fitly wind it up with the following words from one who knows Baron Beust, the author of the *brochure* on "Austria," which we have repeatedly used and mentioned.

Baron von Beust possesses the happy talent of allying himself with all those parliamentary capacities disposed to enter on his own path. He does not think of going backwards by oppressing nationalities. Nor does he dream of reversing an august and solemn declaration which its author intends maintaining in its full entirety—that is to say, the principle of legal equality of all the peoples of Austria. Baron von Beust aims chiefly at one thing for the present,—an amicable *entente* between all the parties concerned; and he tries to maintain it by promoting a common deliberation, which is the first step to be taken by people holding contrary opinions. The Prime Minister of Austria, in his efforts to arrive at that result, does not decline the assistance of any one, to whatever party or nationality he may belong, in order to conciliate all opposing claims and obliterate the

obstinate hatred of race. Francis Joseph, duly appreciating the eminent talents of his minister and the services already rendered by him to the State, has just given him a special mark of his confidence by raising him to the rank of Chancellor of the Empire, the highest dignity that can be bestowed upon an Austrian statesman, and which has been in abeyance since the late Prince Metternich's time; while the people, judging of their sentiments as expressed by the press, seem to be unanimous in their approval of the emperor's act.

By placing themselves on the ground of the constitution of February, the government have acknowledged its obligatory force for everything not expressly abrogated by the Hungarian compromise. The revision of the constitution will put an end to the contradictions existing between the Common Law of each of the two great divisions of the empire. When accomplished, the work will no doubt be capable of improvement; but an important fact will henceforth be existent, the consequences of which cannot fail to be felt through the whole empire: for the first time the whole of Austria will possess a legal basis to develop her constitutional life. Time and peace, confidence, the force of interest, and, above all, the goodwill of men, must work the rest.

## VII.

AND so Austria has settled down into dualism, and the two rival schemes of centralisation and federalism have been discarded. The empire is now virtually divided into two halves, linked together by having the same sovereign, and an arrangement for settling, in the somewhat cumbersome form of parliamentary delegations, certain affairs agreed upon as demanding treatment in common. This latter, in so far as it is a concession on the side of Hungary, is the result of the labours of the committee of sixty-seven members mentioned above.

A look to the map will show that in speaking of the division by the river Leitha we use rather an artificial term. That river, a small tributary of the Danube, on its south side, divides but for a short distance the archduchy of Austria from the kingdom of Hungary. The real and complete line of demarcation between the western and eastern halves of the monarchy is—with one exception, to be mentioned immediately—the old boundary of the German Confederation. But the western, or non-Hungarian half, besides the countries formerly belonging to that confederation, includes now also the very important provinces of Galicia and the Bukowina, which can hardly, strictly speaking, be said to be this side of the Leitha, but stretch from the northernmost part of the old German provinces, Austrian Silesia, eastward, lying in a vast arch around the northern frontier of Hungary.

And now that this solution of dualism, towards which so many influences tended, has been adopted, we hear it sometimes sneered at, the statesman who has carried it out blamed for having effected a compromise, in which all his part consisted in giving way—which, when we consider the result arrived at by the sixty-seven committee,

is not correct—and the concessions to Hungary pointed out as so many retrogressions into the middle ages.

We have not space to discuss the value of such views in detail. We will, for the sake of argument, admit that dualism is not the best possible solution that could be conceived. But could a better one have been carried out?

At any rate, the governors and people of Austria—and we here comprise Hungary in this term—may feel again firm ground under them, instead of the shifting quagmire of contradictory experiments and plans which have filled the history of these last eighteen years. And if we look at their actual doings since the early part of last year, it seems that they are willing, on the whole, to avail themselves, in order to march forward, of such new bases. The tendencies both of the Vienna Reichsrath and of the Hungarian Diet lie in a liberal direction. The Concordate has fallen in Hungary, is manifestly doomed in Vienna. The reforms in criminal jurisdiction and in constitutional guarantees voted by the Vienna assembly are very cheering, and if we are inclined to suspect that the formalism of a pattern constitutionality does perhaps pre-occupy that assembly too much, this is an evil which it shares with almost every parliamentary body which has sat on the continent for these last forty years; and we even see progress in that the desire of producing the most perfect paper constitution has cost much less time, and interfered much less with actual current business than it did, for instance, in the parliament of Frankfort, and of Vienna itself in 1848.

