

Empires and Nations from the Eighteenth to the Twentieth Century

Empires and Nations from the Eighteenth
to the Twentieth Century:
Volume 2

Edited by

Antonello Biagini and Giovanna Motta

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P U B L I S H I N G

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POLITICS AND PARLIAMENTARISM:
THE ROMANIAN POLITICAL ELITE
FROM TRANSYLVANIA BETWEEN VIENNA
AND PEST (1860–1871)

ALEXANDRU ONOJESCU

The 1860s proved to be an age of hope for the Romanians from Transylvania. If the previous decade (marked by the so-called neo-absolutism) gave the Romanians a chance to hold public offices, the constitutional experiments in 1860–61 registered both the exponential rise of the Romanian civil servants body and a larger freedom to uphold Romanian national and political claims. Whether it was the legislative or executive branch, the Romanian political elite took advantage of every opportunity to demand a political and legal status equal to that of the Hungarians and Saxons, the other resident nations who held the monopoly of power for centuries.

We are mostly concerned with the attitude the Romanian political elite had to the various legislative forums held successively in the Great Princedom of Transylvania and in the Kingdom of Hungary between 1863–69: the Diet from Sibiu (1863/64), the Diet from Cluj (1865) and the two Diets from Pest (1865–68, 1869–71). Also, we will try to assess the relation that the same elite had in regard to the two political centers of power directly interested in the fate of Transylvania: Vienna and Pest.

As always in the case of the Hapsburg Monarchy, foreign policy failures had strong repercussions in terms of domestic policy. The collapse of the absolutist regime, established immediately after the defeat of the Hungarian revolution of 1848–49, led to the implementation of two constitutional experiments: the October Diploma (October 1860, with a strong federalist character) and the February Patent (February 1861, with a centralistic emphasis). The goal was to find an optimal constitutional mechanism to ensure the internal peace of the empire (Hoensch 1965, 10–16; Taylor 1965, 95–140).

The Viennese attempts did not meet the requirements of the Hungarian political elite who advocated the reinstatement of the so-called April laws

of 1848. Among these was the law on the unification of Transylvania with Hungary, the main cause of the Romanian uprising in 1848–49 against the Hungarian revolution. Moreover, according to the abovementioned two constitutional provisions, Transylvania was considered a separate self-governing entity, with different legislative, executive and judicial institutions. That is why, from the start, the Romanians accepted the Diploma and the Patent. Again, just like in 1848–49, the Romanians rallied to the political principles of Vienna, opposing the Hungarian unionist tendencies.

Romanian concerns in regard to the identification of an electoral formula for their benefit in their struggle for fundamental political rights began as early as the first months of the constitutional experiments in Vienna. Using the Romanians as leverage in their fight against Hungarian claims, the Hapsburg Court entitled them with the right to convene a national conference in order to meet and discuss the current political issues.¹ The electoral law was one of the main topics of debate: both the retrograde law of 1791 and the Hungarian revolutionary liberal electoral law of 1848 were rejected, the latter mostly because the Romanians did not want to create the impression that they would accept the union.

The Romanian proposals were by far more liberal and democratic than those of the Hungarians. First of all, the eight florins electoral tax was abolished and anyone who was aged twenty-four or more and had an urban or rural property, regardless of its financial value; those who practiced a craft, commerce or were factory owners; those who had an annual income of fifty florins; and all of those who practiced liberal professions could become candidates and could be elected in any district, regardless of their permanent residence. According to these ideas, the number of electors in Transylvania should have risen to some hundreds of thousands. The electoral mechanism should have also changed: the vote had to be direct, and acclamation was prohibited. The preservation of the imperative mandate was a step back. Electors had a direct control over their representative and could at any time ask for his dismissal if they felt that their interests were neglected.

Later, when the situation required the convening of the Transylvanian Diet, Vasile Ladislau Popp, one of the most important Romanian officials in Vienna, submitted a series of electoral proposals that differed from those in Sibiu. The Diet was to be convened in Sibiu, and the first item on its agenda had to be the political recognition of the Romanian nation. The

¹ Protocolulu ședințelor conferinței naționale românești ținute din 1/13 până în 4/16 ianuarie 1861 la Sibiu sub președinția a doi Archiepiscopii românești din Transilvania, cu acelușe sale și cu un comentariu (Brașov, 1861).

electoral tax of eight florins was preserved, but it included capitation. Also, the representation of MPs was increased, setting a ratio of one to every thirty thousand inhabitants. The authorities in Vienna agreed with Popp's proposals, more so as the Hungarian Diet was dissolved after its refusal to send its representatives to the Reichsrat (Retegan 2004, 157–59).

