CHAPTER V

The British System

THE English are the only people upon earth who have been able to prescribe limits to the power of kings by resisting them; and who, by a series of struggles, have at last establish'd that wise Government, where the Prince is all powerful to do good, and at the same time is restrain'd from committing evil; where the Nobles are great without insolence, tho' there are no Vassals; and where the People share in the Government without confusion.¹

With such superlatives Voltaire eulogized the British constitution in *Letters Concerning the English Nation* (1733). His compatriot, the Baron de Montesquieu (1689–1755), in his epoch-making *Spirit of the Laws* (1748), was no less enthusiastic about the merits of the system of checks and balances in government and the virtues of what he considered a true separation of the executive, the legislative, and the judicial powers.

Most foreign visitors, of course, had only casual acquaintance with the mechanics of British electioneering for Parliament. Even though they were aware that members took bribes, as noble Roman senators had before them, they did

not consider the evil grave enough to outweigh the manifold excellences of the British system. Recent studies show that about half of a typical mid-century House of Commons consisted of crown dependents—ministers and civil servants, holders of civilian sinecures, court officials, army and navy officers, government contractors, and secret service pensioners. Of the other half, most were hand-picked representatives of the local gentry of the counties. Yet the customary system of patronage, the "rotten boroughs," and the rampant bribery cannot obscure the historic worth of this legislative body without parallel in the Europe of its day. Parliament had chosen the dynasty which ruled over the British Empire and Parliament was sovereign. However corrupt it may be made out to be, it was there, another source of real power in the realm besides the crown. In 1699 William III's Dutch guards had been sent home and standing armies abolished; the King was henceforward dependent for his upkeep and protection upon annual grants from Parliament. The very fact that he had to pack the Parliament with his own placemen to get the legislation he wanted highlights the power of this assembly.

The House of Commons was not a popular democratic assembly in any nineteenth-century sense of the term; but it was an important meeting place for spokesmen of the landed gentry and the moneyed interests to debate the problems of the kingdom. Workers and peasants were not considered responsible members of the body politic, and the issue of their representation was not seriously raised until the agitation aroused by John Wilkes in the seventies. Nevertheless, no one was barred from sitting in the House of Commons because of his class, not even a man who had once been a manual laborer.
The Landed Gentry and the Merchants

While there were remnants of mediaevalism in the English system of land tenure, any man, whatever his origins, could buy and hold land. Merchants who became wealthy acquired country estates and sent their sons to the House of Commons, where, along with the nobility and the upper clergy in the House of Lords, they directed the conduct of the nation's affairs. Merchants who were ennobled were quickly assimilated, and after a generation or two their lowly origin was almost forgotten. Unlike the continental practice which provided all heirs with a title, the English system of primogeniture created among the nobility a class of younger sons who did not bear their father's title and were thus closer in social status to the nonnoble moneyed class of merchants. Younger sons of lords or country gentlemen could enter trade without disparagement. Daniel Defoe, the prolific contemporary pamphleteer, wrote in 1726:

As so many of our noble and wealthy families . . . are raised by and derived from trade, so it is true . . . that many of the younger branches of our gentry, and even of the nobility itself, have descended again into the spring from whence they flowed, and have become tradesmen. . . . Trade is the readiest way for men to raise their fortunes and families; and therefore it is a field for men of figure and of good families to enter upon.²

England was in effect governed by a Whig aristocracy of recent and common origin which did not consider the amassing of a fortune in factory or mine or trade with America and India a degradation. The Whig landed gentry were dominant in the Parliament, but the men who came to sit in

Westminster were in no sense representatives of a land interest in opposition to a commercial interest. Most parliamentary discussions concerned financial and commercial problems: the National Debt, the Sinking Fund, the system of trade bounties and protective duties, the excise, and subsidies for continental armies. All ruling elements in Britain recognized her as a commercial empire and contrasted her maritime character with the military land power of France. The British navy and British commerce were "like Twins . . . born together, and not to live asunder."  

In 1764 Thomas Whately, a Joint Secretary to the Treasury, wrote: "But happily for this Country the Real and Substantial, and those are the Commercial Interests of Great Britain, are now preferred to every other Consideration. . . ."

There were of course important groups in England who did not enjoy equality in public affairs: the Dissenters, for instance, who refused to join the Church of England. Members of the nonconformist sects enjoyed toleration, however, and though public offices were denied them and the universities were closed to them, they were not prevented from participating in the striving for wealth. They spent their worldly energies in labor, and practiced a thrift bordering on avarice. Their accumulated capital became one of the great resources of the Industrial Revolution.

Local Administration

Unlike most eighteenth-century monarchies on the continent, in England there was no vast nation-wide system of
daniel defoe, a plan of the english commerce (london, 1728), p. 150.

