

5. Reform in the Habsburg Monarchy, 1740–90

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I

HISTORIANS in search of textbook specimens of enlightened absolutism have been accustomed to dwell on Joseph II's reforming achievements during the 1780s. The Emperor has often appeared the very exemplar of a monarch inspired by the Enlightenment. His religious, educational and, above all, agrarian reforms were certainly noteworthy, and he even attempted to reform the institution of serfdom. Yet the opposition and, ultimately, rebellion which his policies aroused, and the withdrawal of many of the more controversial innovations in the final months of his life or immediately after his death in February 1790, have sometimes made Joseph II appear a paradigm for the failure and even irrelevance of enlightened absolutism.

The Emperor's reputation has experienced similar vicissitudes within the narrower arena of historical writing about the eighteenth-century Habsburg Monarchy. It has proved difficult to maintain any balance between the sharply contrasting figures of Maria Theresa, ruler from 1740 until 1780, and Joseph II, co-regent after the death of his father, the Emperor Francis Stephen, in 1765 and sole ruler after 1780. Admiration for the heroic and attractive Empress has often been accompanied by distaste for her impulsive and, at times, obnoxious son, and the Emperor's historical reputation has suffered accordingly. To be 'for' Maria Theresa has usually meant to be 'against' Joseph II. The massive life-and-times published during the 1860s and 1870s by the Empress's first important historian, the imperial archivist Alfred Ritter von Arneth, has had an enduring impact.¹ Arneth's preferences were clear: he was an unqualified admirer of Maria Theresa, who saved the Monarchy during the 1740s and ruled it wisely thereafter, and a stern critic of her wayward and

headstrong son. This preference extended to the selective utilisation – and occasionally the suppression – of documents to support his over-arching view of the period. For a generation, Joseph II was without a historical champion to dispute the field with Arneth, until the appearance early in the twentieth century of a remarkable monograph by the Russian Paul von Mitrofanov.² This was the first scholarly study of the Emperor and it did something to correct the balance. Yet Mitrofanov's book was essentially a study of Joseph II's reforms during the 1780s and this, together with the continuing influence of Arneth's massive volumes, has ensured that the Empress has usually received more than her scholarly due and her son rather less.

Until the 1940s and 1950s, historical writing remained overwhelmingly monarchical in focus. But during the past generation a more sophisticated historiography has developed and continues to flourish. A bitter feud over the remarkable religious reforms encouraged detailed investigation of many other areas of government policy, and there is now a substantial literature on the wide-ranging innovations introduced between the 1740s and the 1780s. This has made clear that these decades saw the most radical programme of reform from above in later-eighteenth-century Europe. More was attempted and achieved in the Habsburg Monarchy than in any other state, as Vienna came to intervene, sometimes decisively, in areas where central government had not previously sought to exert influence.

The extent of continuity between the two reigns and the importance of Maria Theresa's rule for the reform programme have also been demonstrated. The discussions and initiatives during the Empress's lifetime did much to prepare the ground, but the pace of reform quickened appreciably after her death in 1780. Joseph II's personal rule was the high-water mark of Habsburg reformism and the more radical measures were mainly delayed until he secured full authority. There was also a sharp contrast in the approach and mental outlook of the two rulers. Maria Theresa's actions were rooted in her traditional sense of Christian responsibility for all her subjects. She was always politically conservative and reluctant to undertake reform, though once convinced it was essential, she was capable of surprisingly radical measures. Innovation was for her always a matter of pragmatism and necessity. Joseph II's pursuit of change was more principled, even doctrinaire, and revealed his impatient personality and reluctance to acknowledge any obstacles to his

policies. The Emperor's sense of responsibility for his subjects depended less on Christianity than on natural law theories. It found expression in his conviction that it was his duty to promote the 'general good' or 'general best'.

This utilitarian approach, together with a desire to strengthen the state and to extend his authority, provided the central strands in his reforms. Joseph II's actions were often deeply unpopular and could sometimes appear ludicrous, as in the case of his unsuccessful attempt to introduce wooden coffins with hinged floors, which could be re-used once the corpse, trussed up in a sack, had been dropped into the ground. Contemporaries were aware of the new spirit which the Emperor brought to government after his mother's death. The very next year, censorship was substantially relaxed (the first tentative steps had been taken before 1780) and this opened the way for a flood of publications, many critical of the Emperor's own actions. The 1780s saw remarkably free political debate, principally in Vienna, though some restrictions were re-imposed during the Emperor's difficult final years. The new tone which Joseph II brought to government was also apparent in his immediate escape from the imperial palace at Schönbrunn and his adoption of a relatively austere life-style.

Recent scholarship has also established the impossibility of explaining enlightened absolutism in the Habsburg Monarchy in terms of the French Enlightenment. This had some impact among a very small number of nobles and state officials, but it often co-existed beside more traditional deductive philosophy. The State Chancellor, Kaunitz, was a particularly good example of this blend of the contrasting teachings of Christian Wolff and of the *philosophes*. In any case, Italian reformist ideas and cameralism were always far more important sources of government policy.

II

The lands of the Monarchy were uniquely far-flung: no other eighteenth-century state was involved at so many points on the map of Europe. These possessions lay principally in Central Europe, but the Habsburgs also governed the distant Austrian Netherlands (most of present-day Belgium and Luxembourg) and territories in northern Italy, where Lombardy was administered

directly from Vienna and Tuscany was ruled personally by Francis Stephen until his death in 1765 and thereafter by Joseph II's brother, Leopold. The Monarchy's Central European heartlands consisted of three contiguous blocks of territory: the various Austrian provinces ruled from Vienna which were the family lands of the Habsburgs and the traditional source of their power, principally Upper and Lower Austria, Styria, Carinthia, Carniola, the Tyrol and Vorarlberg; secondly, the so-called 'Lands of the Bohemian Crown' (Bohemia, Moravia and Silesia), which had been acquired in 1526; and, finally, the Kingdom of Hungary, most of which had been under Turkish control for much of the sixteenth and seventeenth centuries and had been reconquered in the decades around 1700, along with the neighbouring and small (but separate) principality of Transylvania, which was ruled from Vienna. Hungary clearly constitutes a special case: it is discussed separately by Dr Evans (see Chapter 6). The principal focus of this chapter is the 'Hereditary Lands', that is to say the Bohemian and Austrian provinces. During the half-century after 1740, several significant territorial changes took place. Above all, most of Silesia was lost to Prussia during the first decade of Maria Theresa's reign; while Galicia (strictly speaking only East Galicia) was acquired in the first partition of Poland (1772), the Bukovina was seized from the Ottoman Empire (1775) and the Innviertel from Bavaria in 1779.

The Monarchy's geographical extent was also reflected in the diversity of its subjects and territories. The bewildering mixture of social, economic and geographical conditions, religious and racial groups and languages and dialects contained within its borders was also quite unique, and this enormously complicated the task of government and the implementation of reforms. The territories that made up Maria Theresa's inheritance had been acquired at separate times and in different ways. There was no uniform system of government; on the contrary, even after the administrative reforms of 1749-61 (discussed below, pp. 152-9), the Monarchy's subjects continued to be ruled through a variety of institutions and Vienna's authority varied significantly from one province to another. The freedom of action enjoyed, for example, in Lombardy was in sharp contrast to the very real limitations acknowledged by the Habsburgs as rulers of Hungary. In most provinces, the traditional local authorities remained involved in government and were a further restriction on Vienna. This, together with the often bewildering variety of local circum-

stances, ensured that innovations were usually introduced on a provincial basis. Joseph II, whose extensive travels gave him a remarkable knowledge of his territories, generally insisted that reform should proceed province by province, with due allowance usually made for particular local circumstances. Yet his ultimate aim, particularly apparent after 1780, was uniformity throughout the Monarchy in administrative, military, legal and financial matters.

The varied and complex ways in which the Habsburg Monarchy was governed had one obvious benefit for the historian. Much of this administration was conducted on paper, through innumerable reports and *vota*, as departments struggled for ascendancy. Though there are some important gaps in the sources (above all, the proceedings of the Council of State have been destroyed), the surviving archival material is enormously rich – it may even be richer than that for any other later-eighteenth-century state – and this enables the genesis and implementation of particular measures to be studied with some precision. In particular, the role of individual ministers and officials in the reforms is often clearer than it would be in other countries.

The scattered nature of the Monarchy's possessions was also crucial for the varied intellectual environment which produced the reforms. The Habsburg Lands were unusually and perhaps uniquely open to the intellectual currents of the day, though their full circulation was hindered by the strict censorship controlled by the Jesuits until the 1750s. Thereafter, the new state Censorship Commission was more willing to allow advanced ideas to circulate, at least in educated circles. The Habsburg possessions in northern Italy were particularly important for the religious reforms, providing a conduit for Italian reformist ideas and for examples of successful innovations to pass into the Monarchy's Central European heartlands. Another important source of the ecclesiastical legislation was the Jansenism which came to Vienna through the distant Austrian Netherlands and also from Italy. The established links with Germany, where the Habsburgs' position as Emperors was a source of prestige and even power, enabled natural law and cameralist theories to circulate within the Monarchy. Austria herself had her own cameralists during the final decades of the seventeenth century, above all men such as Hörnigk and Becher, and their influence remained strong. But it was principally in the Protestant universities of north Germany that the subject of cameralism had become established and had

developed so spectacularly during the first half of the eighteenth century.

One point which is frequently made about enlightened absolutism in the major states is the inhibiting effect of international rivalry and of the large armies this demanded. It is also true, though less remarked on, that such rivalry could provoke reforms. In the Habsburg Monarchy, the principal stimulus to innovation was the serious defeats inflicted by the Turks during the 1730s and by Prussia during the 1740s, and the subsequent failure to recover Silesia during the Seven Years War (1756–63). International failure and Austria's sense of relative decline made her rulers and ministers accept the absolute priority of radical measures. The sight of the upstart Prussian state catching and then overtaking the Monarchy was particularly painful, and made it willing to embrace root-and-branch reforms which might not otherwise have been attempted. In a general sense, it made the modernisation of Habsburg government and the economic advancement of its subjects and therefore of the state the main aim from the later 1740s and particularly after 1763. The hope that a strengthened and prosperous Monarchy would, one day, be a match for Prussia lay behind much of the reforming activity. Fiscal and military considerations directly influenced and even dictated certain initiatives. Yet these innovations were not simply the product of military and political failure. Prussia's emergence and her victories convinced Maria Theresa and her advisers that reform was essential, but the actual policies adopted were the product of varied intellectual forces and the responses they dictated to the Monarchy's problems. Enlightened absolutism here, as elsewhere, resulted from an attempt to apply the best recent theories to a particular set of circumstances. At least until 1780 it was not a programme but a reaction, shaped by many of the intellectual currents of the day, to events and to the problems facing Vienna. Only during Joseph II's personal rule did government policy become more rigid and even doctrinaire.

