

Adam Dombovari

**County elections and their regulation
1830–1844**

PhD Dissertation Theses

Supervisor: Tamás Dobszay PhD.,
Associate Professor

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I. Research aims, methodology and sources

Local and parliamentary elections are in a way the most intense contact between civil society and politics on both the practical and symbolic levels. The electoral culture of that time with its growing violent nature was a symptom of the late feudal institutions' chronic crisis and induced the disdain of contemporaries within and over Hungary's borders and of the successive generations alike. Firstly I made an attempt to present the elections of that time through three parliamentary elections (Heves of 1833, Tolna of 1839 and Zala of 1843) and the local and parliamentary elections of Pest County between 1818 and 1845, and then I turned my focus onto the issue of „therapy” i.e. I analyzed the bills and proposals that were advocated and brought to the local assemblies for debate by the counties and prominent politicians to regulate and possibly to reform elections in Hungary.

These notorious elections elevated the lesser noblemen into the midst of major political debates as the accused with having been actively or passively responsible for the escalation of violence. They were traditionally regarded as a largely homogeneous and yielding social group with strong inclination to venality by both contemporaries and historians. Accordingly, a central focus of my dissertation was to examine the lesser nobility as a socially and culturally defined crowd using the theories and notions of Gustav Le Bon and more recent authors like Charles Tilly and Frank O’Gorman amongst others. As from a political geographical perspective I have put the emphasis on the local i.e. county level during our investigations in both the case studies and the legal historical analysis. I chose the early 1830s as a starting date for the significance of the Operatio Systematica and its subsequent lively discussion in the counties supported by an increased number of reform proposals. The failure of the legislation regarding election fraud and electioneering on the diet of 1843/44 and the introduction of the new government policy (namely the administrator system) in 1844 that

resulted in a new peak for collective violence mark the end date of my investigations.

As case studies I picked the most contested elections from all three of the diets in this period. The archival sources (trial and medical records, the files of the royal commissioner's investigation, the correspondence of the respective party leaders, the high sheriffs' reports etc.) do not only allow for the reconstruction of events, but they describe inter-personal relations and the political campaigns from a social psychological perspective as well. This include personal, social and political motivations on different levels, along with the briberies and the conflicts, with their profound effects that often resulted in violent behavior. Additionally, in my dissertation I analyze the reciprocal influences of national and local politics on one another, the formation and development of local political parties (including the use of different symbols and their role in attracting followers), the types of electoral abuses, the role of the church and the clergy, religious division in general and the methods of persuasion and coercion by both the government and the estates. Our sources primarily were the archival files of the Hungarian Chancellery, the Lieutenancy Council, the High Courts, the Ministeriums of 1848/49 and the Family archives along with the press.

As opposed to the example of Heves, Tolna and Zala, in the case of Pest County I shifted my focus onto the strictly practical mechanism and course of elections and its legal framework, for which I used the minutes and files of the county assemblies. My objective was to illustrate the formal process of elections in general through a somewhat longer time period and hence present its traditional and/or reformer features that occurred. To this closely institutional approach I also added a brief analysis on the local political elite.

The backbone of my dissertation is to present and analyze the reform proposals and bills that were proposed to regulate (in other words either to modernise or to conserve) elections between 1830 and 1844, through which I explored both the governmental and local attempts after giving a brief insight to how elections worked in the

USA, the UK, Germany and France in that time. I analyzed parliamentary and local elections simultaneously because the reform proposals themselves dealt with them together or at least associated them as to be treated similarly. Initiatives in reforming local elections found their way easily to be introduced at parliamentary elections as well; they more or less served as experimental laboratories for the latter. I also gave a wider context to my topic by placing these projects and ideas in the mainstream political debates of that era by categorizing them as having enlightened, liberal, conservative, or even democratic features. One principal aspect of my research was to investigate the clash and occasional accommodation between the late feudal institutions and the budding new ones, foreshadowing a modern parliamentary system; that includes the investigation of both the similarities and differences between the two system, and accommodation's effect on the collective mind and the political culture of that era.