4 thomas whately, the regulations lately made concerning the colonies, and the taxes imposed upon them, considered (london, 1765), p. 3.
local administration and justice directed from a central authority. In addition to reasons imbedded in the long development of the British constitution, the compactness of the island may have obviated the need for the elaboration of such a great state bureaucracy. No local organization for the raising of troops under crown control was required since there was little fear of military invasion. Governmental changes could not be effected by the promulgation of royal decrees, and an act of Parliament was necessary before the executive could extend its functions. Local administration was not in the hands of a professional class, such as the French lawyers, but was only an incidental responsibility of the landed gentry, who acted with great independence at the quarter sessions. The administration of the Poor Law, which was solely an obligation of the parishes, gave the local gentry powerful instruments of control over the overwhelming number of inhabitants within their jurisdiction.

Although some complacent English contemporaries like the jurist William Blackstone (1723–1780) upheld England’s system of justice as a model, it sanctioned many barbaric punishments. The procedure of appeal from local justice to a higher court, known as certiorari, imposed some uniform judicial practices and kept local authorities within bounds, but there was still great latitude for individual judgment and also for tyrannical abuse. The common law was often cruel and the squire who was justice of the peace often ignorant and arbitrary. Even in the great city of London, Bow Street court proceedings under a Justice Thrasher were hardly more elevated. “To speak the truth plainly, the justice was never indifferent in a cause but when he could get nothing on either side,” wrote Henry Fielding (1707–1754) in his novel Amelia, where he presents his satirical
“observations on the excellency of the English constitution and curious examinations before a justice of the peace.” *Henry Fielding* himself was a Bow Street magistrate and he knew the corruption whereof he spoke. Yet despite all the imperfections of British justice, there was an independent higher judiciary for appeals from the decisions of local magistrates, and the right of habeas corpus often prevented unwarranted prison detentions. To the middle class who were creating England’s wealth, the law gave security in the possession of their property and the enjoyment of personal freedom. Of course the poor could rarely avail themselves of the protection of the law, because they had no access to the growing class of lawyers and bondsmen. But with all its worst imperfections, English justice, both in concept and application, set a goal for the rest of the civilized world.

*The Age of Reason*

After 1760, England underwent that acceleration of tempo in all phases of economic life which, since the French economist Auguste Blanqui coined the term in 1837, has been called the Industrial Revolution. This does not mean that there was an abrupt switch from the earlier ways of producing goods and earning a livelihood. There was, however, an intensification in the rate of change; inventions and improvements were multiplied; machinery was more widely applied to manufacturing processes previously done by hand; and new forms for the organization of work were developed. The basic character of the English economy was altered; it became evident that England’s wealth was no longer founded primarily upon agriculture, but upon the manufacture and

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exchange of industrial products. Arthur Young noted in 1770 that the inhabitants of England and Wales were no longer overwhelmingly agricultural. This was his curious breakdown of the sources of livelihood for the total population:

<table>
<thead>
<tr>
<th>Source</th>
<th>Population</th>
</tr>
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<tbody>
<tr>
<td>Agriculture</td>
<td>2,800,000</td>
</tr>
<tr>
<td>Landlords, mines, etc.</td>
<td>800,000</td>
</tr>
<tr>
<td>Manufactures</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Commerce</td>
<td>700,000</td>
</tr>
<tr>
<td>Non-industrious poor</td>
<td>500,000</td>
</tr>
<tr>
<td>Clergy, law, etc. etc.</td>
<td>200,000</td>
</tr>
</tbody>
</table>
| By public revenue [army, navy, civil servants] | 500,000  

A number of circumstances in English economic and social life were conducive to this great outburst of activity. Political stability had favored the accumulation of capital, while the prestige which commerce and industry enjoyed encouraged investment in productive undertakings. A spirit of enterprise animated the nation, and men of imagination who planned novel projects or wished to exploit a promising invention found ready backing among English investors. Contemporaries were impressed with the spectacle of men risking their fortunes on all sorts of new devices. “The age is running mad after innovation,” grunted Dr. Samuel Johnson (1709–1784), “all the business of the world is to be done in a new way; men are to be hanged in a new way; Tyburn itself is not safe from the fury of innovation.”

The regulations governing guilds and corporations had survived, but they were regarded rather lightly as old-

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fashioned prohibitions and their violators were rarely prosecuted. Naturally enough, the more rapid industrial developments occurred in those unincorporated towns which had never been under mediaeval restrictions against new manufacturing processes and labor practices and in those areas which enjoyed special exemptions. As a generality, in England men were less subject to ordinances which impeded economic progress than anywhere in Europe.

England's trade with the colonies, which by 1775 amounted to about a third of her foreign commerce, had increased six times in volume from 1700 to the outbreak of the American Revolution. Exports to the colonies had reached four and a half million pounds sterling, and imports from the colonies more than five million pounds sterling. England's total overseas trade more than quadrupled in the course of the century. The rising demand obviously gave manufacturers and large-scale farmers incentive to expand their operations and improve their products.