As to the treatment of common affairs, the recent financial settlements about the share of the burden to be borne by Hungary certainly seemed calculated to impress one with a notion that the Magyars were more willing to accept the profitable portion of their connection with Austria than a due proportion of the cost of its existence. But we are willing to admit that, were we, in common with other writers in the English press, more fully informed of the details, this affair might present itself in a somewhat different light.

We, for our part, hope that in the course of time the separation between Hungary and the western half of the monarchy will not grow wider, but that, on the contrary, the links now uniting the two parts will be drawn more firmly by the consciousness of pressing mutual interests and a growing goodwill.

How the Roumane and Slavonic populations in the countries annexed to Hungary will reconcile themselves to their position, remains to be seen. We confess that we should have been glad if the Magyar nation had possessed the magnanimity of not insisting on retaining or re-grasping their hold on Croatia—a country which evidently, in the great majority of its inhabitants, is unfavourable to that special connection which is a necessity neither for Austria nor for Hungary, while it cannot be said that the Magyar language, imposed on the Slavonian deputies at Pesth, is, as Latin, the former official language, was, a neutral ground, or as German would be, a great link with the civilisation of an extensive part of Europe. The

day seems yet distant for these countries when the language difficulty can be solved by that mutual fairness and accommodation which Switzerland practises, enjoys, and does not boast of.

A similar difficulty exists yet for the western half of the monarchy, in the local and race feeling of the Czechs in Bohemia and parts of Moravia. The population of the former kingdom is in its majority, though not in its most active and enterprising portion, Slavonian, the Germans forming a strong minority.\* Now, the Slavo-Bohemians or Czechs are endeavouring, on the strength of historical traditions, to set up a claim to a position for Bohemia, similar to that of Hungary. On considering whether such claim is allowable, one important difference strikes us as paramount. The whole of the Magyar population is contained within the boundaries of Hungary and Transylvania, and no foreign power has supported their claims, or can easily use them as part of its diplomatic machinery. The Czechs, on the other hand, present themselves as part of a whole which lies outside of Austria; their tendencies are connected or identified with Pan Slavism; they lean upon Russia.† The acropolis of the Magyars is Buda-Pesth, within the monarchy; but the Czechs have their *kebla* in the czar's dominion—Moscow and St. Petersburg are their Mecca and Medina. While, therefore, the local diet should continue to exercise, as it does, its functions; while no right belonging to any other subject of the monarchy is denied to a Bohemian; and while it is necessary for every Austrian statesman to show all due regard to the Slavonic populations who form so large a part of the empire, it is on the other hand perfectly intelligible that Count Belcredi's pampering of Czech race feeling should have been felt a great evil, and that Baron Beust should show himself firmly decided not to allow Bohemia to be made an Austrian Ireland, with its Fenian head-centres in Russia.‡ The comparison into which we have just been drawn, may be applied to one or two other points. Austria can as little give up Bohemia as England can

\* The statements of the Czechs and Germans differ, of course; three-fifths for the former and two-fifths for the latter is probably correct.

† Let us remind our readers of the speeches recently delivered by M. Rieger, and other Czechs, on the occasion of the so-called Ethnographical Congress, or gathering of Pan Slavistic agitators, at Moscow. Among the popular poets of the Czech school, Czelakovsky openly leads towards Russia. "La Bohême historique, pittoresque et littéraire." Paris, 1867. p. 288, etc.