Many reforms were foreign in inspiration. This was not simply a matter of the influence of ideas from outside the Monarchy, important as this undoubtedly was. Actual institutions and policies were also studied, often by sending high-ranking officials abroad to examine them *in situ*, and then applied where appropriate. The extent of Prussian influence on the Habsburg reformers was considerable and surprising in view of the enduring hostility between the two states. The Prussian military system naturally

inspired emulation: the modernisation of the Austrian army after 1748 owed much to the Hohenzollern model, while the introduction of conscription and of recruiting districts in the Hereditary Lands in the early 1770s was copied from Prussia's celebrated cantonal system. Haugwitz's administrative reforms of 1749 were rooted in his admiration of Prussian administration and even extended to a proposal to style the new agency of central government the [Austrian] General Directory. Even more remarkably, the efforts to improve primary education were inspired by Prussia's celebrated Pietist schools. Frederick the Great's state was the principal foreign model, but important parts of the religious legislation looked towards earlier reforms in the smaller German and Italian states.

The link between defeat abroad and reform at home was particularly clear in economic and commercial policy. The loss of Silesia deprived the Habsburgs of a major source of revenue and of its most important manufacturing and exporting sector, the Silesian linen industry. This, together with the enormous cost of the Seven Years War and the Monarchy's financial plight thereafter, caused a determined and sustained attempt to encourage prosperity and to stimulate economic development along the lines indicated by cameralist thinking. In 1745–46, the General Commercial Directorate (*Universalcommerzdirektion*) was established in Vienna to co-ordinate these initiatives, and a start was made before the Seven Years War by raising tariffs against foreign goods and lowering duties at the Hungarian frontier, in order to encourage internal trade within the Monarchy. These initiatives were the origin of the attempt after 1763 to promote economic unity among the various Habsburg provinces, with the goal of creating a huge free trade area within which Hungary was to be the agricultural centre and a market for the manufactured goods produced in the western territories. In 1775, the Hereditary Lands were turned into a common market, with the abolition of internal tariffs (only the Tyrol and Vorarlberg were excluded).

Better communications were sought in order to encourage trade and to advance economic integration. During the 1770s, attempts were made to speed up river transportation in Hungary, while there was an expansion of road building, particularly in the Bohemian Lands and, during the 1780s, the great Arlberg highway was built. These structural improvements were accompanied by measures to improve agriculture (mainly by the

foundation of Agrarian Societies to act as a channel for new farming ideas), to stimulate trade and manufacturing and to remedy Habsburg economic backwardness. The immigration of skilled foreign artisans and the circulation of the latest technology were encouraged, while the monopoly position of guilds (seen as a barrier to economic progress) was slowly undermined. State subsidies were given for new manufacturing enterprises and – particularly after 1780 – domestic production was protected by high import tariffs against foreign goods.

Many of these initiatives had been anticipated before 1740 and were part of classical mercantilism and cameralism. While much remains obscure about the reign of Charles VI (1711–40), it seems clear that continuity was particularly strong in this area of state activity. Charles VI's efforts to undermine the position of the guilds, to promote commerce especially through Trieste and Fiume, to remove restrictions on the grain trade and to encourage manufacturing were built on during the reigns of Maria Theresa and Joseph II. The short-term impact of this government intervention was limited, but it was important in preparing the way for the Monarchy's nineteenth-century economic advance.

III

The first series of administrative reforms, carried out immediately after the Peace of Aix-la-Chapelle, were the work of Count Friedrich Wilhelm Haugwitz, supported at a crucial moment by the Empress and by Francis Stephen. A member of the provincial administration of Silesia since 1725, Haugwitz was a disciple of the Austrian cameralist Wilhelm von Schröder and shared his hostility towards the territorial Estates. These assemblies were to be found in most of the Habsburg provinces, were dominated by the nobility and retained significant powers, above all over taxation. Haugwitz had been impressed by the new administration in Prussian Silesia and especially its immediate and striking fiscal success. Within a few years, Frederick the Great's government had vastly increased the amount of taxation collected, almost doubling the total revenue from 3.9 million florins to slightly over 7 million florins.³ This had been brought about by the more efficient administration provided by Prussian officials and by abolishing both the Estates' right to approve taxation

and their involvement in its collection. Prussia's success in Silesia highlighted the relative inefficiency of Austrian government, above all where taxes were concerned.

The main flaw was central authority's evident weakness throughout the Monarchy. There was not one system of administration but two, as the provincial Estates maintained their own parallel institutions of government. In the various Habsburg territories, royal officials were less powerful and less numerous than their local counterparts. Taxation could not be imposed but had to be bargained for, and once the provincial Estates had agreed to the level of the Contribution (the main military tax), their officials – and not Vienna's – collected it. This was both time-consuming and, from the viewpoint of central government, inefficient and frustrating. Its financial consequences had become glaringly apparent during the wars of 1733–48 which had made clear that this ramshackle system of government was incapable of supporting Austria's great power position. In the other major European states, and principally France and Prussia, during the seventeenth and eighteenth centuries, there had been an expansion of central authority and particularly fiscal power, but no such evolution had taken place in the Habsburg Lands between 1600 and 1740.

The Estates' enduring influence was a consequence of the Monarchy's distinctive political evolution during the early modern period and the piecemeal nature of territorial consolidation. The rise of the Austrian Habsburgs since the sixteenth century had been based not on increasing central intervention at the local level, but on an alliance between the dynasty and the twin forces of the nobility and the Catholic Church.⁴ In the Austrian duchies and the Bohemian Lands, as in the Kingdom of Hungary, the secular and ecclesiastical magnates ruled in the name of the Habsburgs and implemented – or circumvented – the orders received from far-away Vienna. The weakness of central authority was reinforced by the social and political dominance of the territorial aristocracies in the various provinces, by the powers of the individual Estates and by the separate legal systems and distinctive laws which each maintained and defended. Such unity as existed had been provided by the dynasty itself, by the Court in Vienna, by the army, by the triumphant Counter Reformation and by a distinctive culture, that of the Catholic baroque. This particularism and provincialism had been strengthened by the development of separate systems of

government for each group of territories, headed by the Austrian and Bohemian Chancelleries which, by the eighteenth century, were located in Vienna. Dominated by the territorial magnates, these chancelleries often defended their own sectional interests, rather than advancing those of Vienna.

This was the system, exposed as deficient particularly during the 1740s, which Haugwitz set out to reorganise. He had begun to introduce piecemeal reforms even while the fighting was going on, first in Austrian Silesia (1744) and then as governor of Inner Austria after 1746, but the full-scale reconstruction was delayed until peace was signed. The over-riding aim was a peacetime standing army of some 108,000 men, paid for by a substantial increase (negotiated in 1748) in the Contribution from the Hereditary Lands. This was to be facilitated by the centralisation of political and fiscal power, and by its separation from judicial matters, now handled by a new High Court (*Oberste Justizstelle*) for the Hereditary Lands.

The proposed changes were vociferously opposed by the magnates, who dominated both the Estates and Habsburg provincial government and who feared a reduction of their own power. This led Maria Theresa to implement them 'almost as a *coup d'état*'.⁵ A series of royal proclamations on 2 May 1749 simply dissolved the separate Austrian and Bohemian chancelleries. A measure of unitary control over the Hereditary Lands was provided by the creation of the *Conferenz in Internis*, which replaced the *Hofdeputation*. This was supported by the establishment of the *Directorium in Publicis et Cameralibus*, the centrepiece of the new arrangements. The *Directorium*, as it quickly became known, was designed to execute internal policy and was directly modelled on Prussia's famous General Directory. With Haugwitz as its influential first president, it sought to give unity and direction in domestic affairs and to govern the Hereditary Lands as a single unit. During the following decade, it both expanded and extended its authority, and also gave birth to a series of subordinate departments handling particular types of business.

These changes were accompanied by measures to extend Vienna's control and especially its fiscal power at the local level. A series of bodies was established in the various provinces, known first as the Deputations (*Deputationen*) and then, after 1749, as the *Representationen und Cammern*. Staffed increasingly by royal nominees, and paid by and reporting to Vienna, these were the local arms of the *Directorium* and sought in particular to control

taxation. They were part of Haugwitz's over-riding strategy of pushing back the authority of the Estates and advancing that of the central government. Yet the reform of local administration was only a partial success. Control of taxation was not wrested from the Estates, which still consented to the Contribution and continued to collect it in some provinces.

A well-placed contemporary observer, the court-chamberlain and noted diarist Prince Joseph Khevenhüller-Metsch, described the 1749 reforms as a 'revolution in government'. Though this is certainly true of the way they were discussed in secret and implemented without warning, his verdict can only be applied with difficulty to the actual innovations. Haugwitz's measures were essentially pragmatic and were shaped by fiscal and military imperatives. The ending of the separate systems of government for the Austrian duchies and the Bohemian lands was crucial, but the *Directorium's* new president was unable to achieve the centralisation and unitary control he hoped. The reforms' scope was also consciously limited. Hungary and Transylvania, along with the less important Austrian Netherlands and Lombardy, were explicitly excluded. The Catholic Church's enormous power remained intact, while the nobility's influence and authority proved to be less seriously affected than the magnates feared.