England's happy combination of human and natural resources helped to create a new technology affecting both the quality and quantity of output, as well as the organization of labor in field and factory. Her navigable waters and outlets to the sea facilitated both interior and foreign commerce; her rivers supplied power to drive machinery; and her abundant coal and iron gave her the products basic to most industrial processes. Moreover, she had men of talent and energy who knew how to utilize these natural advantages. The spirit of intellectual inquiry which was burgeoning everywhere in Europe had taken firmest root in England. Chemists like Joseph Priestley (1733–1804) and Joseph Black (1728–1799) conducted experiments whose results had wide practical application in British industry. Some-
times the scientists themselves became inventors and pioneer manufacturers.

The publications of the Royal Society of London, the research of the scientific laboratories, especially those of the Scottish universities, the ingenuity of a group of practical-minded inventors, and the daring of entrepreneurs were all contributory elements in the process of altering the industrial face of England. There was mobility in this English society. Manufacturers, inventors, and scientists discussed common interests and problems in associations such as the Lunar Society of Birmingham, to which the famous pottery manufacturer Josiah Wedgwood (1730–1795), the inventor James Watt (1736–1819), and the Birmingham industrialist Matthew Boulton (1728–1809) all belonged. Ideas were generated at these meetings and partnerships were formed to exploit them.

There was a new interest in improving transportation. Highways were broadened and their surfaces improved to accommodate a large volume of traffic in any weather. It was an age of canal building. In 1761 the Duke of Bridgewater built a canal to connect his coal mines at Worsley with the town of Manchester seven miles away, and the relatively cheap transportation by water enabled him to undersell all his competitors. In the next quarter century new waterways were opened until England was literally covered with a network of canals.

In agriculture, although new methods and techniques were not widely adopted throughout the land, the groundwork was laid for the accelerated developments of the next century. The practice of scientific husbandry by rich landholders became such a craze that even George III prided himself on being called the farmer-king. Wealthy noble-
men and squires like the famous Coke of Holkham (1752–1842) occupied themselves with the reclamation of fens and marshes. Following the lead of Robert Bakewell (1725–1794), they bred livestock for better and more meat. And Viscount Charles Townshend (1674–1738), known as “Turnip Townshend,” showed them the virtues of a four-crop rotation system which alternated arable farming with the production of turnips and clover, to provide winter fodder for livestock and at the same time to replenish the fertility of the soil.

The Mechanical Inventions

The augmented number of mechanical inventions registered by the Commissioners of Patents reflects the accelerating pace of the Industrial Revolution. While prior to 1760 more than a dozen patents were rarely awarded in any one year, in 1766 the number rose to thirty-one, and in 1769 to thirty-six; in 1783 there was a sudden increase to 64; then followed a decline until another spurt brought it to 85 in the year 1792. The technological revolution was already gaining momentum in the last decades of the eighteenth century, although it was the next quarter century that saw a tremendous bound forward, with 250 patented inventions for the year 1825 alone. Broadly speaking, the early improvements in spinning, weaving, and mining were labor-saving devices which made it possible to maintain production with a limited work force. In many instances, children could be trained at the new machines to perform jobs which had formerly been set for men and women. In the last decades of the century, when labor was more plentiful, inventors concentrated on increasing output.

Machinery was already in use by 1700 for such heavy
tasks as sawing lumber and hammering metal, and for some lighter jobs such as coin stamping, but simple tools and manually supplied power were still the rule for most manufacturing processes. During the course of the century, and particularly in its second half, many more machines were introduced in metallurgy, pottery making, and textiles.

There were some technological improvements in the mining of coal and output increased from two and a half million tons in 1700 to three and three quarter million tons in 1750 to ten million tons in 1800. The most important invention, widely used by 1760, was Thomas Newcomen’s atmospheric engine, which pumped the water out of the pits and enabled the miners to work the deeper mineral deposits. Other improvements, such as the laying of iron-track wagonways, made it possible to use less human and animal power in hauling coal, both in the galleries of the pits and above ground to waterways and industrial establishments. The greatest expansion in coal mining came in the next century, and it is likely that the relatively slow progress of this industry in the eighteenth set limits to the expansion of manufactures requiring this basic fuel for power.

The iron industry was stimulated by the demand for munitions, and its production increased from 20,000 tons in 1740 to 156,000 tons in 1800. Abraham Darby and his son had freed the iron industry from its dependence on rapidly thinning woodlands by substituting coke for charcoal in smelting ore into pig iron and in converting pig into the cast iron suitable for pots and pans and some types of ordnance. The forging of wrought iron, a less brittle and purer metal used in cutlery and nails, still required charcoal until Henry Cort in 1784 patented a puddling, or stir-
ring, process. This method separated from the liquid metal the carbon impurities which had previously interfered with the use of coke in making wrought iron. Cort’s roller patent further provided a means of fashioning the iron bars into plates and rods.