‡ The following passage from the *Daily News*, referring to a speech of Baron Beust's, is worth quoting:—"The Austrian chancellor mentions, among the difficulties with which he has to deal, the disloyal and anti-national spirit of the Pan Slavist enthusiasts in Bohemia. With just severity he condemns the infatuation of the silly dupes who complain of the destruction of their national traditions, while they are conspiring to sell their birthright to an alien power. But M. de Beust consoles himself with the persuasion that this Bohemian fanaticism is but a passing discontent; he promises to maintain their rights in common with those of all their fellow-subjects, under the safeguard of constitutional liberty and equal law. It is by the peaceful fruits of liberty, and the harmonious development of the interests of all the nationalities that acknowledge his sceptre, that the Emperor Francis Joseph will avenge the defeat of Sadowa. All Liberal Europe will wish M. de Beust success in his good work."

give up Ireland. A look on the map proves it, and it is not the least of the evil consequences of the war of 1866, that a province in which German influence ought to be beneficially felt, and which extends so far into Germany, should by the weakening of Austria, and by the dissolution of the old confederation, be so much more exposed to the anti-German influences of Russia; it is not the least among the wrongs committed by Count Bismarck against the German nation and Europe that in his unscrupulous efforts for the aggrandisement of Prussia, he has not hesitated to commence in Bohemia a Czech agitation, and by his incendiary proclamations to try to induce the Bohemians to set up again the throne of St. Wenceslas.\*

The difficulties under which Austria labours are thus still very considerable; and we can, in the scope of our present observations, but glance at, though we must not omit to mention, her financial embarrassments, the legacy of the profligate rule of former years which did not disdain, in the midst of profound peace, to sink deeper and deeper into public debt, while neglecting to develop the natural resources of such rich countries as compose the Austrian monarchy.†

But, on the other hand, Austria has a great mission, in the fulfilment of which it behoves liberal Europe no longer to impede, but rather, in the general interest, to favour her. Hers is the task to preserve and to increase civilisation along the shores of the Danube, and to see that the great river, from its sources down to the mouth, from the Black Forest to the Black Sea, belongs to European civilisation; hers the task to be an arbiter, and, in gentle bonds, a connecting power between the different nationalities filling that broad expanse of country, and which cannot evolve out of themselves a substitute to such power, whilst, unconnected, they must fall a prey to Russia. Interposed between the steppes of the Euxine, and the kingdom of Greece which is meant to rise in Russian dependency, she may yet preserve for Europe the Dardanelles, and prevent the Christian rajah from being led, by the watchword of their emancipation from Turkish yoke, under the yoke of Russia, to their own and Europe's great and lasting detriment.

\* Compare on the side of the Bohemian agitators: "Exposé et défense de la Politique suivie en ce moment par la Diète Bohême." Paris, Victor Groupy. 1867. "Le Royaume de Bohême et l'Etat Autrichien." Prague, Grégl. 1867. "La Bohême Historique, Pittoresque et Littéraire," par Joseph Friczet Louis Leger. Paris, Librairie Internationale. 1867.—472 pp. If any set of English democrats find themselves impelled to espouse the cause of the Czechs, we would request them not to exclusively dwell on the name of John Huss, whose memory is a friendly connecting link between the German Protestants and the Czechs, but also to bear in mind the fact that Czechian Bohemia has furnished to absolutistic Austria its most numerous and some of its worst satellites. The authors of "La Bohême Historique" do not deny it; they excuse it with the necessity of making a living—*en somme, il fallait vivre*. One feels inclined to reply, with Voltaire—*Je n'en vois pas la nécessité*.

† See, on this characteristic of Prince Metternich's long administration, some excellent remarks, not unminged with prejudice against the Jews, in Wolfgang Menzel's "Geschichte der letzten vierzig Jahre." 1865. Vol. I. pp. 23-25.