Haugwitz's reforms proved to be both flawed and impermanent: they were undermined by the Seven Years War. He himself always argued, particularly when his system came under attack during the conflict, that the changes had been intended only for peacetime. This seems disingenuous. These were clearly the product of humiliation and desire for revenge on Prussia and the recovery of Silesia. The administrative changes were accompanied by a series of military reforms, intended to modernise the Habsburg army and make it a match for the formidable Prussian forces, and by a prolonged debate on future foreign policy. Indeed, the strengthening of the core Habsburg territories at which the 1749 reforms had aimed was linked to the new diplomatic orientation urged by Wenzel Anton von Kaunitz, who controlled Habsburg foreign policy as State Chancellor after 1753. Kaunitz believed that Prussia, not France, was now the Habsburgs' greatest enemy, and he proposed a *rapprochement* with Versailles, which would have the incidental benefit of depriving Frederick the Great of his established ally. The consequent signature of an Austro-French alliance in May 1756 (the centrepiece of the celebrated Diplomatic Revolution of that year) was

the prelude to the war to recover Silesia. The Chancellor's skilful diplomacy had assembled an imposing alliance of Austria, Russia and France, together with the faded power of Sweden and contingents of soldiers from the Holy Roman Empire, and Prussia's rapid defeat was anticipated. That it did not materialise was due to several factors. Foremost among these were Prussia's own resilience and France's diminishing enthusiasm and reduced commitment to the continental struggle, as she concentrated on her own separate war with Britain overseas. But the collapse of the Habsburg home-front and thus of the 1749 reforms contributed to Austria's failure, and this was quickly seized on by Haugwitz's arch-rival, Kaunitz.

A serious defeat at Torgau in November 1760, following hard on an earlier reverse at Liegnitz that summer, made clear to the Empress and her advisers that Habsburg armies were incapable of defeating Prussia and recovering Silesia. Austrian government had all but disintegrated and the finances were in chaos. The annual cost of the Seven Years War had risen to a staggering 40 million florins and Haugwitz's much-vaunted changes could not support expenditure of this order. This was exploited by the ambitious Chancellor, who perhaps saw a way of explaining away the failure of his own foreign policy by the fiscal and administrative shortcomings of his rival's system. Kaunitz had earlier carried out a noted re-organisation along modern lines of the State Chancellery (which controlled foreign policy) in 1753. He believed that Haugwitz's aim of unity and centralisation in internal administration had not, in practice, been secured. His remedy was a new Council of State (*Staatsrat*) advising Maria Theresa about all aspects of domestic policy and providing coherence and direction from the centre. Kaunitz had already proposed this in August 1758, and he again urged its creation in December 1760 (the month after Torgau), when it was accepted by the Empress.

The Council of State was formally established in January 1761, with a membership of six and a wide remit. Though Hungarian, Italian and Belgian affairs were all formally excluded from its competence, from the outset it discussed Hungary as well as other aspects of internal policy. Formally it had no executive authority, but it quickly exploited its potential influence and came to play a crucial role in the reforms after the Seven Years War. Its first task was to conduct a wide-ranging investigation into Habsburg government. This lasted throughout 1761 and

was accompanied by a struggle for power between Haugwitz and Kaunitz. By December, a decision had been reached and central government was again reconstructed. The underlying principle of the 1749 reforms – the union between administration and fiscal power – was now reversed and a more traditional separation imposed between taxation and political authority. This was a death-sentence on Haugwitz's *Directorium*, which lost most of its military and financial functions (with the significant exception of the Contribution). It was renamed the 'Bohemian and Austrian Court Chancellery' and now discharged a limited range of business. Power was instead concentrated in the new Council of State, which the rulers sometimes attended. In the event, the Council was unable to cope with the mountain of paper directed to it, but it proved to be far more enduring than the earlier reorganisation, partly because of Kaunitz's political and personal longevity.

The overhaul of central government was accompanied by a restructuring of local administration, carried out after peace had been concluded in 1763. The absence of uniformity in the way the Hereditary Lands were governed was apparent in the local arrangements now established. The *Representationen* established a dozen years before were re-named the *Gubernien* (literally: 'governments'), though in Moravia this body was known as the *Landes-Gouverno*. These became the principal agencies of local government, inheriting the duties and responsibilities earlier discharged by the *Representationen*.

The success of the administrative reforms was incomplete. The participation of the local Estates in government was diminished, but it was certainly not ended. There was no such intention on the part of Haugwitz or Kaunitz, and indeed the enormous financial burdens of the Seven Years War may have increased their importance, since they continued to approve taxation. In any case, a crudely adversarial view of the relationship between crown and Estates must be avoided. The fiscal appetite of central government was certainly far greater than the willingness of the territorial assemblies to grant taxation, or the capacity of the individual provinces to pay it. But such disputes were over the precise level of taxation, rather than the principle itself. In many – perhaps most – areas of internal government, crown and Estates were partners rather than opponents. Many of the later reforms were discussed and implemented jointly between royal officials and the influential permanent committees of the Estates.⁶

Government policy until 1790 and beyond was partly implemented at the local level by agents of the provincial assemblies and of individual lordships and towns. However, though the officials of central government were and remained less numerous than their local counterparts, they increased substantially in number as a result of the reforms of 1749–61. At the accession of Maria Theresa, there were some 4,000 royal officials (excluding those in the Court itself) in central and local government in the Hereditary Lands; by 1763, the comparable figure had risen to around 6,000.⁷

This was the broader significance of the administrative changes. Though far from totally successful, they increased centralisation, broke the Estates' dominance over local government and created an extra tier of administration more responsive to Vienna's direction. Between 1763 and 1790, the *Gubernien* were employed by Vienna to impose its social, economic, educational and agrarian reforms over the heads of narrow sectional interests. Their authority – like that of all local administration in later-eighteenth-century Europe – was incomplete and could be very limited indeed. At times, the new bodies obstructed Vienna's aims. However, the rapid expansion of government made Maria Theresa and her advisers more aware of the situation in the various provinces and of the real problems which existed. This was to be particularly important for agrarian reform. The new state officials also provided a *cadre* of administrators willing and able to implement the measures decided on by central government. The early administrative changes made possible the later reforms and, in some measure, shaped them as well. In a similar way, the re-modelled central government provided direction and sometimes initiative. The new Council of State was to play a crucial role in drawing up reforms and in pressing for their implementation. The reigns of Maria Theresa and Joseph II saw a dramatic increase in the pace of all government activity, as Vienna's aims expanded rapidly and its policies became increasingly interventionist. This is apparent in the average annual number of published royal edicts, which grew from 36 in the 1740s to 96 by the 1770s and to an astonishing 690 in the 1780s, the decade of Joseph II's hectic personal rule.⁸

Much remains elusive about these new officials, though their role was crucial. Their often obscure origins and incomplete personal biographies make any prosopographical analysis impossible. It is clear, however, that the old idea that the reforms of

1749–61 opened up public service in the Habsburg Monarchy to an aspiring middle class which provided professionalism in government must be abandoned. In the short term, the changes broke the nobility's dominant position in Vienna and in the provinces. At the local level, Maria Theresa's later years witnessed an aristocratic recovery, but no parallel process can be detected in central government. The new element in administration during the second half of the eighteenth century was less a matter of social origins than of education and receptiveness to new ideas. Many – and perhaps an increasing number – of the enlarged corps of royal officials had either studied the new science of cameralism at universities or colleges or had a second-hand acquaintance with such ideas.

These efforts to advance administrative unification and centralisation were accompanied by initiatives to create a single, state-imposed system of public law. The existing situation was confusing in the extreme, with numerous jurisdictions competing for supremacy. In the aftermath of the 1749 reforms, a start was made on the codification of civil and criminal law. This made slow progress, and encountered considerable opposition from vested interests anxious to defend their own legal privileges. After lengthy deliberations, the *Codex Theresianus* was produced in 1766. This resembled the administrative changes of 1749–61 in that it was a compromise between the established corporate interests (nobility, Estates, Church and towns) and the new rationalism and natural law theories. Widely unpopular, it was nevertheless the first hesitant step towards the imposition of a modern system of civil law throughout the Monarchy. Three years later, the Criminal Code (the so-called *Nemesis Theresiana*) was issued. This was primarily a codification, rather than a reform, and it represented a similar compromise between old interests and new theories. Though it retained numerous barbaric penalties and even contained a series of pictures showing how they were applied, it brought about some rationalisation in the administration of justice. This excited lively debate, and seven years later in 1776 torture was abolished, thanks to the effective pressure of a group headed by Joseph von Sonnenfels, with the significant support of the Emperor.

Joseph II pressed on during the 1780s with the task of imposing uniformity in legal administration and making justice swifter and less expensive. He acted first to curtail the jurisdiction of the manorial courts, which was drastically limited in 1781. These

efforts enjoyed some success. This was more than can be said for the codification of the civil law begun under Maria Theresa, which made no real progress during the Emperor's personal rule. Joseph II was sympathetic to enlightened legal opinion, as represented by Beccaria, Sonnenfels and Martini, and his policies during the 1780s partly reflected their influence. By 1784 he had decided that the criminal law needed to be modernised and a commission was established. The Emperor's close personal interest ensured that it reported within three years. The outcome was the Criminal Code (*Allgemeines Gesetzbuch*) of 1787. This was a general reform of the criminal law. It abolished the death penalty (save in a few instances where military discipline and state security were involved) but worsened the conditions under which hard labour was performed. Witchcraft, black magic and heresy ceased to be crimes, and the principle of equality before the law was upheld. This modernisation of the criminal law, together with the tentative improvements in civil law, were an important step forward and not the least important legacy of these decades.

IV

The remarkable religious reforms have given rise to a fierce debate over what has come to be known as 'Josephinism' or 'Josephism'. By this is meant the series of measures, climaxing during the 1780s and therefore permanently associated with Joseph II, which transformed the position and the practices of the Roman Catholic church and also influenced policies towards education, censorship and poor relief. State control in the ecclesiastical sphere was increased, ceremony and doctrine were reformed, the parish system was thoroughly overhauled and – most remarkably of all – a degree of toleration was introduced for Protestants, Greek Orthodox and even Jews. The fierce historical controversy around these measures which has raged since the 1940s is due to two principal circumstances. The surviving material bearing on the religious changes is very large, and the prejudices which many historians have brought to the subject of Josephinism are even more apparent. More important, however, has been the truly remarkable nature of the reforms themselves.