Under the impetus supplied by men like Matthew Boulton, England became the foremost producer of metal wares in the world, famous for Birmingham hardware and Sheffield silver plate. The metal manufacturers employed water wheels and eventually the steam engine to supply power for their flattening mills which beat ingots into sheets, for their coin making machines, lathes, grinders, and polishers. In this manner costs were reduced until Protestant England was making crucifixes for the Catholic countries of Europe at a wholesale price equivalent to fifteen cents a dozen.

Boulton’s initiative, combined with the inventive genius of James Watt, revolutionized not only the production of metal goods, but of all English industry, by replacing water power with steam. Watt’s steam engine had been patented in 1769, but its manufacture had been retarded by a shortage of skilled workmen who could make cylinders to such exact specifications that from end to end they would accommodate smoothly the pistons whose plunging strokes were the source of power. Watt formed a partnership with Boulton in 1774, and at their Soho plant workers and engineers were assembled, production difficulties ironed out, and the steam engine was equipped with rotary parts to turn shafts and drive powerful machines. The problem of boring cylinders of precise dimensions had been solved by adapting the cannon borer developed by “iron mad” John Wilkinson (who carried his fetish to the point of building an iron coffin for himself).
In the pottery works of Staffordshire, the use of water- or steam-driven mixing and grinding machines, potter’s wheels, and presses to squeeze clay into molds contributed to the growth of an industry which sold English “china” to every country of Europe and to the colonies. In his pottery works at Etruria, Josiah Wedgwood invented or perfected tools, lathes, coloring processes; substituted steam for water power; and introduced novelties in the organization and supervision of his workers. His objets d’art, as well as the ordinary household wares on which he concentrated, were of a quality to please even the Tsarina of all the Russias.

The most widespread development of the Industrial Revolution in the eighteenth century occurred in textiles, and by 1800 hundreds of mills on the river banks of Lancashire and Yorkshire were manufacturing yarn with water-power driven machines. Few changes were made in the weaving of cloth. John Kay in 1733 invented a flying shuttle which was knocked across a wide loom by hammers instead of being passed by hand from one worker to another, but the invention was bitterly opposed by the weavers, who feared the loss of their jobs, and its adoption was delayed. Similarly, Edmund Cartwright’s automatic power loom (1785) found no ready acceptance until the nineteenth century. Indeed, there was little incentive to speed up weaving until the spinning processes had been improved, since it took anywhere from four to ten spinners to prepare yarn for a single loom. The gap was bridged by a number of inventions in the spinning of textile yarns, of which the first was Thomas Lombe’s silk-throwing machine (1718), which stepped up the production of silk yarn. A more dramatic change in spinning was the water frame (1768) patented by Richard Arkwright, a wigmaker and barber whose in-
vention brought him fame, fortune, and ennoblement. Arkwright's device employed rollers, driven by water power, to draw out the fibers into loose bands which were then passed to the spindles for twisting. The end product, a coarse yarn suitable for cotton textiles, was manufactured in far greater quantities than had been possible with manually fed spindles. At about the same time, James Hargreaves invented a jenny (named for his wife) which could spin a hundred threads of yarn at once by means of several spindles vertically installed. The jenny did not require an elaborate power wheel to drive it and could be operated by hand in a worker's home, but the yarn it produced was weak and easily broken. In 1779 Samuel Crompton combined the features of the water frame and the spinning jenny in a mule (so-called because of its hybrid character), which was both water driven and could at the same time spin multiple threads of fine, strong yarn. Improvements in bleaching and dyeing and in printing patterns on cloth through the use of rollers were also introduced in the last quarter of the century. As a consequence of this accumulation of inventions, England easily dominated the textile markets of the world. By 1800 the ordinary Englishman could afford to wear cotton underclothing which a century before had been the prerogative of the rich.

The Factory System

The growth of the factory system was the most striking social and organizational aspect of the Industrial Revolution. There were a number of reasons which moved employers to draw personnel to one place of work whenever possible. Smelting and rolling in the iron industry was not profitable on a small scale in dispersed units. In the cotton industry a
single water wheel or a steam engine in a factory could supply power for many operatives. Workers in the new chemical and machine-manufacturing industries required strict supervision, which could best be provided in a single locale. In pottery works, such as those of Josiah Wedgwood, a large agglomeration of workers greatly facilitated the subdivision of labor. The concentration of workers in a single establishment made it possible to stop thefts of raw material during the manufacture of woolens, a frequent abuse under the old putting-out system. The factory system brought with it a new regimen for workers—symbolized by the gong—which was absent both in agriculture and in domestic handicraft. This organizational novelty and its effect upon workers proved in the long run to be as revolutionary in its consequences as the technological improvements themselves.