To present and give context to the reform proposals of all 52 counties and to keep track of the government's attempts I primarily relied on the files available at the Hungarian National Archives i.e. minutes of the local assemblies, county commission reports and proposals in reply to the royal decrees and the Operatio Systematica, the mother and supplementary instructions given to deputies of the diets of 1830, 1832, 1839 and 1843, etc. plus the printed material on the late feudal diets.

Both the parliamentary and local debates were popular topics in the contemporary press, and thus I collected and analyzed the editorials and other related articles from the three major (Pesti Hirlap, Világ, Nemzeti Ujság) and some other newspapers or magazines of that time (e.g. Athenaeum, Tudományos Gyűjtemény, Századunk etc.) along with political pamphlets of the 1830s (Lőrinc Nyitra-Zerdahely) and 1840s (Emil Dessewffy, Honjavító, Zsigmond Kemény).

II. Theses and results

Based on the sources used here it's safe to claim that the escalation of electoral violence and electioneering cannot be directly associated with only one of the major political groups; both sides' were involved in the violent activities at elections and in electioneering to the same extent. Accordingly, the „culture” of collective violence can be examined regardless of the parties as a wider and more universal social phenomenon, by which the political culture of the respective counties could lead to general social psychological implications in terms of the political culture of the country as a whole.

Not only parties are impossible to be classified homogeneously under one specific behavioral pattern, but the lesser nobility themselves cannot be tagged unanimously as a retrograde or progressive group of society either. Both the conservatives and the liberals were successful in mobilizing them during election campaigns. Our findings are in accordance with György Szabad's thesis who examined the voter turnout of a handful of late feudal townships in Pest County; consequently, the voting behavior of the lesser nobility and their preferences are to be analyzed within a complex framework including political, sociological, genealogical etc. factors.

The famous stereotype of the lesser nobility not being any more educated or civilised than the peasantry however got confirmed by our sources as well. The plausible distinction between the two groups is hence vague and the party leaders managed to take advantage of that during elections. Based on our sources the political maturity of the peasantry turned out to be higher than expected, and occasionally they took the initiative to influence elections like I registered in the case of Hőgyész. They however defined themselves in opposition to the nobility which easily led to the clash of the two groups (e.g. in Hőgyész and in Kehida) and was a card that party leaders could play to turn them against each other. Another precondition to this was given by the fact that elections were centralised; the town where the election took place provided the condensed and mixed presence of all sorts of social groups.

I also followed and analyzed the intensity of electioneering where the particular election happened to be long enough in nature to carry out such investigations. According to our theory the disappearance or decline of soliciting and violence could occasionally (as in the case of Tolna) be associated with the moral attitude and the mental evolution of the political elite as a form of political socialisation.

The election of 1833 in Heves was the combination of a parliamentary by-election and a partial local election and thus it was only a short, couple of weeks long campaign; the Royal Commissioner himself only arrived in the county after the events to carry out his investigations. The case of Heves was therefore suitable to vividly showcase the intensity of concentrated collective violence.

The repeat of the parliamentary elections in Tolna and Zala provided with the investigation of a multi-variable process. In the case of Tolna, the early mission and involvement of the Royal Commissioner allowed for a special analysis compared to that of Heves and Zala. In the case of Zala, which has already been explored in detail in the historical literature, on one hand I have focused on the traits of how party organization and coherence functioned among the party leaders.

On the other hand, the election in Zala differed from that in Heves and Tolna due to its close symbiotic relation to the major national political debate about the 'house tax' and its symbolic local figure Ferenc Deák. I think that connecting the national issue and the person on a local level, applying ideology construction to local party organization, and the extrapolation of the latter to subsequent elections represents the reciprocal relation and the clash accommodation between the traditional, clan-like local and the modern, ideologically grounded party organization methods. I have identified indirect signs of this transitional process at the Heves election too, where the opposition purposely defined themselves against the clergy and its privileges and against the burdens imposed on the common people. This way of

political evolution in Heves however could not unfold due to the orchestrated trials that the election in question entailed with.