The refusal of the Hungarian political leaders from Transylvania in charge with the electoral process to call the elections, thus obeying their emperor, resulted in their dismissal. Anyhow, the court itself had its hesitations. Convening a Diet that could have a relative Romanian majority was a hard decision to take. Altogether, even if the Romanian nation had the will and the ambition, it lacked the necessary expertise to take over the reins. Eventually the Transylvanian Diet was convened, but only after the Viennese government made sure that the Romanians will do all their best to send the twenty-six Transylvanian deputies to the Reichsrat. The national conference from Sibiu (1863) voted an address accepting the two constitutional acts of 1860 and 1861. In exchange the Romanian political elite gathered in Sibiu and asked for the recognition of their nation, denominations and language as politically equal to those of the Hungarians and Saxons, and their incorporation in the Transylvanian constitutional establishment.²

The alliance between Vienna and the Romanians made the Diet of 1863/64 possible. It was for the first and last time when the Romanians held enough political power to change their nation's status. To be sure of its success, the court submitted some provisional electoral regulations, foreshadowed by Popp's 1861 proposals. The most important innovation was the restriction of the number of royalists. Of the 165 members only 40 were to be appointed by the king, on meritocratic criteria. That was a clear deviation from the historical tradition, by which the Crown subordinated the legislative bodies to its will. It did not mean that Vienna lost control of the legislative process. There were two reasons for that. It was for the first time that the tradition of binding instructions was removed. That meant that the MPs represented the whole body of electors and not just the ones from their constituency. Second, the massive involvement of the Romanian civil servants the court could control indirectly in a more subtle fashion: the bounding oath to the emperor and their financial subordination as bureaucrats were enough to gain a more conciliatory attitude.

There were sixty Romanian MPs that participated in the Sibiu Diet, covering 37.5 percent of the total: forty-nine of them were elected and eleven were appointed. Out of the same total 70 percent were civil

² Protocolulu Congressului natiunei romane din Ardealu, ce s'au tienutu in Sabiiu la 20/8 Prieru 1863. Sibiu, Diocesan Press, 1863.

servants in different hierarchies. If we only look at the body of the elected MPs the proportion rises to 78 percent.³ A similar trend is also apparent to the Saxons of Transylvania.⁴ Instead, the Hungarian MPs were mostly landowners and free-lancers. This allowed them to immediately give up their mandates and to implement a passive resistance.

The summoning of the legislative body, their electoral involvement and the onset of the legislative process constituted, with small exceptions, a new stage in the political activity for most of the Romanian delegates. Their integration in a political-legislative paradigm implied the possession and exercise of special abilities (debate, argumentation, compromise, and negotiation in addition to legal and administrative expertise), but mostly the ability to prioritize, which worked hand in hand with the possession of political realism. Only part of the Romanian representatives had such an expertise, most of them being high civil servants. Some even participated in the drafting of the official executive projects that were to be discussed by the legislature. The expediency with which some of the Romanian officials wanted to discuss and vote the legislative projects displeased other MPs who thought that various problems had to be thoroughly discussed and voted according to their importance to the Romanian nation.

Various press articles on the subject opened the door to controversy. The civil servants were considered to be mostly working for the government instead for the people who elected them. Indeed, their status was ambivalent. That is why it was for the first time that different voices requested the enactment of some of the most important principles of modern parliamentarism: the balance and separation of powers.⁵ A similar debate took place in the plenum of the Diet when discussing the new electoral law. The issue of the participation of senior officials in the Diet was again raised in consideration to the fact that the legislative body needed more independence in its relation to the Crown. Unfortunately, despite the attractiveness of the principles conveyed, the human resource deficit that the Romanians had could solely be counterbalanced by the bureaucratic component of the national movement.

Although the Transylvanian Diet did send its representatives to the Reichsrat as promised, the legislative experience from Sibiu ended at the end of 1864 when, in secret, the negotiations for the Compromise between the emperor and some Hungarian officials had started.