In the early period of the Industrial Revolution the labor supply in the towns was far from plentiful. Unless they were forced by hunger, workers were usually reluctant to seek jobs in factories where they had to surrender their freedom to a strict discipline alien to the cottager. Generally the ancient Elizabethan Poor Law militated against the movement of workers from one area to another, for if a man left his native parish and stayed away for a year there was no longer a local obligation to support him in time of need. Hence the importance of children in the labor force during this period. In many districts overseers of the poor, in order to get rid of their charges, especially the foundlings, and to ease the tax burden of the parish, transferred them in batches to the cotton masters of the north. The sufferings of these children, apprenticed in factories where they worked twelve to fifteen hours a day, have been poignantly depicted in testimony delivered before contemporary Parliamentary
Commissions studying factory legislation. Recent apologists for the early factory system have this to say about the "hell of human cruelty" in which the children spent their lives: that it was probably not much worse than the condition of foundlings under the previous practice of local apprenticeship.

The sizable labor force employed in the construction of capital equipment such as machines and factories and on the improvements of transport meant fewer workers available for the production of consumer goods—cloths, foodstuffs, furniture—at the very time when there was a substantial increase in the population of Britain. With the exception of pottery, practically all items destined for the ultimate user were in short supply. Hence after the middle of the century there was a sharp over-all price rise, about 30 per cent from the middle fifties to the early nineties, followed by a precipitous jump of 100 per cent during the following quarter century. Wages by no means kept pace with this general price rise. During periods of commercial depression there was great suffering among the industrial workers, a condition with which the old Poor Law, providing local responsibility for those who belonged to the parish, could not cope. Working class revolt was sporadic, inchoate, and violent. Strikes and outbursts of machine-breaking—that primitive, instinctive reaction of hate among workers—were repressed with brutality.

The Pattern of Trade

Though the area of wheat under cultivation in the eighteenth century was enlarged by about a third and the yield per acre raised by about a tenth, the growth of population was so marked after 1770 that Britain became an importer
of grains in most years. Toward the end of the century, as the new factories poured forth manufactured goods in ever greater quantities, Britain came to rely significantly upon foreign, especially European, markets for their disposal. The basic modern pattern of Great Britain's import-export trade was established during this period. From the colonies she received raw cotton, tobacco, sugar, and spices, sending in exchange cloth, hardware, glass, books, beer, snuff, slippers, and slaves transported from Africa. She exported to Europe her textiles, swords, cutlery, pottery, paper and glass manufactures; and she imported wine, fruit, oil, and wool from southern Europe; naval stores, lumber, metals, and flax (used for sails) from northern and Baltic Europe; some manufactured luxuries from Italy, France, and Germany. England thus became a unique type of national workshop dependent for her very existence upon the importation of an increasing proportion of food and raw materials from abroad and upon the capacity of other countries in the world to buy her manufactured products.
CHAPTER VI

Empire of the Hapsburgs

THE Austro-Hungarian Empire of the nineteenth century—a relatively effective government—was in large measure a product of eighteenth-century administrative reform. During the long reigns of the Empress Maria Theresa and her son Joseph II, attempts were made to integrate the disparate land areas of the Hapsburg Empire in central Europe into a Danubian kingdom. No real national unity in an English or a French sense was ever achieved, nor was an Austro-Hungarian personality created; hence the destiny of this empire was ultimate dissolution. Nevertheless, the judicial, administrative, and social reforms, both those inaugurated with caution by Maria Theresa and those pushed through impetuously by Joseph, did succeed in curbing the centrifugal forces at play in the component states of the Hapsburg Empire. They established an initial pattern of administrative centralism and uniformity of procedure which helped to keep this loose-jointed structure together until the First World War.

Under Charles VI (1711–1740) the Hapsburg Empire was a mere agglomeration of territories loosely united in a personal union with the monarch. A Hapsburg was traditionally elected Holy Roman Emperor; in addition to this
office each of the hereditary possessions of the dynasty carried with it a separate title: the Hapsburg was Archduke of Austria, King of Bohemia, Apostolic King of Hungary. In the two mediaeval kingdoms, Hungary with a population of 7,000,000 and Bohemia with 3,000,000, the nobles had retained extensive autonomous rights and privileges. They had independent diets and each Hapsburg heir was crowned separately in Buda and in Prague. Before the death of Charles VI the diets of the constituent territories had accepted a Pragmatic Sanction whereby they agreed, in order to keep the empire together, to recognize his daughter Maria Theresa as ruler of the several kingdoms, since he had no male issue. But despite the promises—in which the great foreign powers joined—the actual coronations of the new Queen did not run smoothly. The Czech and Magyar nobilities would not readily swear fealty to a woman. The legitimacy of Maria Theresa’s succession was the origin of a European war during which Prussia, France, Bavaria, and minor German states tried to partition the lands of the House of Hapsburg. This War of the Austrian Succession (1740–1748) was the external shock which gave immediate impetus to plans for the unification of a Danubian Empire. It became clear to Maria Theresa and her advisers that the House of Hapsburg must either proceed to integrate its hereditary possessions or face dismemberment.