The Habsburg Monarchy was firmly, indeed ostentatiously,

Catholic. Its Catholicism, moreover, was firmly rooted in the Counter Reformation. The support of the Roman Catholic church had been one of the twin pillars on which the Austrian Habsburgs had risen to prominence during the seventeenth and early eighteenth centuries. This was epitomised by the power wielded by the Jesuits, who effectively controlled education, particularly at the university level, and also monopolised the key posts of confessors to the ruling dynasty. The imperial family's own identification with the Church Militant was complete, and symbolised by its active participation in numerous religious processions in Vienna such as that of Corpus Christi, which ended with the celebration of the Eucharist. The Habsburgs themselves participated enthusiastically in many of the ceremonies of that baroque piety (*Pietas Austriaca*) particularly characteristic of the period from the later-seventeenth century onwards: religious processions, pilgrimages, crib-blessings, and so on. Yet during the generation after c. 1760, *Pietas Austriaca* was dismantled, the Jesuits were suppressed and the government introduced the most remarkable series of ecclesiastical reforms in later eighteenth-century Europe. The sense of incongruity, even paradox, is increased by the fact that many of these measures were initiated – and the decisive breach made – before 1780, during the reign of the pious, conservative Maria Theresa. Though the Empress was not unaffected by the more progressive religious currents of her day, she was always a reluctant reformer, particularly where the church was concerned. Though much remains controversial about 'Josephinism', it is clear that the religious changes are largely to be explained in terms of two developments: the international movement of reform within the eighteenth-century Catholic church and its decisive influence in the Habsburg Monarchy; and, secondly, the momentum provided, from the 1760s, by progressive officials, headed by the Chancellor, Kaunitz, and with the full support, particularly and decisively after 1780, of the Emperor himself.

The suppression of the Society of Jesus in 1773 was crucial, but Austria – alone among the major Catholic states – played no direct part in bringing it about. Maria Theresa did – and could do – nothing to support the Society, whose demise resulted from concerted diplomatic pressure on the Papacy by France, Spain, Portugal and Naples. Yet the Empress's territories were remarkably open to the ideas now described as 'Reform Catholicism'. Jansenism entered primarily through the Austrian Nether-

lands, Febronianism came from the *Reich*, while the teachings of Muratori, which were to prove crucial, circulated from the family's possessions in the Italian peninsula. Josephinism was an amalgam of all these currents of thought, and of rationalism, too.

The ideas of Ludovico Antonio Muratori (1672–1750), the leading figure in the early Italian Enlightenment, were particularly influential and were perhaps the principal source of reform. A polymath, Muratori's most enduring scholarly achievement was as a historian. He assembled and published many of the sources for Italian history and was an important figure in the process by which historical scholarship came to be based primarily on manuscripts and archival research. His contemporary importance came principally from a book published towards the end of his life, *Della regolata divozione dei Cristiani (On a well-ordered devotion)* (1747), which became a handbook for Catholic reformers. In it, Muratori brought together his belief in the crucial importance of pastoral work, his own brief experiences as a parish priest, the distaste this had instilled in him for the superstitious practices which now passed for Catholicism at the popular level and in particular the excessive veneration of saints and their miracles, and his own search for a truer, more inward-looking faith. For the baroque piety of the Counter Reformation, Muratori wanted to substitute a simpler, more internalised Christianity, shorn of many of its characteristic practices (the excessive number of pilgrimages and feast days was a particular target) and far fewer monks and nuns, whose numbers were now grossly swollen in most Catholic countries. Instead, he advocated renewed emphasis on pastoral work, and a sustained effort to bring the common people to a truer faith through the use of the vernacular in services and by closer contact with the Scriptures. Faith rather than works should once again be the path to salvation.

Muratori's plea for a simpler Christianity was widely influential in its own day. Though he himself was clear that he was no Jansenist, his ideas were taken up by this parallel movement for Catholic reform. Eighteenth-century Jansenism is an elusive topic: it was always a movement rather than a party. It retained loose and rather vague links with its origins in seventeenth-century France and with the ideas of Cornelius Jansen. The characteristic spiritual concerns of the Jansenism of Port-Royal – grace, justification, predestination, a reduction in the frequency of communion services – were now less important than its

opposition to many aspects of Catholicism. Its targets were very largely those of Muratori: the excessive monastic population, the poor state of pastoral care, baroque piety, the power of the Jesuits and of the papacy. Jansenism also aimed to substitute a simpler liturgy and service, and to improve pastoral care, and it was, in general, less inward looking and much more assertive than Muratori.

By the 1730s and 1740s, Jansenism was acquiring shape and momentum as a movement for reform. Influential in the universities of the southern Netherlands and northern Italy, it passed easily from these Habsburg territories into the Central European lands of the Monarchy. So, too, did the teachings of Muratori, which came to be widely influential within the Habsburg episcopate. Though Jansenism and the ideas of Muratori had quite separate origins, the overlap between them, in their targets and their objectives, soon ensured that this distinction was blurred and came to be merged into the broader movement of 'Reform Catholicism'.

The third precise source of reforming ideas was a timely pamphlet which appeared in 1763, as the movement for religious reform was gaining ground. This was *De Statu Ecclesiae (The State of the Church)*, published under the pseudonym 'Febronius' by the suffragan Bishop of Trier, J. C. N. von Hontheim. Though this was eirenical in intention and looked to a re-unification of the Protestants with the Catholic Church, its contemporary importance was due to its revival of the old controversy about the extent of papal power. Rejecting ultramontanism (the doctrine now particularly associated with the Jesuits, that the Catholic church was everywhere subject to control from Rome), Febronius instead asserted that individual bishops should possess these powers and that secular rulers should assert their own authority and use it to carry through reforms. His ideas were immediately and widely influential within Germany and inspired efforts to extend state control over the church, though their impact in the Habsburg Monarchy was delayed.

The final and most elusive influence on the religious reforms was the French Enlightenment. The rationalism of the *philosophes* was affronted by many of the practices of mid-eighteenth-century Catholicism. Very few of the reformers were outright atheists, but many were critical of church wealth and the numbers of monks and nuns, as well as of baroque piety. There was also widespread hostility among educated opinion throughout the

Monarchy towards the Jesuits and their influence in education and at Court. Against this must be set the undoubted religious conservatism of the vast majority of the Catholic population, devoted to the traditional practices, and sceptical and often simply hostile towards the ecclesiastical changes.

Recent scholarship has located the origins of Josephinism as early as the 1750s, and that decade certainly saw some important developments. The appointment of the reform-minded Trautson as Archbishop of Vienna in 1750 brought Muratori's ideas to the centre of the ecclesiastical stage. Trautson's successor after 1757, Migazzi, at this point shared these views and wrote an introduction to the German translation of *On a Well-Ordered Devotion* which appeared in the Austrian capital in 1762. Though he later became an influential religious conservative, during the 1750s and 1760s Migazzi was a supporter of moderate reforms. In the period immediately before the outbreak of the Seven Years War, a remarkable plan was drawn up which foreshadowed the later attack on the monasteries. In order to halt the advance of Protestantism in Hungary, an improved parish system was to be set up, funded by a levy on the monasteries and the church and with the resulting income administered by a central religious fund. Crucially, however, unilateral action was not attempted. Maria Theresa instead sought papal approval, which was not forthcoming, and the whole scheme was overtaken by the outbreak of the Seven Years War. Too much tends to be made of these plans, though the hostility they reveal towards monasteries and their wealth was certainly significant for the future. The influence of Josephinism has been pre-dated as a result of the search for its origins. The 1750s, and the 1760s, too, were important more because of developments which were essential preliminaries to the later reforms. In particular, the power of the Jesuits waned and that of the Jansenists and other reformers waxed, while Lombardy was used as a laboratory for a series of religious changes that were subsequently introduced into the Central European territories.

The influence of the Jesuits in the Monarchy declined rapidly after the early 1750s, as their entrenched position was dismantled. Their dominance in higher education was broken (see below, p. 173), while the establishment of a state-controlled system of censorship deprived them of a crucial source of their power. This control was destroyed in 1759, and the last Jesuit left the new Censorship Commission in 1764. The moving spirit behind the

new body's more liberal attitude towards the circulation of books was Maria Theresa's family physician, the Dutchman Gerard van Swieten, who was also the Court Librarian. Van Swieten was a convinced Jansenist and his patronage enabled a series of like-minded reformers to move into positions of influence – men such as Martini, the noted legal reformer and fellow-Jansenist. The final act was the appointment of the Jansenist Ignaz Müller as extraordinary confessor to the Empress in 1767, at Joseph II's instigation. Hitherto, this Jesuit monopoly had been almost unbroken and Müller's appointment symbolised the way the tide was running against the Society, in the Monarchy as in Catholic Europe generally. Maria Theresa was herself sympathetic to many of the ideas of Jansenism, and this was strengthened both by the influence of her new confessor and by her own heightened religiosity after the death of her beloved husband, Francis Stephen, in 1765.

Simultaneously Kaunitz, who was the principal advocate of religious reform at least until 1780, was advancing his *protégés* and supporters into positions of influence within the state administration. The Council of State was under his control and could usually be relied upon to support progressive measures, while men such as the influential Heinke, Greiner, Gebler, Brukenthal and Karl Zinzendorf provided a team of reform-minded ministers in key positions. Simultaneously, the near-bankruptcy of the Habsburg state after the costly and destructive Seven Years War provided a more pragmatic motive to extend state control, for the church's apparent wealth was in sharp contrast to the government's poverty. Traditionally, the church had been more heavily taxed in the Habsburg Monarchy than in any other Catholic country. Taxation had been imposed after 1716 to pay for the Turkish Wars and for the repair of key Hungarian fortresses. The church in the Hereditary Lands (but not in Hungary) paid the Contribution after 1748 on its property. After 1763, at Maria Theresa's instigation, a valuation of all religious property was carried out. When the papacy resisted suggestions that it should allow an increase in taxation, the government unilaterally imposed a levy in December 1768.

This highlighted the extent to which the papacy's traditional claims were being questioned in Vienna. It was even more apparent where developments in Lombardy were concerned. Austria's Italian province was, by the 1760s, effectively ruled by Kaunitz, who enjoyed near-dictatorial powers and was assisted

by a significant number of reform-minded officials. This enabled Lombardy to be used as a laboratory for experiments which, if successful, could then be applied to the Monarchy's heartland. It was the case with fiscal policy, and even more where ecclesiastical legislation was concerned. Lombardy's large number of monasteries made a particularly inviting target and, at the end of the 1760s, some were dissolved. More important for the development of Josephinism, Kaunitz and his supporters in the administration developed arguments to justify state supremacy over the church in all but questions of doctrine and religious practice, and these theories were subsequently employed in the Hereditary Lands.