The role of the clergy and religious division was most apparent in the cases of Heves and Zala; it provided with the analysis of the mechanics how the Catholic denomination in Heves and how the Protestant one in Zala influenced and organized politics. As shown in Zala, being Protestant didn't necessarily entailed with progression in politics for the individual.

When placing into a wider context, the political culture of elections in early 19th-century Hungary shows a very similar picture to the ones in England or even the U.S. for instance. Elections functioned as public 'events': they were a departure from the rhythm of everyday life, ritualistic events with wider social and political implications. The canvassing itself provided great community occasions: far from being exclusive, electoral politics became an increasingly active and participatory experience, an event involving all social sectors in the towns they took place. However, while the voting electorate was growing in size, it became more and more difficult to influence and control. Also, despite getting more and more involved in the elections, I could not detect any signs of politicisation among the masses of less educated, mostly illiterate noblemen in contrast with the voters in the UK or the U.S. The British and American voters became politically more conscious throughout this period when casting their votes, while in Hungary aside from sporadic efforts to raise their consciousness (like the one in Zala where Kossuth's Pesti Hirlap was read to the public in the church) such developments didn't occur as a trend. Altogether, local elites most likely wouldn't have benefited from the mass politicisation of the lesser nobility as much as they could achieve by bribing them. Education and the nature of the political system was however deeply intertwined which can be highlighted by the fact that in the course of the diets of the 1830s and 40s the problem of education became a major focal point in the reform opposition's arguments regarding elections.

When discussing the legal regulatory context of elections I decided not to organize our analysis thematically, but to use a legal

historical, chronological and text-centered approach that I adapted from the works of István Stipta, József Ruszoly, Orsolya Völgyesi, Sebestyén Szöcs and István Soós. Our objective was to present the local traits and peculiarities of institutional evolution beside the mainstream national tendencies. After registering the deficiencies in the electoral system through presenting the premises to our topic (that is the writings of the noble enlightenment, Hajnóczy and Martinovics in the 1790s, the *Operatio Systematica* of 1791/93, the district committee report on elections of the 1811/12 diet, the royal decrees of 1819, 1821, 1827 and 1829, the *Operatio Systematica* of 1828/30 and the diet of 1830) I thoroughly analyzed the counties' discussions and opinions on the *Operatio Systematica* in 1831/32 to begin with.

At the time of the birth of the reform opposition the *Operatio Systematica*'s stipulations on elections didn't provide with much room to articulate liberal or liberal-like reforms; the theoretical foundations of liberalism could only be followed belatedly by any legislature. The issues of elections between 1830 and 1832 only allowed for the clear articulation of the feudal opposition's agenda yet and thus for an attempt to try and redefine the power relations between the high sheriff and the estates; most of the counties did want to introduce laws that would bind and reduce the high sheriff's authority. Any kind of modernisation on the insitutional level could only occur where it overlapped with the intentions of the estates, or if its results were neutral and didn't interfere with them i.e. mostly procedural, technical matters I mean.

The regulation of elections on the other hand was such a complex consitutional challenge tied to other local and national reforms that couldn't be addressed and resolved in a liberal way in the political and social climate of the early 1830s. This could as well explain the sporadic, cautious reform attempts in this matter compared to other reform issues in question that ime. I cannot however ignore the feudal-like modernising reforms that ocured and the arguments that backed them since it was part of a broader phenomenon. The best and most viable way to bridge the feudal and the liberal opposition in the early

1830s was to use the rhetorics of grievance and consitutional independence i.e. to defend the nation from the oppressor. It was this kind of rhetorics that provided with the framework to include some elements of the liberal program as a second layer to it (as e.g. in the case of Zemplén, Békés, Tolna). By the 1840s however it became apparent that this tactic was inappropriate to enforce the liberal agenda.