In 1741, in the early stages of the war, Charles Albert, elector of Bavaria and pretender to the crown of the Holy Roman Empire, forced his way into Prague and was acclaimed king of Bohemia before an assembly of four hundred nobles in the Cathedral of St. Vitus. When Maria Theresa retrieved the crown of Bohemia two years later as the fortunes of war turned, she had it transferred physically to
Vienna, a symbol of her determination to prevent any further disaffection among the Bohemian nobility. Their contumacy was punished in a set of administrative orders issued over the next decades which completely altered the relations of the central government with the Bohemians. There was a frank invasion of the autonomous rights which had been guaranteed them in the seventeenth century. In 1749 the chancellery of Bohemia was merged with the central chancellery of the empire. The diet of Bohemia had to surrender its control over provincial administration and the native army. Bohemia was ultimately subjected to an Austrian code of law and judicial appeals had to be taken to Vienna. The German language was made compulsory in schools and offices and the effort to eradicate distinctive Bohemian identity was intensified.

In 1741 the diet of the Hungarian magnates, though they did not welcome an invader as had a large body of the Bohemian nobles, took advantage of Maria Theresa’s military weakness to insist upon the reaffirmation of their franchises: immunity from taxation, freedom from Hapsburg administrative control, the reservation of offices in Hungary to Magyars. During protracted negotiations, the Queen appealed to every mediaeval chivalric and contemporary sentimental emotion of the assembled nobles. She presented a spectacle of weeping beauty in distress, displayed her infant son, wore mourning clothes topped by the ancient crown of Hungary. In the end, after much unromantic haggling, she ratified most of the privileges of the nobility; in exchange she received 100,000 troops for the war with Prussia and, the story runs, heard the cry, “Moriannur pro rege nostro Maria Theresa.”
A temporary entente was thus effected between the imperial ruler of the Hapsburgs and the "high table" of the nobility of Hungary. The magnates frequented the palace at Vienna, abandoned their distinctive national costumes, learned to speak German, and accepted the titles of prince, count, and baron of the empire which they had previously shunned. Honorific offices and foreign embassies were bestowed upon them to bolster up their pride. An ingenious system of marriages engineered by the crown with consummate skill furthered the assimilation of the Magyar nobility with the Austrians.

During the reign of Maria Theresa the boundaries of Hungary were stretched into Polish territory and new frontier areas in the Balkans were wrested from the feeble Ottoman Empire. In return for imperial benefits conferred, however, the Magyar nobles were constrained ultimately to surrender many of the prerogatives agreed upon in 1741. The diet of Hungary, which according to the Golden Bull of 1222 was supposed to be convoked annually, met only thrice during Maria Theresa's long regime.

The Reforms of Chancellor Haugwitz

In addition to integrating the feudal aristocracy of the two most important states with traditions of independence, Chancellor Count Friedrich Wilhelm Haugwitz effected a general administrative reform throughout the Empire which, as Maria Theresa later wrote his widow, "restored the government from confusion to order." Everywhere this involved extending imperial power and curtailing the privileges of the nobility. It meant rationalizing the tax system so that it provided the revenues necessary for war. It en-
etailed developing the agencies of the central government and curbing the autonomy of local diets and executive committees.

The key battle, as always, was fought over the incidence of taxation. Maria Theresa found an empty treasury when she ascended the throne. By instituting and enforcing a universal system of taxation, from which there were no exemptions, neither of prince nor of lackey, the imperial government freed itself from beggarly dependence upon the state diets. The states were deprived of the revenue from indirect levies on salt and tobacco and from the stamp tax, and they had to present their budgets of income and expenditures to the Chamber of Accounts (Hofrechmamkammer) in Vienna for approval. The annual revenue of the empire trebled during Maria Theresa’s reign.

In the over-all reorganization, the central state chancellery and the Council of War were granted exclusive jurisdiction in all the Hapsburg territories. Absolute centralization of the army and of foreign affairs pulled the empire through the bitter conflicts with Frederick II. Gradually but relentlessly administrative powers were withdrawn from the permanent committees of the provincial diets which had previously operated as executive bodies between sessions and were vested in the hands of a direct representative of the Empress. The diets themselves, on the rare occasions when they met, were reduced to the level of formal assemblies whose main order of business was to vote the demands of the crown. Imperial functionaries moved freely throughout the administrative system of the separate states, into areas where they had never before penetrated. As agents of the crown, they could, at least in principle, hear appeals from the peasants over the heads of their lords.
Though there was continuity to the long-range policy of the Hapsburg administrators, a number of whom bridged the reign of the Empress, the coregency, and the independent reign of Joseph II, the tempers of the two monarchs and their methods of operation diverged radically. Maria Theresa’s tactics can be described as the iron hand in a velvet glove (*douce violence*); her son charged ahead like a bull, despite opposition and criticism. Defeat in war at the hands of Frederick II of Prussia, who had robbed her of Silesia because she had neither the money nor the organization to support a military defense of the Hapsburg lands, forced the Empress to resolve upon a number of antifeudal measures and restrictions on the temporal power of the church. She was nonetheless a pious Catholic and by no means a beacon of the Enlightenment. She understood the requirements of effective absolutism based on the clear supremacy of the sovereign over all classes and the necessity of obtaining a maximum contribution for the support of the dynastic state from nobles, peasants, and churchmen alike. Yet her reforms were moderate and limited in their scope. Though she imposed state officials over the feudal nobles to guide, direct, and tax them, she still accepted the old class hierarchy of peasants under the control of their lords.