Kaunitz and, to a lesser extent, Joseph II provided much of the momentum in ecclesiastical policy during the Co-Regency. Maria Theresa, though she endorsed many of the stirring declarations of principle emanating from the Chancellor, always hesitated when actual changes were proposed. During the 1770s, however, she was brought to agree to a series of measures which, though individually not particularly significant, cumulatively represented a real attack on the traditional position of the Catholic church. This legislation followed the lines sketched out during earlier debates within the government and at court, and was underpinned by an assertion of state control over the church and of its right to tax the clergy.

Many of these measures appear insignificant to a modern eye. The earlier attempt (1754) to reduce the number of public holidays on church festivals (often saints' days) was extended in 1772 and efforts made to limit the extent of such celebrations. Religious festivals were an obvious target both for Catholic reformers and for cameralists, who emphasised the consequent lost production. In the same year, restrictions were placed on pilgrimages. A series of measures sought to limit any further expansion of religious, and especially monastic, wealth by prohibiting the taking of vows before the age of twenty-five, limiting the 'dowry' a novice could bring, and restricting gifts of land to the church. Ecclesiastical jurisdictions were attacked by the abolition of separate church and monastic prisons and by limitations on the extent of asylum conferred on criminals on church property. The reform of universities (see p. 173) included a thorough overhaul of the teaching given to prospective priests, who were required to spend some time studying in a faculty of theology, where the government's views now dominated the curriculum. These measures, and the assertion of state control over large

areas of the church's activities, were in themselves dramatic and significant for the future. Yet surprisingly little was actually done before 1780 to curb monasteries (only in Lombardy and Galicia were any dissolved), to improve the parish system or, above all, to grant a measure of toleration to the Monarchy's religious minorities. In each of these areas, reform was to be delayed until Joseph II assumed sole power, in itself a revealing comment on the very real limits which Maria Theresa placed on any ecclesiastical changes.

This was especially true where religious toleration was concerned. The Monarchy's heterogeneity was evident in the substantial numbers of non-Catholics to be found within its borders. This was particularly so in Hungary and Transylvania, with their large populations of Protestants, Greek Orthodox and Jews. Bohemia contained a substantial Jewish minority, and another, larger, minority came with the acquisition of Galicia, while Protestantism also flourished in Bohemia, Moravia and especially the remnant of Silesia, and even in some pockets in the Austrian duchies. The numbers of non-Catholics in practice obliged Vienna to allow a measure of toleration, or at least to set limits to the extent of discrimination, usually in return for special taxes. Yet official policy upheld Catholic orthodoxy, and all these groups were barred from public offices and experienced some form of discrimination, in the form of restrictions on their religious services, on the building of churches and synagogues or, in the case of the Jews, an obligation to wear distinctive clothing. Toleration made next-to-no progress as long as Maria Theresa was alive. Her notorious and virulent anti-Semitism – shared by the vast majority of her subjects – made Jewish emancipation unthinkable, while her strict Catholic orthodoxy led her to sponsor initiatives against recalcitrant pockets of Protestantism within Austria in particular. The Empress was fully prepared to deport such heretics forcibly to the furthest corners of her realms, as when some 2,700 Protestants were expelled from Upper Austria, Styria and Carinthia and sent to Transylvania in the period before the Seven Years War. Towards the very end of her reign, Maria Theresa was prepared to concede some limited extension to the toleration in practice extended to the Moravian Protestants, but even this was denied the Jews.

Real reform only came after 1780. The new tone apparent during the personal rule was evident in Joseph II's cancellation of the Corpus Christi procession and in his choice of a simple

parish priest as confessor. The Emperor's belief in the supremacy of the state over the church quickly became apparent in a series of restrictions on Rome's authority within the Habsburg Monarchy. Within two years, he had created what was in effect a national church throughout his territories which owed minimal obedience to the Pope. This new power was the basis of the ecclesiastical changes on which Joseph II now embarked. He had frequently complained at the slow and even non-existent progress of reform during the 1770s, and the momentum for change was considerable after the beginning of his personal rule. The agenda was far wider, and it was headed by toleration. The Emperor had himself always favoured a measure of religious freedom. This was not because he was indifferent to religion; he was, on the contrary, a sincere and devout Catholic. But he recognised the impracticality and the inadvisability of discriminating against the large non-Catholic minorities, particularly when such discrimination would weaken the state economically. His characteristic attitude was apparent in his remark in 1777 that 'toleration means only that in purely temporal matters, I would, without taking account of religion, employ and allow to own lands, enter trades and become citizens those who are competent and who would bring advantage and industry to the [Monarchy]'.⁹

Within a year of the Empress's death, the Toleration Patent of 1781 conferred the right to worship in private on Calvinists, Lutherans and adherents of the Greek Orthodox faith. Subject to certain restrictions, they could build their own churches and open their own schools. A measure of civil equality was granted: Protestants and Orthodox could now go to university, enter the civil service and buy and sell land. This toleration, however, was subject to real limitations. It did not extend to members of radical religious sects. Joseph was perfectly prepared to deport a group of deists to Transylvania and, when this failed, to impose physical punishment on them. Yet it was a decisive step forward and brought about a real improvement in the position of the Monarchy's Protestant and Orthodox subjects. As in the later grant of toleration to Jews, Joseph II's motives were a mixture of humanitarianism and economic self-interest. The Enlightenment doctrine of natural rights involved the idea that men had an inalienable right to worship according to their own beliefs, however mistaken these might seem. This did not involve an acceptance of different faiths, merely a recognition that these

existed and that little could be done to prevent it. This was reinforced by the practical consideration, central to cameralist teaching, that a state should not weaken itself by excluding groups of subjects from economic activity.

The initial intention had been to include Jews in the Toleration Patent of 1781, but the resulting controversy prevented this being done. The position and even more the numbers of Jews varied enormously from province to province. They were numerically least significant but economically most influential in Vienna itself, where their role as government financiers and army contractors made them particularly prominent. The importance of Jewish finance to the Monarchy declined after 1740, though some revival was apparent during the 1760s and 1770s. Maria Theresa's anti-Semitism apparently extended to being prepared to borrow from Protestant financiers rather than from the Jewish houses that had been so prominent under Charles VI. Indeed, the Empress had even attempted to expel the Jews from the Bohemian Lands in 1744-45, in retaliation for their financial support to the Bavarian Emperor Charles VII after his invasion and occupation of Prague. She desisted only when the consequent damage to Bohemia's economic life was made clear, and settled instead for an increased toleration tax. Most of the Monarchy's Jews lived in Hungary, the Bohemian Lands and, above all, the new province of Galicia. Everywhere they were subject to heavy toleration taxes – an important source of revenue for the hard-pressed Habsburg treasury – and to restrictions on their worship, dress, household and commercial activities. This discrimination had its origins in medieval sumptuary legislation intended to highlight their separateness from the rest of the community. The repressive legislation had been periodically renewed, most recently by the Jewish Ordinance (*Judenordnung*) of 1764.

Jewish toleration was embodied in a series of patents for individual provinces in 1782-83. These removed the more obnoxious social humiliations, such as the obligation on men to wear yellow armbands and women and children to have yellow strips in their hair. Married and widowed Jewish men no longer had to wear beards, while they could now go out before midday on Sundays. The *Leibmaut*, a tax usually on livestock but which was also imposed on Jews travelling through the Monarchy, was abolished. The same freedom to worship was conferred as on Protestants and Greek Orthodox and with it the right to enter all educational establishments and attend public entertainments.

This legislation had twin goals: emancipation and assimilation. To break down the barriers between Christian and Jewish communities, Joseph II decreed that after a period of two years, all Jews must employ the German language in business transactions and that Hebrew and Yiddish could only be used in religious services or in family and social gatherings. He also opened up all trades and professions to Jews, with the clear intention that they might make a greater economic contribution. Yet these advances, remarkable as they were, did not amount to complete emancipation or civil and religious equality. This was never the Emperor's intention: he aimed only to enable Jews to become good and useful subjects. Joseph was, in any case, forced to retreat from some of his more ambitious plans by opposition within the Council of State and by fears of popular anti-Semitic violence. Even such established progressives as Kaunitz hesitated in the face of the undoubted unpopularity of the measures.

The limitations were clearly apparent in the Toleration Patent for Lower Austria (January 1782). Although this abolished the traditional restrictions and gave Jews the right to live anywhere in Vienna and not merely within their own ghetto, they were not allowed to build a synagogue and no increase was to be permitted in the number of families allowed to reside in the capital. The restrictions on the numbers of Jews living in the Bohemian Lands were maintained, and fiscal exploitation continued. Nevertheless, Joseph II's Jewish reforms, carried through in the face of vociferous official and popular opposition and against the hostility of Jewish leaders fearful that the traditional community would be destroyed, brought about real if limited improvements. In the context of near-universal anti-Semitism – the Emperor himself was not entirely free of such prejudices – they were remarkably far-sighted and humanitarian measures, and they earned more applause from his enlightened contemporaries than any other reform.

Joseph himself wished to further the process of assimilation. His radical programme is apparent from his measures in Galicia during the 1780s. The Jewish community there was large (around 225,000), relatively poor and internally divided, and was in all respects a suitable target for social engineering designed to break down the barriers between the communities and to lead to eventual civil equality for the Jews. Throughout the Emperor's personal rule, a determined attempt was made to settle poor, rural Jews on Crown and vacant lands, with financial assistance

and fiscal incentives from the state. Though the scale of the problem was far larger than the resources available, these agricultural colonies had some success. The growing radicalism of his policy reached its climax in the Galician Jewish Ordinance, issued in 1789. This sought to further assimilation by the dramatic step of allowing only those Jews who became farmers or artisans to remain resident in Galicia, and also attempted unsuccessfully to transfer the costs of the colonisation scheme to the Jewish community itself. This measure was even less successful than some of the Emperor's other reforms, but it does reveal his radical approach. To his detractors, Joseph II was the 'Emperor of the Jews', a sobriquet which is also a testimony to his real contribution to the removal of discrimination and to eventual emancipation and assimilation.