Some of the things the local estates included in their opinions was quite forward considering the existing feudal framework. The re-allocation of the seats in the lower chamber of the diet for example was often tied to the effort of designing a more proportionate representation among the counties based on territorial, population or taxation factors (see Zemplén, Baranya, Győr, Nyitra, Torontál, Békés, Bihar, Szatmár, Temes, Zemplén, Somogy, Tolna). Some of the suggested progressive but still feudal procedural reforms included the introduction of an indirect voting system (Zemplén, Temes), the decentralisation of elections i.e. voters could cast their votes in several places instead of only the county seat (Zemplén), and the mandatory introduction of casting one's vote individually instead of the the public acclamation (Nógrád, Borsod, Békés, Győr, Torontál, Bereg).

The introduction of the ballot was only suggested by Zemplén's sub-committee and Bereg's and Nógrád's assemblies. To have contested elections investigated and adjudicated by an independent body (a kind of committee or a court-like entity) instead of sending out royal commissioners from the centre was supported by some of the counties, e.g. Nógrád. Nógrád's proposal wanted to have contested local elections adjudicated by an ad-hoc committee set up by the respective county, while parliamentary elections would be tried by the lower chamber of the diet. Zemplén's main committee suggested the latter as well.

One of the most common means to overpower the high sheriff in favor of the counties was to either reduce or eliminate the high sheriff's right to candidate and to transfer that right to the 'conferentia' (Zemplén, Bihar, Nyitra, Sopron, Szatmár, Árva, Békés, Komárom, Krassó, Moson, Torontál, Zala, Bereg, Nógrád, Somogy). Some of the

counties went as far to suggest that local elections could be held under the supervision of the deputy high sheriff or an elected chair in case the high sheriff fails to comply with the law (Zemplén, Bács, Nyitra, Nógrád). The county assembly of Nyitra even proposed that high sheriffs could be held accountable and punished for malpractice. The objective of protecting and preserving noble privileges not only against the high sheriff but against the peasantry as well made a fair number of the counties oppose the eligibility of peasants to be elected for minor offices (Zemplén, Borsod, Temes). They also facilitated for the very same reasons to restrict the franchise with the introduction of an intellectual or property-based qualification in order to exclude the uneducated lesser noblemen (Zemplén, Nógrád).

One proposition that fit into the reform opposition's rhetorics as well was to expand the passive franchise of deputies beyond the landowners to nobles in general (Zemplén, Nógrád, Szatmár, Békés, Csongrád, Tolna). Some of the counties proposed the parliamentary and local representation of the non-nobles in an indirect way: they could have a voice at elections through their elected representatives (Zemplén, Nógrád, Szatmár, Békés, Csongrád, Tolna).

The election of the judges of the county courts was on the agenda of the diet of 1832/36 as well, and though some progressive proposals have been made (e.g. the introduction of the ballot), no law has been passed due to the ongoing long debates on the seignorial demands. Following the outrageous local elections of 1836 in Szabolcs, Abauj and Gömör counties, a royal decree was issued on the 22nd of September 1836 to prevent similar future events. This royal decree was being discussed during the fall and winter sessions of the county assemblies, and about half of the counties (including traditionally conservative ones like Fejér!) declared the decree a violation against both national laws (especially the acts of 1791 on the distribution of power) and legal practice, not only for its content, but also because of the unilateral way it had been issued, that is without the consent of the diet. During the local debates members of the reform opposition tried to take the initiative by giving speeches first so to influence the tone of the

assemblies. In some counties (e.g. Esztergom) I could clearly identify the voice of the feudal opposition too. Members of the clergy were almost unanimous in supporting the decree (e.g. in Bihar and Csanád). Not only the remonstrations and the petitions were objects of our investigation, but I also analyzed the new regulations that some of the counties tried to introduce at elections in reply to the royal decree, including the fairly progressive ones by Békés and Zala Counties. These statutes however mainly focused on the prevention and punishment of electioneering, they weren't general electoral regulations. Although a fair number of the counties included the grievance of the 1836 royal decree in their instructions to the deputies, and despite the fact that the regulation of elections was assigned to a parliamentary district committee, the diet of 1839/40 failed to introduce a law once again.