At the time of Maria Theresa’s accession, the peasants had the status of mediaeval serfs; they could neither leave the land, nor marry, nor bring up their children in new occupations without prior permission of their local lords. They were subject to a host of servitudes covered by the Slavic word *robot* (work). Under the Empress’s reforms, while the legal position of the serfs remained fundamentally the same, manorial dues owed their lords were lightened. In Bohemia she broke up her own extensive crown domains
and sold the land to the peasants; in both Austria and Bohemia she made inroads into the system of serfdom by establishing royal commissions which at least fixed and entered upon written protocols the manorial dues which a serf owed—a measure of protection from a lord’s caprice and limitless exactions.

A royal patent of 1773 alleviating the peasants’ burden of road work in Bohemia resulted in an uprising which only confirmed the Empress in her policy of relative moderation, despite her son’s chafing at the bit to institute a vast peasant reform. The decree was misinterpreted by the peasants as a general emancipation from all manorial dues and during the wild peasant rebellion which followed, châteaux were pillaged and an imperial army had to save Prague from hordes of serfs marching on the capital. Humbling the Bohemian nobility while at the same time preserving the basis of the ancient system of land tenure was a precarious balance to maintain.

By a patent of 1749 justice was separated from administration and the prospect of judicial reforms throughout the empire was raised. Law in the Hapsburg lands was a potpourri of local custom, Roman civil law, canon law, and imperial ordinances. Men were judged by different standards, depending upon their status in society. Punishments were barbaric: mutilation, branding, and the wheel. A special commission set up in 1767 studied the possibility of promulgating a common legal code for Austria, Hungary, and Bohemia; but after long inquiries the specific results incorporated in the criminal code of 1770—the Nemesis Teresiana—were for the most part limited to the abolition of some of the more cruel forms of punishment and the elimination of crimes such as sorcery. In time similar imperial commissions
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were multiplied to cover many aspects of social and political life, though their proposals were rarely carried through with success. The Chastity Commission, designed to prevent illegitimate love-making, was one of the Empress’s less felici-
tous innovations.

Maria Theresa subscribed to the principle that education was within the province of the state, that it was a political matter. Universities and secondary schools were therefore placed under her control, and the state dictated the entrance requirements and the curriculum. At the same time, primary education was emancipated from the church. Though Frederick II called her an “apostolic hag,” Maria Theresa’s re-
ligion did not allow for papal interference in the ecclesiastical affairs of her empire. Bishops were prohibited from corre-
sponding directly with Rome, and in 1773 she joined the rest of Catholic Europe in suppressing the Jesuit Order.

The contemporary publicist Joseph von Sonnenfels (1732–1817), who had been one of the intellectual pro-
ponents of reform, wrote in eulogy of his Empress:

At the advent of Maria Theresa the monarchy was without in-
fluence abroad, without strength at home; . . . agriculture was in a wretched state; commerce mediocre; finance without direc-
tion or credit. At her death she transmitted to her successor a state improved by her reforms and raised to the level which the greatness, fertility, and the intelligence of its inhabitants should have assured it.1

Joseph II: Absolutist Reformer

Joseph II, who had been quarreling with his mother over matters of state policy throughout their long core-

gency (1765–1780), drove the Thersian reforms to their logical and rational conclusion. He strove to outdo Frederick II of Prussia in creating an absolutism with uniform rules and practices founded on what he considered the principles of reason, in defiance of any religious and historical traditions however powerful or deep-rooted. His doctrinaire approach is well illustrated in his uncompromising Germanization policy. To a Magyar noble who had remonstrated with him, he replied:

Every plea must be supported by irrefutable arguments drawn from reason. . . . The German language is the universal tongue of my empire. I am the Emperor of Germany. The states which I possess are provinces which form a single body with the state of which I am the head. If the Kingdom of Hungary were the most important of my possessions, I would not hesitate to impose its language on the other countries.²

In the name of his philosophical and étatist principles, Joseph II went far beyond his mother in attacking papal relations with members of the ecclesiastical hierarchy in the empire. In vain did Pope Pius VI travel to Vienna in a forlorn attempt to stem the antipapal movement which later came to be known in the church as Josephinism. To Joseph the very existence of monastic establishments devoted solely to contemplation without work was a violation of rational economics and he suppressed them outright with a decree. This disciple of the French physiocrats tried to eliminate waste in every branch of his economy, and not even the dead were exempt from his regulatory zeal. He decreed against coffins, considering the shroud a sufficient envelopment.