Joseph II's established hostility towards the contemplative orders and his concern to improve the quality and quantity of priests, and to make pastoral work more effective, dictated the other major ecclesiastical reforms of the 1780s. In Upper and Lower Austria and Styria, the wealth of the religious houses was particularly evident, with around 40 per cent of taxable revenue in ecclesiastical hands; in the Bohemian Lands, the figure was perhaps half this. Such wealth was an obvious target for a reforming monarch in search of money to pay for his planned religious changes and, in 1781, the dissolution of some monasteries began. At the beginning of Joseph's personal rule, there were slightly over 2,000 monasteries in all the Habsburg territories, with some 40,000 monks and nuns. By 1790, these totals had fallen to around 1,250 and over 27,000 respectively. Slightly over a third of all monastic foundations were dissolved and rather less than a third of their inhabitants expelled. The majority of these suppressions took place within the Monarchy's Central European territories, with 55 per cent of all religious houses suppressed in the Hereditary Lands and 75 per cent in Hungary.¹⁰

The scale of the dissolution was considerable and greater than that attempted in any other Catholic country, though many of the larger monasteries survived and it was far short of a total suppression. The revenue, along with that from some ex-Jesuit properties, was applied partly to paying pensions to some former monks and nuns, and rather more to funding Joseph II's education reforms (below, pp. 176–7) and his ecclesiastical measures. Foremost among these was the radical overhaul of the diocesan system carried out in 1782–83. Demographic changes

meant that, by the second half of the eighteenth century, parish boundaries no longer corresponded with the distribution of population. New dioceses and parishes (each with its own school) were set up unilaterally, the state took responsibility for paying priests, and a parochial system was established which was to be an important source of the strength and vitality of the Catholic church in the nineteenth century. Simultaneously, the Emperor sought to improve the training given to parish priests by setting up six 'general seminaries', which replaced the diocesan seminaries. These were unpopular with the bishops and archbishops, who resented their own loss of influence, and the experiment failed, being abandoned shortly after Joseph II's death. The Emperor's determined assault on popular superstitions was also only partially successful. He sought in particular to reduce the number of pilgrimages and religious processions, but these initiatives were deeply unpopular and were stubbornly resisted by the faithful, who remained firmly attached to the old ways. Overall, however, Joseph II's religious reforms, and in particular the measure of toleration introduced and the parochial reorganisation carried out, were surprisingly successful. Humanitarianism and Reform Catholicism together did much to improve the position and the practices of Catholicism and non-Catholic religions within the Monarchy.

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The educational reforms were the most successful and enduring, particularly the initiatives in primary and, to a lesser extent, secondary schooling during the 1770s and 1780s. These were intimately connected with the religious changes. This was because the Jesuits had dominated education for a century before Maria Theresa's accession, controlling most *Gymnasien* (Latin secondary schools) and in particular enjoying a stranglehold over the universities, where all professors in the dominant faculties of theology and philosophy were members of the Society. Their pre-eminence ensured that the Monarchy's universities, and particularly the leading one in Vienna, continued to provide a very traditional, scholastic and even arcane education, and they were incapable of providing the training needed by administrators in the expanding state apparatus. The lower nobility and the sons of the aristocracy had, particularly after the 1730s, shunned

these institutions and instead sought the more practical training essential for government service either in the noble academies which sprang up in the various Habsburg provinces or abroad. They went to the Benedictine University in neighbouring Salzburg, to Leiden in the Dutch Republic, and increasingly to the Protestant universities of northern Germany, above all Halle, Jena, Leipzig and Göttingen. There they secured a more useful education in public law (especially that of the Holy Roman Empire), natural law, history and, above all, the new science of cameralism. A generation later, three out of six members of the influential Council of State had been students of a northern German Protestant university, most notably Kaunitz, who had studied at Leipzig.

The shortage of trained recruits for government service produced a series of initiatives during the 1740s and 1750s. The *Theresianum* was established in 1746 to train future civil servants and a chair in cameral science was founded, though its usefulness was limited by its subsequent transfer to Jesuit control; a military academy was set up at Wiener Neustadt in 1751-52 to prepare young noblemen for the officer *corps*; and in 1754, the Oriental Academy was established to educate future diplomats. The frontal assault on the position of the Jesuits in the universities came during the 1750s. The Dutch Jansenist, Gerard van Swieten, carried through a reform of Vienna's Faculty of Medicine and, in 1759, this was extended to the all-important theology and philosophy faculties. The Jesuits lost their previous monopoly, being compensated with control of the *Theresianum*, and a series of reform-minded individuals was appointed to chairs, notably the celebrated jurist, Martini and the canon lawyer, Riegger. Curricula were brought up to date and chairs of cameralism were founded. The first such professor at Vienna, appointed in 1763, was Joseph von Sonnenfels.

The impact of these initiatives was less than had been hoped. The new administrative elite which it had been intended would be trained in the Monarchy's own universities did not at first materialise and prospective bureaucrats continued for some time to look to north Germany for practical training. Higher education was resistant to reform and progress was slow and incomplete. It was further hampered after 1780 by Joseph II's insistence that only severely practical subjects should flourish, above all theology, law, medicine, languages and cameral science. The Emperor's scepticism about the value of intellectual activity for

its own sake distorted development, though he did ensure that all teaching should now be in German. Less practical subjects, above all philosophy, were neglected in favour of a severely functionalist approach to higher education. Nevertheless, the first steps had been taken towards the creation of a more up-to-date university system. These initiatives were, in any case, far less important than the rapid expansion of primary education.

Until the reign of Maria Theresa, schooling was very largely in the hands of the Catholic church and, to a lesser extent, of town authorities and individual noblemen in the countryside.¹¹ The reigns of the Empress and her son, and particularly the years after 1765, saw increasing state involvement in education and an assertion of the government's overall responsibility for schooling. The motives for this intervention were mixed. A few of the more advanced figures in government, men such as Kaunitz and Gebler, believed that education was a good in itself and a means by which individuals might realise their potential. Such enlightened ideas were certainly one element in the formulation of policy, but were less influential than economic and religious considerations. Cameralist teaching embodied the idea that universal elementary education could encourage obedience and diligence in the agrarian and manufacturing work force, though further study was to be discouraged. The capacity to read and write could also, in a distinctly utilitarian way, make the population better and more useful subjects of the state. Such practical considerations were important, but they were less influential than purely religious considerations.

The educational reforms were to a large extent an extension of the Josephinist religious measures. Reform Catholicism came to embody the idea that basic literacy, and the study of the Bible this would make possible, would assist the development of a simpler, purer faith. The first half of Maria Theresa's reign had seen growing official interest – an Educational Commission (*Studienhofkommission*) had been set up in 1760 – and sporadic initiatives, but it was only in 1769 that school reform was placed firmly on the agenda in Vienna. A report from Firmian, prince-bishop of Passau, spoke of the march of 'heresy and unbelief' in Lower and Upper Austria. This focused the Empress's established concern with the decline of Christian morality and Catholic orthodoxy. The maintenance of these was the principal task of the established network of parish schools, which they were clearly failing to fulfill. Maria Theresa now ordered the provincial

governments of Lower and Upper Austria to prepare schemes for the improvement of primary schooling, and the whole matter was also taken up by the central government.

The debate which followed was dominated by the ideas of the pre-eminent Catholic educational reformer, Johann Ignaz Felbiger. He was the Augustinian abbot of Sagan in Prussian Silesia and had remained in the province after its conquest by Frederick the Great. Felbiger's responsibility for the neighbouring Catholic schools had been the source of his enduring interest in education. His own reforms at Sagan were closely modelled on the schools and shaped by the ideas of the German Pietists, who were the leaders in educational theory and practice. Pietism was the reform wing of German Protestantism and its advocates were particularly influential within Prussia. Their educational reforms and especially the famous Normal Schools (*Normalschulen*) were the source of Felbiger's innovations, though he also adapted some of the more impractical Pietist ideas to fit in with the realities of rural education. These were to provide a model for schools established in the surrounding area and were also to train primary teachers for these institutions.

The advocates of educational reform at Vienna were initially blocked by the Court Chancellery, headed by the influential conservative Chotek. But the cause was then taken up by the Council of State and some progress was made. In January 1771, a Normal School was created out of the St Stephen's town school in Vienna, with the aid of a government subsidy. An even more radical scheme to secularise education entirely throughout the Monarchy was put forward in 1770, but it was rejected because of its immense cost and because it was feared that the destruction of the infrastructure provided by the church would make it impracticable: the fact that it would place Protestant educational reformers in control also made it anathema to Maria Theresa. The vetoing of this scheme early in 1772 brought plans for reform shuddering to a halt while, simultaneously, the Vienna Normal School was in confusion and apparent decline.

The cause of school reform was saved by the suppression of the Society of Jesus in the following year, which created an educational vacuum. More important, it provided the wealth essential for any wide-ranging reform. The Empress quickly secured control over all former Jesuit property, and part of the income from this was employed to establish the new network of primary schools. Two months after the suppression of the Society,

an Education Commission was established in Vienna. It was dominated by Reform Catholics and *Aufklärer* (men such as Müller, Greiner and Martini) – the same partnership that had contributed to the reform of popular religious practices, censorship and the universities. By the end of 1773, Martini had drawn up a report which advocated that universal compulsory schooling on Felbiger's model should be introduced, financed by former Jesuit wealth.

Felbiger himself was 'borrowed' from Frederick the Great and now brought to Vienna to supervise this reform in person. After his arrival in May 1774, he was given near dictatorial authority, and he dominated educational policy until Maria Theresa's death. His first task was to draft the General School Ordinance (*Allgemeine Schulordnung*) published in the following December. This established compulsory schooling between the ages of six and twelve for five days a week throughout part of the year at least. It embodied the principle of compulsory education and was to be enforced by fines on parents whose children failed to attend. The state provided free textbooks, and often buildings as well for the new schools that were established, but expected even the poorest parents to pay fees and made individual parishes responsible for the salaries of teachers. This system was quickly extended to the other provinces of the Monarchy. Hungary, for example, was the subject of a separate ordinance (the famous *Ratio Educationis*) in 1777, and here again central government enjoyed a considerable measure of success.