³ Koloszvári nagy naptár 1866—dik évre (Kolozsvár, 1866) 193–97.

⁴ *History of Transylvania*. Vol. 3, edited by Szász Zoltán. Boulder, Colo. New York Social Science Monographs. 436.

⁵ “Inconvenientul în dietă și conflicte escase în ea,” *Concordia*, no. 4 (January 13/25, 1–2) and 5 (January 16/28, 1).

One of the essential conditions for the Austro-Hungarian reconciliation was that the Hungarian Diet should summon in its 1848 format, including its representatives from Transylvania. In fact, the April laws eliminated the right of Transylvania to have a legislative body of itself. As a sign of good faith to the Hungarians, the emperor signed a decree (September 13, 1865) by which the Diet from Sibiu was suspended and a new Diet in Cluj was to be assembled. Its sole purpose was to solve the union question between Transylvania and Hungary. The new electoral rules were those from 1791 and 1848, which rescinded the rights of the Romanians as a political nation. The high electoral tax made almost impossible any attempt to participate in the electoral process and win seats in the new Diet.

In the case of the Diet of Sibiu the crucial problem, from a Romanian perspective, was not the participation itself. They needed a solid political and juridical performance in order that the new legislation would be the most beneficial for Romanians, but also to maintain a balance between all three inhabitant nations. This was not the case for the Diet of Cluj. The Romanians gradually adopted a passive resistance policy. The political events in Vienna and Pest funneled the Romanians into a lose-lose situation, regardless of their participation in the Diet.

Likewise, in Cluj the overwhelming majority of Romanian deputies were civil servants: 74.9 percent of a total of forty-nine.⁶ Interestingly enough is the activity of some of these officials, all of them being appointed as royalists. Thirteen out of thirty-five did not participate in the legislative process, opting for a subtle passive attitude. By this act, part of the Romanian officials, feeling betrayed by the Austrians, founded, along with freelancers like Ioan Rațiu and George Barițiu, the passivist doctrine following the example of the Hungarian political elite in 1863. Anyhow, the Romanians were aware that they did not stand a chance in fighting the Hungarian super-majority of 195 MPs. Likewise it is possible that the thirteen officials chose this attitude in order to demonstrate that they can be trusted by their fellow countrymen. After the events in Sibiu there were strong voices that feared that their actions would favor the new regime (Hitchins Maior 1970, 81–82).

Finally, the Romanians reached an agreement regarding their participation in the Cluj Diet. The preliminary national conferences set the text of a Memorandum that was going to be read by the Orthodox Archbishop Andrei Șaguna (Păcățian 1905, 845–50). However, the Romanian actions were futile. The Diet of Cluj was actually meant to be more of an Austrian subterfuge in order to buy some time before taking a

⁶ Protocolulu și cartea de documente a dietei Marelui Principat Transilvania conchiemată în libera cetate regia Clusiu pe 19–a Novembrie 1865 (Cluj, 1866).

decision regarding the Austro-Hungarian Compromise. That is why the Hungarians also drafted an address which clearly stated that the Diet of Cluj did not have the legal quality to express itself in regard to the union. To their opinion the question was already solved in 1848.

The rescript of December 25, 1865 postponed the Diet of Cluj, and decided that, in conformity with the April laws, Transylvania should send its representatives to the already conveyed Diet of Pest. Again, the electoral process followed the second law of the 1848 Cluj Diet, which again proscribed the Romanian nation. Anew the electoral tax was the biggest in the Hapsburg Empire, and the general criteria were extremely selective. Only those holding a property valued at minimum 300 fl., those earning an annual income of minimum 100 fl., or those who were nobles had the right to vote. The Romanians were faced with two dilemmas: to participate or not to the elections, and, if yes, should they also participate to the legislative process. In both cases the Romanian political elite was confused.

The lack of organization led to a situation where every district constituency decided on its own whether to participate or not. There was no clear widely accepted program in order to prohibit or promote the idea of electoral participation. Thus, for the 1866–68 period, the total number of elected Romanians was eighteen, most of which were civil servants. This time, even if the figure was still high (61 percent), their influence was weakened by the uncertainty in regard to their careers due to the Austro-Hungarian negotiations. No wonder they were among the first who rushed to validate their election, foregoing any specific decision.