## VIII.—CONCLUSION.

If we are to heed a few shortsighted writers, the destruction of the Austrian monarchy is still, and speedily, required for the re-establishment of German unity. Curiously enough they are some of the same people who habitually designate the disruption of Germany, by the war of 1866, as the foundation of its unity. These gentlemen forget the text from which they are to preach. German unity by federation existed until the summer of 1866, in a form, indeed, far from being perfect. Reform was needed, not destruction,\* and moreover it was in course of progress. But every effort in that direction had been defeated by Prussia, unless it tended to the subjugation of Germany to her. So the last endeavour of Austria, by the Congress of Frankfort in 1863, which would have led to a real, though not a radical reform, but for the protests of Prussia, and the intrigues of the Grand-Duke of Baden, who fancies himself to speak as a *pater patriæ*, when he plays but the part of a son-in-law of His Prussian Majesty.†

Germany's federal consolidation, then, striven for by many patriots, and latterly by Austria, was destroyed by Prussia and her

\* So the patriotic poet Count Platen ;

Wohl that Erneuerung unserem Reiche noth,  
Doch nicht Zerstörung, tief im Busen  
Trug es den edelsten Keim der Freiheit.—*Ode xxxiii.*

This noble poet has been scurvily treated by M. Julian Schmidt, in that ponderous pro-Prussian pamphlet, which he calls a history of modern literature. Was it because it might be foreseen that, had Platen lived to witness, he would have been certain to oppose the Prussian aggression ?

† The Prussian faction by no means embraces all Prussian liberals, though many of them have been misled by the glitter of arms and the dizziness of power. One of the foremost and purest of them, M. Jacoby, said last year to the Prussian second chamber—"A united, a politically unified Germany, so hopes the draft of your address, will be the result of this war. I cannot share this hope. I believe, rather, that the exclusion of Austria, that is, the expulsion of millions of our German brothers from the common assembly does not unite Germany, and that the plan which the policy of the Prussian cabinet has been pursuing for so long a time, and which now brings two-thirds of the population under Prussian dominion, leads us farther away from the desired aim of German unity than the late Diet of Frankfort." . . . "It is possible that this may respond to the specific interests of Prussia ; but from the point of view of liberty, I cannot regard as a strengthening of German unity the strengthening of the dynastic power of Prussia by the violent acquisition of German territories. If in Prussia the recent system of government continue—and up to the present time there is hardly anything to be seen of a change—then your reformation of Germany will be to her former divisions and powerlessness what death is to disease."—*Diplomatic Review*, October 3, 1866. The same distinguished politician, in a later speech, voting against that hoax which calls itself the Constitution of the North German Confederation, says, "Germany, united in political freedom, is the surest guarantee for the peace of Europe ; united under Prussian military power, Germany is a standing danger for neighbouring nations, and we are at the beginning of an epoch of wars, which threatens to throw us back into the saddest time of the middle ages, when might was substituted for right."—*English Leader*, May 25th, 1867.

faction. Let that result, for the present, be accepted. German unity may perhaps be re-established, and on a sounder basis than before, but not now. And certainly the means suggested is not desirable; that of sowing discontent in the German-Austrian part of the monarchy, and, by directing the attention of the discontented towards Berlin, as a North Star, to make the countries on this side of the Leitha ready to fall by insurrection and intrigue into the lap of Prussia, as the Two Sicilies fell into that of Sardinia, seven years ago. Such a plan seemed to have—we do not say it had—some chance of success, immediately after the war, when discontent was very rife in most parts of the Austrian monarchy. But the liberal policy of Baron Beust at home, and the wretched part played in the north by that friend of the English Reform League, Count Bismarck, who has already sacrificed Luxemburg, must have obliterated any such desire where it ever existed in Austrians.\*

Its success, moreover, would be only opening the door to new difficulties; it would expose directly all the countries on the other side of the Leitha, and Galicia, to Russian influence; and granting that Vienna and Salzburg were contented to be ruled from Berlin—which is granting a good deal—there would be an immediately increased striving of the Czechs towards union with Russia. For after all, they have had many centuries of connexion with Vienna, while no link, but bare force, devoid of all historical tradition, would connect Prague with Berlin. Similarly, in the south, Trieste would be attracted to Italy. Thus while Russia would step into the centre of Germany and of Europe, for such is the north-western frontier of Bohemia, Germany would definitely cut herself off from the Adriatic. Beautiful fruits of a longing for unity!