Joseph II's personal rule saw a massive increase in state expenditure on education, directed by the influential Gottfried van Swieten as head of the Education Commission and made possible by the confiscated monastic wealth. This was partly used to finance a rapid increase in the number of primary schools, to some extent at the expense of the secondary sector. The success of these reforms was striking and they provided the basis for the nineteenth-century advance in public education. By 1790, as many as two-thirds of children in the Bohemian Lands were attending primary schools. These provinces had traditionally enjoyed a considerable measure of educational provision, and the church and the aristocracy both actively supported the measures of the 1770s and 1780s. This was not everywhere the case. Conservative, clerical resistance was widespread and did something to hinder the implementation of these reforms. Nevertheless, by 1790, the extent of elementary education provi-

sion was greater than in any other major continental state, and it was the most enduring legacy of the reform era. Even more remarkably, educational opportunities were in theory to be as open to girls as to boys. Though at first male children formed the bulk of the new school population, there is some evidence that by the end of the eighteenth century, girls were beginning to catch up.

VI

The final area of reforming activity, agrarian life, proved the most explosive. This was because, in a society as overwhelmingly rural as the Monarchy, any interference in the relationship between nobleman and peasant would be deeply unpopular and widely resented. Nevertheless, the agrarian reforms of Maria Theresa and Joseph II were among their more remarkable achievements, and only in Denmark (see pp. 245-63) was more actually done to improve the lot of the peasant. Neither the Empress nor her son was to be wholly consistent in their approach to this problem and, at least until 1780, the mother was often more radical, willing to undertake a root-and-branch reform which, at this stage, alarmed the Emperor. The agrarian problem was the central issue in domestic policy throughout the 1770s and 1780s and aroused more serious opposition than any other measure.

The rural world of the Habsburg Monarchy in the later-eighteenth century was an extremely diverse society, with wide variations not merely between different provinces but on different and sometimes neighbouring estates. Most land was in the possession of the nobility and the Church, from whom the peasantry held the fields and strips they cultivated. The terms on which they held this land and the extent and nature of the obligations they owed their lord became the main focus of Vienna's concern. At the beginning of the early modern period, the Central European peasantry had largely been free, but thereafter its status had declined sharply. The sixteenth-century Price Revolution and the opportunities it created for profitable export, above all of grain and grain-based products, had been the source of this deterioration. This had led the nobility to expand the demesne (the lands which they themselves cultivated) and, in order to diminish labour costs and therefore to protect

their own profits, to require compulsory and usually unpaid work from their peasants. Their efforts to impose labour services had been assisted by the political upheavals of the seventeenth century and finally consolidated by the mounting fiscal demands of central government during Austria's wars against Louis XIV and the Turks.

The enserfment of the peasantry is an established theme in the history of early modern Eastern Europe. Its fate in the Habsburg territories was in some respects less severe than in other countries and, above all, in Poland and Russia. There was also considerable variation in the rural picture. In the Alpine provinces of Tyrol and Vorarlberg, the peasants resisted efforts to impose labour services and remained free in the later-eighteenth century. By contrast, the Bohemian Lands and the Kingdom of Hungary had become serf economies, where individual noblemen on what were sometimes very large estates farmed their own demesnes with the aid of substantial labour services from a depressed and impoverished peasantry. These labour services were usually known as *robot* (after the Czech *robotá*, work), though sometimes in the Austrian territories as *Frondienst*. They were everywhere accompanied by a series of further restrictions on the serf's life and person. He was not allowed to move from the estate, or marry, or take up any trade without his lord's permission. He could be obliged to sell his own produce at artificially deflated prices to the seigneur, and sometimes to buy the lord's produce and use his mill as well. He could also be forced to perform additional labour services, often without any pay, while his children could be made to work for the seigneur between the ages of 14 and 18.

The operation of this system and the actual burdens on the serf varied considerably. In the former Polish province of Galicia, a peculiarly oppressive regime operated where in summer a peasant could be forced to perform as much as six days of labour services a week. In the Kingdom of Bohemia, the figure was usually three days, and in some of the Austrian duchies it was even lower. In some respects, the Austrian peasant was worse off than the Bohemian or Hungarian serf, though he was likely to own his own land. This was because the extent of his *robot* was undefined, and he also had to pay an annual rent. There was considerable divergence between the various Austrian territories. Labour services were usually lighter in Upper Austria (and often commuted for payments in cash or kind) but relatively heavy in

Lower Austria and Styria. Their extent came to concern the government, and efforts were made to regulate them, but it was always the plight of the Bohemian and Hungarian serf which received most attention. In 1767, an attempt was made in the *Urbarium* to limit labour services to one day per week in Hungary, but it was widely ignored. Instead, from c. 1770 onwards, Vienna's attention came to be focused on the plight of the Bohemian serf.

Serfdom was not simply an economic system or even a legal status, but was also a form of social organisation. The labour services which the serf performed and the restrictions on his mobility were part of a wider subordination. The nobleman also exercised patrimonial jurisdiction in civil and sometimes criminal cases and, even after the administrative reforms of 1749-61, might well be involved in collecting the Contribution. The lord's estate and his authority in all secular matters established the parameters of a serf's life, which was little affected by the central government. The nobleman and his bailiff were far more immediate and potent influences than the tax collector or recruiting officer. This meant that the condition of the enserfed peasantry would ultimately depend on his lord.

The concern of central government at the serf's plight did not begin under Maria Theresa but extended back into the seventeenth century. The peasant bore the principal burden of direct taxation and it was therefore in Vienna's interest that his obligations to his lord should not become oppressive, since this would obviously hinder his ability to pay his taxes. The government also wanted to ensure a regular supply of fit conscripts for the army, which might be imperilled by a too-oppressive seigneurial regime. There was finally fear of insurrection, should the serf *régime* become too severe, and a traditional Christian sense of responsibility for all the Monarchy's subjects. Efforts had been made, by *Robotpatenten* in 1680, 1717 and 1738, to limit labour services to three days a week, where agreements between lords and their tenants did not already exist, but it seems clear that these edicts had been widely ignored. One by-product of the expansion of government during the first half of the Empress's reign was an increasing awareness of the serf's plight. This was being exacerbated by the rapid rise in population, which increased the number of landless peasants and put pressure on the existing arable land. The particular demographic causes were not apparent to contemporaries, but its consequences certainly were.

In 1770 and again in 1771, torrential rains destroyed the harvest throughout Central Europe and particularly in the Kingdom of Bohemia. The famine which ensued, along with the collapse of Bohemia's manorial economy which deprived the peasants of wages to buy food, made the situation critical, and as many as a quarter of a million people may have died in these two years alone. The situation was exacerbated by the actions of many Bohemian noblemen who, instead of distributing the grain in their stores to their own starving peasants, sold it at considerable profit in neighbouring Saxony and Prussia, equally devastated by famine. The government in Vienna was already aware of the delicate situation which existed, particularly after the celebrated Mansfeld case when a leading Bohemian nobleman was fined and had his estates confiscated for two years for particularly blatant mistreatment of his serfs. In 1769, Maria Theresa had sought to limit the scope of noble jurisdiction over the peasants on their estates, though this edict's impact was limited. The next year, an equally unsuccessful effort had been made to limit the worst excesses of serfdom such as child labour and the forced sale of produce. Her government was driven to intervene by the Bohemian famine of 1771-72 and by the effective pressure exerted by her son.

Joseph II had travelled through the Kingdom of Bohemia late in 1771 and had been appalled by the wretchedness, disease and starvation everywhere. The conventional measures adopted in times of famine, and particularly government price-fixing and encouragement of internal trade in grain, had failed to cope with the crisis, while the local authorities in Bohemia were all-but-paralysed. The Emperor's impassioned arguments, and the special authority which his travels and first-hand knowledge of the situation gave him, forced Vienna to consider the position of the Bohemian serfs, but his influence was not yet sufficient to bring about effective action. That was accomplished only by a particularly serious Bohemian peasant revolt.

Since 1771, a commission had been arguing inconclusively over the terms of a new Bohemian *Urbarium*. In 1774, in an attempt to cut through all the debate, Maria Theresa had proposed nothing less than the abolition of serfdom. Her son demurred, fearful of the social and fiscal consequences, and instead argued for local solutions to particular problems. His proposal for individual *Urbaria* to be negotiated between lord and serfs on every estate was accepted and work commenced on

these. When it became apparent that the Bohemian nobility were preventing progress, a serf rebellion began. During the first few months of 1775, it swept across Bohemia, with hints of class war in the attacks on manor houses, religious foundations and individual landlords. The Protestantism which had existed underground since the defeat of the Bohemian rebellion of 1618-20 and which had revived notably in the eighteenth century, also came into the open, and the serfs even established their own 'government'. The rising contained many echoes of the great Cossack-peasant rebellion in Russia led by Pugachev (1773-75) and this may have increased Vienna's anxieties. Eventually, the Bohemian serfs were defeated, by an army of 40,000 infantry and four regiments of cavalry. The government adopted a very lenient policy towards the rebels and now introduced the long-delayed reform.

Though Vienna was finally forced into action by the Bohemian rebellion, the measures introduced arose from more motives than fear. Some of these aims were traditional, above all the established concern that landlord oppression should not damage the state's fiscal income. This was particularly important in the context of the struggle with Prussia, which had driven up government borrowing and the Contribution to new levels. Such thinking was reinforced by the cameralist doctrines which were now widely influential in government circles. The notion that a state's prosperity ultimately depended on that of its subjects led to serfdom being condemned as economically inefficient. The absence of peasant security of tenure was highlighted as a disincentive to agricultural improvements and thus to economic progress. The cameralist ideal was a free peasantry, owning their own land or with security of tenure, whose prosperity and increasing numbers would be the basis of the state's well-being. Maria Theresa had spoken in 1769 of the need to 'sustain the peasantry, as the most numerous class of subjects and the foundation and greatest strength of the state'.¹² This was an ambitious programme and one whose implementation would be difficult and might be expected to arouse the formidable opposition of the nobility.