The issue of electioneering found its way to new forums beyond those of the diets and county assemblies in line with the birth of the modern political press in Hungary, and became one of the central issues in the mainstream political debates of the early 1840s. Based on the editorials of the major newspapers the political elite reached an understanding by this time on some of the crucial points about elections, regardless of their party affiliation. Aside from Veszprémi's proposal (published in the conservative *Hirnök*) none of the articles challenged the introduction of the ballot anymore, and most of them also agreed that a combined intellectual and wealth-based qualification would be useful (the timing of this in the proposals of course differed a lot). A fair number of the articles supported the idea of introducing a new local body for the adjudication of contested elections which would ideally be independent from both the high sheriff and the estates.

Despite the similarities the main fault lines have not disappeared. To simplify the conservatives' efforts remained primarily to exclude the lesser nobility from elections and to subordinate counties to the central government. According to the liberal myth (and self-critic) electioneering was started by the government through the high sheriffs, but the liberals proved to be inclined and adapted these

methods as well and thus contributed to the degeneration of political life in the counties. They expected the elimination of electioneering by the enactment of laws that would facilitate the process of civilization and help the common people to accrue wealth. Until then they settled for virtual resolutions that didn't limit the authority of the counties and with constantly challenging the conservatives' proposals to overpower the counties. In terms of popular representation instead of allowing the peasants to have their own deputies in the diet (proposed by e.g. Lónyay Gábor) they wanted to begin only with granting representation to the 'free townships' at the county assemblies.

Our results regarding the conservatives' attitude towards electoral reform supports Iván Zoltán Dénes's findings about the general conservative political attitude in the early 1840s. The conservatives emphasized the importance of and the need for a strong government, an efficient public administration and order in general as opposed to having an impotent government, an inefficient public administration and social anarchy. The reform concept and strategy of the conservatives were based on the „passivity of a society that has been purposely kept backward”, that is they did everything to prevent any reform that had originated from below. What the conservatives undertook was only the technical modernisation of the „guardian” state. Although the reform opposition did suggest and outline long-term structural reforms and thus they were definitely more progressive than the conservatives, they had to settle for moderate and procedural reforms (i.e. reforms that wouldn't hurt any of their potential supporters' interests, like the introduction of the ballot and the independent body to adjudicate contested elections amongst others) because of the party's „umbrella feature” (i.e. they needed to be able to host an extremely diverse group of reformers in order to be numerous enough).

Based on the deputy instructions of 1843 the counties were unanimous in standing up against the government's influence through the high sheriffs during elections and for preserving the estates' hegemony. Their opinions differed only when progressive issues

threatening the feudal order were at stake; four neuralgic issues were the popular representation, the election of non-nobles into the county magistrate, the expansion of the franchise to the non-noble intellectuals and the introduction of the ballot.

Consequently, the position of the respective counties on these specific issues is a better indicator as to their inclination for reform. Tolna, Torontál and Vas Counties supported the representation of the peasants in the counties, while Bihar only backed the principle in theory. Szepes County's politically moderate instruction would only grant consultative function to the representatives of non-nobles at the county assembly. The expansion of the franchise to non-noble intellectuals was included in the instructions of ten counties (Bars, Borsod, Csongrád, Győr, Komárom, Máramaros, Tolna, Torna, Ugocsa and Ung) out of the 35 that I have the files of. The ratio between the counties that supported popular representation of some sort and those that supported the franchise expansion to non-noble intellectuals (roughly one to two) proves that the reform opposition's concept to get more and more of the non-noble elements involved in what the contemporaries called „nation” was designed to be achieved by the extension of the noble privileges instead of abolishing them. The instructions also show that the extension of these rights was conceived of to be a gradual process that was to be realized step by step: firstly in the counties and then on a national scale. Borsod County promoted an intellectual qualification; they wanted to stipulate a specific time period (12 years) after which anyone who was illiterate would lose his right to vote.

The election of non-noble officials was supported unconditionally by Arad, Bihar, Győr, Hont, Pest, Tolna and Zala Counties. Abaúj, Borsod, Liptó and Ung supported the reform under the condition that they would be excluded from judiciary offices. In order to prevent or at least reduce electioneering, the introduction of the ballot was promoted by Abaúj, Borsod, Heves, Liptó, Temes and Torontál Counties.