Peace, no doubt, is very desirable for Austria. But is it, under the present conditions, possible for any length of time? Austria is, during the present peace, continually being undermined, on the upper and lower, if no longer on the middle, Danube; on the one hand by Prussia and the faction of political Unitarians, on the other by Russia and those Slavonians who are friendly to her.

It thus becomes necessary for her to advance, by alliance or conquest, to the mouths and to the sources of the Danube.

The Prussian prince in Roumania has been placed there only to keep the seat warm for Russia. He might well arrive there with his carpet-bag only; it was sufficient for his mission. His part is about played out. The last thing he may be used for is to create dissatisfaction among those Roumanes—or Wallachians—which inhabit portions of Transylvania. Not having always been very well treated by the

\* In this connection the writer on "Dualism in Austria," in the *Westminster Review* of last October, refers to the pamphlet, "Der Zerfall Oestreichs, von einem Deutsch Oestreicher." One is astonished at a writer so acute not doubting the authenticity of that anonymous publication. Probably his great pro-Slavonic tendencies prevented him from seeing the strong probability of this being one more of the many productions of Count Bismarck's active literary staff. As such we shall consider it until the writer chooses to unmask himself.

Magyars, they may be supposed to be open to an application of the nationality doctrine. This is a nostrum which can well be used for preparing Russian dominion. To avert this danger, and substituting the better for the worse, knowing herself to be the better, Austria will have to strive to put her influence in the place of Russia's, in that revolution which seems imminent.

An enlightened policy will likewise lead her to attach, in friendly relations, the principality of Servia to her.

If, without her acting to bring it about, the dissolution of the Turkish Empire come to pass, the provinces of Bosnia and Herzegovina, the background, so to speak, of Croatia and Dalmatia, ought to be seen gravitating towards the Austrian monarchy; and perhaps such a tendency will also manifest itself in Bulgaria.

On the upper Danube, Austria ought to connect herself in friendly alliance with the South German States, and thus to strengthen her German element. Much seems lost there already; notwithstanding the evident aversion of the immense majority against Prussian rule, the excellent strategy of Count Bismarck has won a good deal of ground in that direction. Stirring up patriotic feeling against France, connecting the renewal of the *Zollverein* treaties with those of military alliance, and making the adoption of the latter a *conditio sine qua non* of the former, also availing himself of much of the old leaven of distrust against Austria, Prussia has indubitably gained advantages in that direction, from which it may be difficult for Austria to dislodge her. Yet we have abundant evidence before us that no love for Prussian rule pervades those southern populations,\*

\* We may here extract the following from the private letters of an English military gentleman, formerly an officer in the Austrian service, who is at present travelling and observing in the lands of the Danube. Writing from Bucharest, he says:—"I have been doing my best to ascertain the real situation of affairs in this province. Everything is at a standstill. There exists great discontent amongst all parties. My firm belief is that the present prince will abdicate in favour of some other member of his family, and that he was never intended to last. A short time since he told the English consul that he was not the right man in the right place. Why should a prince say that to a foreign consul? Until the country is in the hands of a strong power there will never be any progress. The parties are so numerous and equal in strength that no minister can count on a majority for any length of time. Every one does his best to cheat the others. I enclose you a description of a review; it was first-rate. Very few of the National Guard have any uniform. They seem to have a good class of officers; the greater part, I hear, foreigners. Anybody is to be bought." . . . This about Wallachia. From another letter as to Moldavia we extract:—"I will now give you my ideas of the present state of Moldavia, which is worse than that of Wallachia. All parties are agreed on one point—that they have lost greatly by the present government, which has done nothing for them. The Russian party is the strongest. That I cannot understand why Russia should work against the Prussian prince, unless it is an understood thing that Moldavia is at a future period to belong to Russia, that is to say, the Moldavians are to revolt against the prince and demand to be placed under the protection of Russia, with a prince of their own. This plan would be supported by the majority of the Moldavians. If the Austrian party in Wallachia was properly supported, the province must fall into the hands of Austria; the Hungarians all do their best to get it attached to the crown of Hungary."