A relevant example was Ilie Măcelariu, a Romanian official. After several unsuccessful attempts to find a unanimous decision as to how the Romanians should proceed, he finally went to Pest and started his mandate. Măcelariu sincerely believed that he had to be present in the Diet and fight for his nation's rights. His almost suicidal act, when he started one of his speeches in Romanian, made him extremely popular among the Romanian community. Furthermore, he also defended the most important passivist actions: the December Petition (December 1866), or the Blaj Pronunciamento (May 1868). All these actions brought him his dismissal as a civil servant in 1868 (Suciu 2002).

The majority of those elected between 1866 and 1868 eventually accepted to participate at the legislative process of the Pest Diet because of its symbolic status: the emperor was going to take his oath as King of Hungary. An absence to this event would have been considered as an affront to the emperor. Moreover, the monarch was not considered to be responsible for the situation, but the Hungarian political elite, which was

unwilling to share the power they obtained and the fundamental rights and freedoms they themselves demanded. Anyway, regardless of their decision to participate or not, the Romanians had little chance to change something. On February 17, 1867, the emperor appointed Gyula Andrassy as prime-minister of Hungary and accepted to be sworn in as king of Hungary. In June 12, 1867 he signed the Compromise law.

As far as Transylvania was regarded, a series of decrees established its new status. On February 17, 1867, the Aulic Chancellery was dissolved, its functions being taken over by the Hungarian government. On April 2, 1867, the same government named Emanuil Péchy as royal commissioner with the purpose of supervising the process of political and institutional integration of Transylvania within the Hungarian Kingdom. Right after the coronation, the emperor signed two other important decrees, dated June 20, 1867. The first disbanded the Diet from Cluj, and the second, annulled the previous legislation of the Sibiu Diet of 1863/64 (Păcățian 1906, 856–58). The fate of the Romanians was sealed.

Gradually, the MPs from Transylvania associated with their co-nationals from the Banat and Eastern Hungary with the hope of having a better chance to straighten the situation. Unfortunately, their efforts did not suffice in order to change the legislation concerning the rights of nationalities or the Union of Transylvania. The Nationalities Law (voted on December 5, 1868), in itself a liberal law, granted citizens a number of fundamental rights irrespective of their ethnicity: to use their own language in public institutions, churches, schools; the right of association; but rejected the idea of nationality as a criterion for holding public offices (Hitchins 2000, 88). However, it was not enough, because it did not recognize the existence of other nationalities, except the Hungarian one. Furthermore, the provisions of the law were not respected at all, mostly after the rise of Kálmán Tizsa's government (1875).

In the case of the Union law, the results were similar, even if the Romanian MPs showed a lot of solidarity. Eighteen of them signed a proposal that asked the Hungarian parliament to respect Transylvania's autonomy and to summon a Diet, based on the electoral law voted by the Diet from Sibiu. The proposal was quickly rejected by the majority, the Hungarian political elite being determined to put an end to all debates concerning the matter. The law was adopted on December 7, 1868 (Păcățian 1905, 801–42).

The failure of the Romanian Transylvanian MPs in the 1866–68 parliamentary cycle to assure a better status for the Romanians in Hungary or for Transylvania as a former state raised some thoughts about what should be done next. Their frustration was manifested mainly by

reinforcing the passivist current. If for the 1866 elections the Romanians did not reach a collective decision, this time, for the 1869 elections, they were better prepared. The only political path foreseen by the majority of the Romanian political elite was opposition outside the constitutional establishment. All the more, they were encouraged by their co-nationals from the Banat and Eastern Hungary, who supported the passivist trend in Transylvania. Amid this public opinion a national conference was organized in Miercurea (March 1869), which declared passive resistance as the only proper doctrine for the Romanian nation.⁷ The same conference voted the formation of the Romanian National Party from Transylvania, led by a Central Electoral Committee. Shortly after, it was outlawed by the Hungarian government.

Created, employed and promoted by some of the most important Romanian political figures in Transylvania, passivism, with few exceptions, survived as a political and electoral doctrine almost forty years, until 1905, when it was replaced by activism. Unfortunately, then, as in 1865–68, the activity of the Romanian MPs was still very limited in its political goals and consequences.

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⁷ Acte și date despre conferința română națională din Transilvania, ținută în 7 și 8 martie 1869 în Opidulu Mercuria, (Pesta: Em. Bartalits Press, 1870).