Lastly, our dissertation analyzed the bill proposal of the district committee of the diet of 1843/44 on electioneering and elections along with its heated parliamentary debate. Briefly, I found that the estates' proposal seemed to settle with procedural and moderate reforms within the feudal framework instead of initiating structural reforms. In addition to the major issues already seen in the instructions, the establishment of local independent bodies to oversee elections was another central point of the district committee's proposal and the parliamentary debate. The proposal's progressive elements included the introduction of the ballot and the non-noble intellectuals' right to vote. Altogether, due to the consequent veto by the upper house the diet of 1843/44 once again failed to legally regulate elections while none of the parties presented a parliamentary-liberal alternative to the technical modernisation of the state, that would go beyond the feudal grounds.

The self-defensing reflexes of Hungarian liberal nationalism raised multiple obstacles to any transformation of the county whose symbolic and practical implications were overly pervasive. The basis of the difference in obstructive strategies was time. Both the reform opposition's objective of enforcing popular representation but only on the long-run and the conservatives' supposed immediate response by enacting repressive laws only led to the deferment of addressing the issue at stake properly.

Presumably the reason why both sides decided not to mess up the status quo was having considered the possible gains and damages. The usually violent elections that were based on the well-known psyche and inclinations of the lesser nobility still meant smaller threat and risk regarding the outcome than the introduction of a structural reform, the re-designing of the electoral map and the sudden expansion of electoral psychology. Accordingly, I believe that it was the basic political instinct of preserving power that lay in the background of all the obstruction experienced and what led to the victory of practicism over proactivism.

One cannot neglect however the numerous procedural developments that aimed to introduce some elements of western

parliamentary systems into the late-feudal reality of Hungary. The pursuit to introduce the ballot and the way how it rose to majority between 1819 and 1844 could be one of the most tangible examples. The issue of the ballot also reflected two of the main aspects that I tried to examine in our dissertation. As it was a modern way of voting being used within the feudal framework it shows the occasional and clash accommodation i.e. the transition between the late feudal and modern parliamentary political systems. This duality not only could be seen on the insitutional level but in regards with mental evolution as well. During the debates that surrounded the ballot one key argument has been that it wasn't compatible with the traditional noble virtue which had primarily been based on publicity, because it would have damaged their prestige (however, in contrast with the idealism of the rhetorics it's obvious that the nobility's main objective was to continue to be able to influence voters and hold them accountable for their votes).

The institutional and psychological duality however wasn't constant or static throughout this period, and the problem of the ballot proves that its was gradually moving towards a new attitude that would go beyond traditional noble or feudal fixations. The ballot's increasing support that we saw on the diet of 1843/44 foreshowed the defeat of the arguments of the feudal opposition.

This experimental period also provided with the idea of having a local independent body that would oversee and investigate contested elections plus with the issue of having parliamentary elections judged by the lower house of the diet. They represent the other major fault line peculiar to this period i.e. the conflict between the national and the local. The two levels didn't always overlap and the power relations between the two were ever changing. Both institutions would have meant a decreasing role for the counties in a major constitutional matter, and the political elite wasn't yet ready for the re-arrangement of power relations in such a way. Thus, unlike with the ballot, the realization of the idea was lagging behind.

To put it strongly, due to all the ambivalency the 1830s and the 1840s can be seen as a somewhat schizophrenic political state of mind.

Intentions and deeds, theory and reality, objectives and possibilities, the feudal and the modern perspectives, the county and the national level each would mean serious dilemmas, so them being present at the same time as a multiple fault line system explains the virtually self-paralyzing way of politics of that time. Through the filter of the reform proposals regarding county elections I concluded likewise to previous findings in literature that although the nobility did have the potential to overtop traditional feudal frameworks, to a different perception of society (see the case of the ballot), the priority of defending the nation based on the county system has eventually overwritten these initiations (see the case of the committees that would judge contested elections) and raised obstacles to a Western-European-like transition. The mixed system that arose as a result was (at least in the case of county elections) unable to address the challenge that the society and institutions imposed upon it.