and the Liberal tendency of present Austrian politics may recover lost ground.\*

When thus the position of Austria is strengthened again, and constitutional freedom preserved in the south, the re-establishment of German unity may be thought of. It will have to be brought about by a strong Austria, anti-Russian, in alliance with Prussia, freeing herself from Russia, to which she at present leans.† No doubt the principle of manifoldness in unity—in which the chief value of Germany to European civilisation consists—will have to be respected, Prussia will have to disgorge some of her ill-gotten gains, to relax, for instance, her grasp on unwilling Hamburg, to restore the freedom of that ancient republic of Frankfort, where her partisans can well nigh be counted on one's fingers.

And as her ambition must have some satisfaction, it may, in the inevitable struggle with Russia, be directed to that power's Baltic provinces with their German populations. Let her harp there on the string of the nationality principle, it will be more than appealing to a race-feeling; it will be regaining outlying family members to a higher political existence.

In such a struggle there is a chance, not a slight one, for the re-

\* *Vide*, among others, the *Süddeutsche Presse*, published since October 1st, at Munich, by Julius Froebel, an old leader of the German Liberals, himself not hostile to Prussia. Much evidence in this direction may also be gathered from the *Hermann*, a German weekly paper, published in London.

The most Prussianised part of South Germany appears to be Baden. Yet, in the appeal just made by the government, the people have in the elections for the so-called customs-parliament given unmistakable signs that they do not approve of the doings of the Grand-Duke and the Prussian faction. In the weekly paper, *Die Vereinigten Staaten von Europa*, published at Berne, a correspondent from Baden says with reference to the appointment of a Prussian officer as Baden war-minister:—"Our elections for the customs parliament were a protest against government, and its submissiveness to Prussia. Now they answer by a provocation. If things continue in this way, the Grand-Duke, who is under the influence of his consort, stakes his throne, and will lose it even more certainly than were he to cede it to Prussia. We fear the French government, but we hate Prussia. We want to be German; never will we consent to be Prussian. Anything rather than that." March 8th, No. 10. —Wurtemberg has just elected 17 members for the Customs Parliament: *not one* candidate favourable to the Prussification of Germany, was successful.

† The Berlin correspondent of the *Times* says:—"Many of the Liberal prints are even so unreasonable as to taunt Count Bismarck with not calling Russia to account, when a moment's reflection must tell them that no Prussian Cabinet, whatever its bearings, would, in the actual condition of Europe, be rash enough to quarrel with the Czar."—*Times*, December 17th, 1867. This shameful submissiveness may indeed be a necessity for Prussia, aggrandized by rending Germany into pieces and excluding Austria from the Confederation: for a federally united Germany no such necessity would exist.

In this reprint we are enabled to refer the reader to the documents revealing the remarkable endeavour made by Prussia to re-connect herself, by a federal bond, with Austria, and to the dignified manner by which it was met by Baron Beust, *vide* "The Austrian Redbook." (Dulau & Co., 1868.) Part I., pp. 3, 4, 53, 55, and 84 to 93.

The liberal admirers and disciples of Count Bismarck may still preach the wisdom of the exclusion of Austria; they now stand rebuked by their half-repentant master. It is true he wished Russia to join in the league.

establishment of Poland, of which Austria, strengthened in other quarters, might offer a nucleus.