Joseph II's approach to agrarian questions was certainly influenced by cameralist ideas and by concern for the state's fiscal income. It was also affected by more purely military considerations. In 1771, after a long struggle, the Emperor and his principal military adviser, Marshal Lacy, had introduced

recruiting districts, modelled on the famous Prussian cantonal system, into the Hereditary Lands. Their intention was to solve the army's manpower problems permanently by establishing territorial levies. This required a regular supply of healthy peasants, and this was threatened by the misery of the serf population and by the oppressive nature of labour services in many provinces. The state and the seigneur were here competitors. Joseph II had an established interest in promoting agricultural improvement, epitomised by the celebrated episode in August 1769 when he drove a peasant's plough while travelling in Moravia. He was also influenced by more enlightened, humanitarian motives. The doctrine of natural rights was particularly important. This established that a serf was a human being with certain inalienable rights and not simply a source of labour and taxation. The view was pressed in particular by the influential official, Franz Anton von Blanc, who was the real source of Joseph's proposal for a new Bohemian *Urbarium* in 1775. Maria Theresa's undoubted humanitarianism was more grounded in traditional Christianity than the Emperor's, but it was deeply rooted and sincere, and at this point her approach was considerably more radical.

In August and September 1775, a new *Robotpatent* was promulgated for Bohemia and Moravia. This fixed an upper limit of three days per week for labour services, where other agreements were not already in operation, with proportionately less for serfs with less than a full holding and for landless peasants. It was a determined attempt to define and to limit serf obligations and to protect them against the worst excesses of seigneurial oppression. The 1775 decree seems to have brought about a limited but real improvement in the position of the Bohemian serfs. There were problems of enforcement, and the bulk of the nobility opposed the edict vigorously and with some success. But the *Robotpatent* did bring about a reduction in the burdens on the peasantry and some improvement in the serfs' condition. The same can be said about the other principal agrarian legislation of Maria Theresa's final decade: the reform of labour services in the Austrian territories. These were limited to two days a week in Lower Austria (1772) and three in Styria (1778).

The 1770s had seen the state intervene – albeit partially and hesitantly – in landlord–peasant relations. Maria Theresa would certainly have gone further, arguing that the situation was so tense that only a full abolition could resolve it. Her natural

conservatism led her to hesitate for many years before intervening, but once persuaded of the need to act, her radicalism was real. Joseph II's position at this time was more cautious and broadly similar to that adopted by Frederick the Great in Prussia (see pp. 280–1) and Catherine the Great in Russia (see pp. 307–10). Though recognising the drawbacks of serfdom and the strong humanitarian arguments against it, the Emperor also believed that immediate, outright abolition involved an unacceptable risk of social and economic disruption and might weaken the state, which depended on taxation and on noble support. He was particularly afraid of the potential damage to the military system and to fiscal income. This gradualist approach was also apparent in his support for the *Raab* reforms.

The power of the Bohemian nobility made it difficult and perhaps impossible to turn their serfs into small peasant proprietors. In the mid-1770s, however, this was attempted on the *cameral* (Crown) lands and on the ex-Jesuit estates in Bohemia. This scheme was put forward by Franz Anton von Raab and, with the influential support of Maria Theresa and Joseph II, he began to implement his ideas on a few selected estates at the beginning of 1776. The *cameralist* axiom that a prosperous, land-owning peasantry would be the best foundation for a strong state was the source of this initiative, which divided up manors and sought to substitute a land-holding yeomanry for serfdom. To achieve this end, agreements were drawn up for individual estates by which labour services were abolished and peasants were turned into hereditary lease-holders, paying moderate cash rents; the fact that the state and not a nobleman was the landlord enabled this to be done without compensation. A secondary aim was to increase population and, to further this end, peasants were brought in from outside Bohemia and settled on the partitioned estates. The success of Raab's work was considerable, but it was necessarily small-scale. The principal landowners in Bohemia remained the nobility and the church, and they were resistant to any suggestion that they might imitate the *Raab* system and divide their own estates. During the 1780s, Joseph II sought to widen the scope of this initiative to include town, church and even noble lands, but this encountered severe opposition, not least from within the state administration, and these efforts were far less successful than those of the 1770s. Behind the *Raab* system were the twin goals of agricultural progress and a free peasantry enjoying secure possession of

their land. These remained the central objectives of Joseph II's agrarian reforms after 1780.

A series of measures during the Emperor's early years as sole ruler sought to improve the position and legal status of the serf, but left labour services intact. In November 1781, the Bohemian peasants were 'emancipated' and this was extended to Galicia in the following April. This meant that the serfs were declared to have certain basic civil rights which they had not hitherto possessed. Theoretically they could now marry, move or enter a trade provided they secured their lord's formal permission, which was not to be unreasonably withheld. An elementary system of legal aid was instituted for peasants seeking redress in the courts against noble oppression, while child labour was formally abolished. A second Patent in November 1781 enabled serfs in Bohemia to secure at modest price greater security of tenure and the right to dispose of their land as they wished. These were followed by a further series of measures extending the reforms of the 1770s to other provinces. In 1782 labour services were limited to three days a week in Carniola and, in 1784, the same figure was laid down for Galicia, while Joseph II's legal reforms and especially the new Penal Law of 1781 were additional blows against the lords' patrimonial jurisdiction, imposing the obligation to employ professional, university-trained judges. Most remarkably of all, Joseph II attempted to extend agrarian reform to Hungary in 1785. The standard limit of three days a week was decreed for labour services and the Hungarian serf was declared to have the same civil rights given to his Bohemian counterpart four years earlier. The real limitations on Habsburg authority in the Kingdom ensured that these measures were widely and flagrantly disregarded and usually remained a dead letter, though they excited noble resentment and opposition. Elsewhere, Joseph II's early agrarian reforms were resisted and, at times, ignored, but they did bring about some amelioration in the peasants' condition and furthered the improvements begun in the 1770s.

These reforms had deliberately ignored the central problem, that of labour services. Joseph II was determined to attack these, but wished to avoid damaging destruction to the fabric of society and state. The central conundrum was how to protect tax revenue and noble income. On cameral and ex-Jesuit estates in Bohemia, no compensation had been necessary. This was impossible on noble and church land if and when the *Raab* system was extended

to private estates throughout the Monarchy, which was the Emperor's eventual aim. The existing landholders would have to be compensated on a massive scale, and neither the overstretched state budget nor the newly-free peasantry could afford such substantial sums. By about 1783, Joseph II had devised his solution. This linked the curtailment of labour services to a drastic revision of the tax system, which envisaged one single tax on land reminiscent of the physiocratic *impôt unique*. The Emperor's scheme for root-and-branch reform encountered fierce and determined opposition in the Council of State and in the administration, and this slowed its implementation. A more important source of delay was the need to compile a new *cadastre* listing all land liable to be taxed. The shortage of qualified surveyors, bureaucratic inertia and even resistance, and noble opposition together delayed its compilation, but by the final year of the Emperor's life, the *cadastre* was ready.

In February 1789, the radical Tax and Agrarian Regulation was promulgated, though its implementation was postponed until the following November. This decreed that a peasant, freed of all labour services, would henceforth retain 70 per cent of his annual income to support his family, to improve his own smallholding, and to pay his dues to the church and to his village. The remaining 30 per cent was to be divided between the state as taxation and the nobleman as compensation for the loss of labour services. With characteristic precision, Joseph laid down that 12½ per cent would be paid as taxation and the remaining 17½ per cent as a permanent commutation payment to the nobleman. This change was to apply only to rustical serfs, that is to say peasants holding lands which were not part of the lord's demesne (dominical peasants would continue to rent their lands with the new security in theory provided by the earlier legislation) and in Bohemia at least only a minority would have benefited immediately. But the wide implications which the measure possessed, and the direct threat to the nobility's social position and economic well-being aroused immediate and vocal protests, and in Hungary contributed to the rebellion which threatened by the end of 1789. Joseph himself was forced to postpone implementation until the autumn of 1790, and after his own death in February of that year, his brother and successor Leopold II withdrew it altogether.

The most dramatic and remarkable of the Josephine reforms, and the culmination of Habsburg agrarian legislation, thus

proved to be stillborn: the serfs in the Monarchy would everywhere wait until 1848 to be emancipated. The entrenched opposition of the seigneurs proved too strong and labour services remained in place for another two generations. Yet the agrarian reforms were far from a complete failure. In the context of the later-eighteenth century, it is the extent of what was achieved, rather than its obvious limitations, that is striking. The Monarchy's peasants enjoyed greater security of tenure, a measure of equality before the law and improved material conditions as a result of the reforms of the 1770s and 1780s. Only in Hungary was resistance complete and successful, and the condition of the serf as wretched as before.

Joseph II's agrarian reforms were one reason for the growing unpopularity of his government and its planned changes. Administrative centralisation was particularly resented in the Austrian Netherlands, where his reign ended amidst a rebellion against Habsburg rule, and in the Kingdom of Hungary, where open resistance was very close by 1790. The Monarchy's involvement in a disastrous Turkish war after 1787 was a further source of unrest and criticism, and in the final years of his life, the Emperor was driven to adopt severely repressive measures. Joseph II's policies, and especially the emphasis on German as the official language throughout the Central European lands, could also have unexpected and even paradoxical results, as R. J. W. Evans makes clear (see Chapter 7). Yet the undoubted problems by the later 1780s qualify rather than overturn Joseph II's reputation as a radical reformer. Many of his measures – such as the introduction of the idea of marriage as a civil contract, rather than a sacrament, and the removal of legal disabilities from illegitimacy – were very radical indeed and anticipated nineteenth-century developments.

A strong and wealthy state, with a formidable army, was always a central aim of Habsburg policies during the half century after 1740. Yet, particularly under Joseph II, there was also real humanitarianism and concern with the fate of the poor and the destitute. The Emperor not only claimed to rule in the interests of all the people; he actually tried to do so. A series of measures during the 1780s extended the provision of poor relief and established primitive welfare services, particularly in the towns. Medical education and provisions were improved, hospitals – notably the famous Vienna General Hospital – were established, giving free treatment to paupers, and homes for

orphans and unmarried mothers were set up. Such initiatives were always a minor part of Joseph II's wide-ranging programme, but they are clear evidence of the radical nature of his policies and confirm his claim to be considered one of the most remarkable reformers of the later eighteenth century.