² Ibid., p. 371.
Truly revolutionary for an Emperor of the Catholic House of Hapsburg was the Edict of Toleration of 1781, which permitted the private exercise of their religion to Lutherans, Calvinists, and Greek Orthodox Christians. There was some amelioration in the condition of the Jews, to whom a few new occupations were opened. But the broad implications of Joseph's religious toleration should not be exaggerated. He drew the line at deists. If anyone inscribed himself as such he was to receive twenty-four baton blows, not because he was a deist, but because he pretended to be something he knew nothing about.

Joseph II's abolition of serfdom was the most spectacular reform of the whole Age of Reason: his mother had alleviated the burdens of the peasants; he formally emancipated them and bestowed upon them property rights. Joseph dealt with the problem of serfdom in two stages. First, in a series of edicts from 1781 to 1785 he endowed the serfs with legal personality: the peasants of Austria, Hungary, Bohemia, and Transylvania were thereafter at liberty to marry, to migrate, to take employment, and to raise their children in accordance with their own lights without the consent of their manorial lords. Secondly, in the last years of his life, he tackled the problem of providing the freedmen of the empire with land of their own. It has been estimated that before Joseph's reforms, only about 27 per cent of a peasant's income remained for the support of his family after the 10 per cent tithe to the church, the 29 per cent payment to the lord of the manor, and the 34 per cent tax to the state. The emancipation of the serfs had not in and of itself altered their fiscal obligations to the lord and the church. Joseph's policy aimed to reduce these obligations to a single tax which would have left the peasant about 70 per cent of his earn-
ings. The church was dealt with summarily—the tithe simply abolished. In addition to reducing the peasants' dues, the Emperor's decrees provided for the actual purchase of the land they tilled at easy payments. A strong independent peasantry, he hoped, would make the foundation of his new empire. The freedmen, of course, were immediately subjected to Joseph's paternal despotism. He taught them to improve their agricultural techniques, favored the breeding of horses over cattle, and prohibited the peasants from baking gingerbread because it was bad for their stomachs. The final decrees of 1789 which would have given them economic independence were never actually made effective—so violent were the protests and rebellions which overwhelmed the dying monarch.

The new judicial procedures which Joseph instituted were probably the most lasting accomplishments of this zealot who, in the brief decade of his independent reign, tried to alter the whole face of his empire. In 1786, part of a new civil code was promulgated; in 1787, a penal code which abolished the death penalty for many crimes. In effect, Joseph nationalized the judicial system. Only in civil cases was the patrimonial court of the noble still operative. There were peasants' advocates in every province and appeals could be made to officials of the central government. The judicial hierarchy was crowned by a Supreme Court in Vienna which set up legal standards for the whole empire.

Under Joseph the empire was given a symmetrical structure: it was divided into thirteen states, each of which was subdivided into circles. The cities of the empire were stripped of their variegated mediaeval administrative forms and all were placed under similar municipal organizations. As a
protectionist, Joseph tried to foster industrial developments on an empire-wide basis which would free his states from reliance on the English and the French for manufactured products such as metal wares and textiles.

Joseph not only compelled provincial communities to build schools: he made secular education compulsory, a requirement which resulted in the highest rate of school attendance in Europe but raised opposition among Catholics, Protestants, and Jews, who dreaded risking their children to his godless system. In his higher education curriculum, the enlightened despot was not too much interested in philosophy and abstract thinking; he favored the practical arts and the medical and juridical faculties. His exclusive admiration for the concrete and the utilitarian makes him appear rather boorish. He could be condescending to Mozart, the greatest creative genius of his age, and complain that one of his operas had “much too many notes.”

He lifted the censorship, out of a desire to see the superstitions of the past denounced and to get more taxes from an expanded book-publishing business. He allowed free criticism even of himself. He was the archetype of that bizarre combination of enlightenment and despotism which allowed the world to say what it wished, provided that he could do as he pleased.

In the last years of his life there was a widespread countermovement against his Germanization, his anticlericalism, and his mania for regulations. A rebellion in the Netherlands crushed the spirit of the monarch who could not comprehend the ingratitude of his subjects. His successor gave way on many crucial points on which Joseph with his one-track mind had obdurately insisted. His attempt to mold a nation-
state out of the Austro-Hungarian Empire was a dismal failure; it was probably an impossible undertaking. He died a disgruntled imperial philosopher, to whose tyranny of reason men would not submit.