This federative Germany, strong for defence, too enlightened to be dangerous to any civilised power, and not by undue centralisation favouring the projects of ambition, would enter into friendly relations with Scandinavia, and thereby guard for Europe the second key of her seas, the Sound, now ill-protected in the hands of weak Denmark. She would, freed from the desire of accumulation, guarantee to Switzerland and Holland their existence, at present threatened. She would revert to the principle of respect for the smaller communities, "these feeble states," in the words of Sir James Mackintosh, "these monuments of the justice of Europe, the asylum of peace, of industry, and of literature, the organs of public reason, the refuge of oppressed innocence and persecuted truth."\*

We have been carried far into a future, perhaps never to be realised. Is this a dream? If so, it seems still better to strive after its realisation than to pretend to enjoy the horrible nightmare of Prussian functionarism and barrackdom. It may be, in parts at least, even more easy to be realised than Kossuth's dream of a Danube federation under Magyar Hegemony. At the Danube we now see only the alternative of accepting Austria or Russia. We have made our choice.

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\* The trial of John Peltier, Esq., for a libel against Napoleon Buonaparte. London, 1803. p. 88.

## EXTRACTS

FROM THE AUSTRIAN RED-BOOK.—CORRESPONDENCE OF  
THE IMPERIAL ROYAL MINISTRY FOR FOREIGN AFFAIRS.

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### *On the Prussian Proposal for re-establishing a Federal Connection with Austria.*

From the introduction :

. . . In looking back to the relations of Austria towards Germany in the year following the war of 1866, the fact must not lightly be passed over that, under the impression of the danger of a European war, many a serious glance was directed, in Berlin, as well as in Munich, towards that Austria whose connection with Germany the Treaty of Prague had severed a few months previously. Intimations followed with respect to new federal arrangement, which, however, were too vague, and guarded the interest of the one side too partially, to allow of Austria sacrificing to them that freedom of action she has exchanged for the rights and duties of the period closed by the dissolution of the Germanic Confederation. . . .

BARON BEUST TO COUNT TRAUTTMANNSDORFF AT MUNICH.

*Vienna, April 6, 1867.*

“I neither could nor would express any opinion as to the relations between Prussia and South Germany, by which any degree of responsibility could be attached to the imperial cabinet for a further infringement of the stipulations of the Treaty of Prague, already restricted by the August Treaties of Alliance. We do not wish to influence in any direction the considerations that may be entered into at Berlin and Munich in this matter. I was forced, on the contrary, to characterise the question of an alliance of Austria with a new German Bund, under the direction of Prussia, as a simple question of interest, and one, indeed, of the highest order. Neither passions, nor feelings, nor historical recollections—whether those of 1866 or those of a thousand years past—shall influence our future resolutions, but our consideration will be in the first instance the security, and in the second the interest, of the Austrian monarchy. Even in favour of its former German allies, the empire can no longer enter into relations which would impose upon us obligations and burdens, unless the fullest compensatory returns are made. If friendship towards Austria, and the wish to be useful to her, can be traced in the language and the acts of the German governments, such tokens will at all times find an echo with us, and this may contribute to pave the way for happier relations in future than at present exist. But we require very solid guarantees against tendencies which are not only not friendly but dangerous to us, and no services must be required from us which would not be fully compensated by counter-services of equal value. I have not concealed from Count Bray that in the position which the South-German States have now taken up with regard to Prussia—and with which position we are far removed from wishing to quarrel—such guarantees and counter-services could not be offered us in Munich, but only in Berlin; and that we, therefore, would be compelled mainly to keep our eyes fixed upon Prussia, should it ever come to pass that we could believe in a serious honestly meant alliance with Germany, advantageous to both parties, and for which we ought to sacrifice our present liberty.”

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## BARON BEUST TO COUNT WIMPFEN IN BERLIN.

Vienna, April 17, 1867.

... "I will not keep from your Excellency the fact that Baron Werther some days ago mentioned to me the wish, just as Count Bismarck did to you, for the re-establishment of a grand Germano-Austrian alliance. I heard from him words even which seemed to imply that Austria ought to regain her lost position in Germany. But what other answer could I give to this than putting the question—Whether they intend in Prussia to return to the former Confederation? They must doubtless understand in Berlin that this question is of serious bearing, as it is Prussia's business in this respect to leave unproductive generalities aside, and to tell us upon what foundation the desired new alliance should rest, so that Austria might find therein as good guarantees for her security, her influence, and her interest, as she had in the former Confederation, and better ones than previously existed for her peace and concord with Prussia. . . .

## BARON BEUST TO COUNT WIMPFEN IN BERLIN.

Vienna, April 19, 1867.

... "What Count Tauffkirchen stated further upon this latter point was, however, not the clearest part of his communications.

"He spoke of a guarantee of our *German* possessions. He gave us to understand that probably every desirable security against possible dangers would also be offered *temporarily* for our non-German provinces. He mentioned Russia as the third party to the alliance, and was of opinion that security would of itself be assured by the conclusion of a treaty by the three powers. Finally he pointed out—as had already been earlier done from Munich—that a friendly alliance of Prussia with Austria afforded the South-German States the possibility of maintaining a larger measure of independence, and that an international alliance of Austria with the North-German and South-German Confederations might still ultimately form the turning-point towards closer treaty relations of a permanent nature, which might replace the former State-Bund with advantage to Austria as well as the German nation."

Count Tauffkirchen was not indeed able to declare himself prepared to reply to all these questions, or to weaken the doubts and objections brought under his notice. He only expressed his regret to be obliged to assume from my words that Austria *declined* the proposals he had brought with him from Berlin. Baron Werther upon his part repeated to me the expression of his opinion in a precisely similar sense. I cautioned them, however, strongly against its employment, begging them at the same time not to speak of Austria as *declining* Prussian proposals, as the explanations thereby rendered necessary could not operate otherwise than disadvantageously; that it was desirable to keep the future open; and that it remained a fact that Austria would always entertain the wish of being able to offer her hand in order to secure a reconciliation with Prussia and Germany.

## BARON BEUST TO COUNT TRAUTTMANNSDORFF AT MUNICH.

Vienna, May 15, 1867.

In accordance therewith I have once more expressed myself to Count Bray with all sincerity as to the position in which we stand towards facts, past or future, incompatible with the Treaty of Prague. I explained to him that considerations of opportuneness might easily for the present determine His Majesty the Emperor's government to ignore such facts, and that this government readily allowed the German sympathies which it has retained to influence its attitude, so long as it was not compelled to consider the interests of its own country in danger. The demand, on the other hand, that the imperial cabinet should give its *assent* to the Alliance treaties which it has hitherto accepted in silence, and to still greater violations of the Treaty of Prague, I characterized distinctly as impossible of fulfilment, and pointed out that, in her present position, Austria, on the contrary, must carefully guard against forfeiting in any way, either by word or deed, the right of appealing at a suitable time to the arrangements of that treaty.

"Further, I have not concealed from Count Bray that I am unable to understand how it could have been believed that we could be induced to change our attitude by the vague terms of the Munich programme that an alliance with Austria ought to be concluded or prepared for. If, by the word *alliance*, according to the sense generally used in international language, is to be understood a provisional covenant for definite aims, it must be objected that such aims are not stated, and at present probably cannot be stated. But if a permanent federal relation is thought of, by which the Imperial Government should abandon its liberty, not for any settled course of action, but indefinitely and for ever, and which, upon the other hand, was to form one of the main elements of the political re-organization of Germany, we ought to be in the first place solemnly released from the obligation not to take part in that re-organization; and, in the second, it must not be overlooked that one great power cannot subordinate itself to another, cannot serve foreign interests, and cannot bind itself in advance to conventions arrived at without its participation. I doubt whether they have been enabled at Munich to offer us a position of equal standing with Prussia in a new general German Bund; but if this is not the case, the men at the helm of the Austrian State are compelled to fall back upon the complete freedom they have exchanged for their former rights in the Bund.