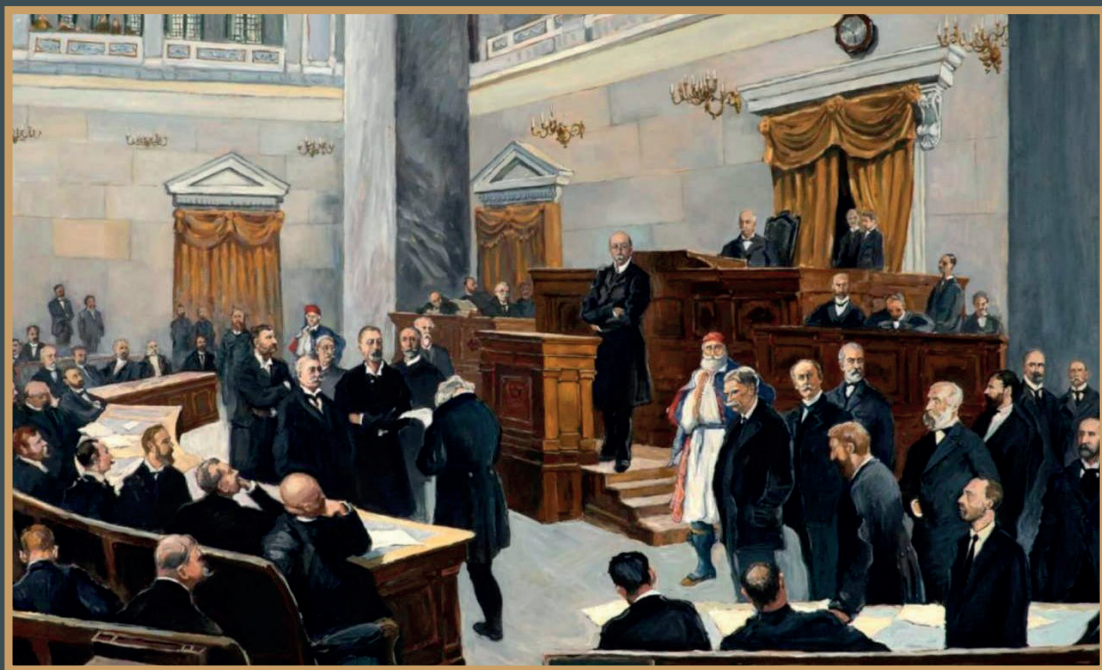


Pre-and Post-Napoleonic Europe revolutions and Parliamentary institutions.

The case of Greece on the occasion of the bicentenary since the war of independence (1821-2021)



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03

**Pre-and Post-Napoleonic Europe revolutions and
parliamentary institutions. The case of Greece on the
occasion of the bicentenary since the war of independence
(1821-2021)**

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Pre-and Post-Napoleonic Europe
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tions. The case of Greece on the
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the war of independence (1821-2021)

Proceedings of the 72th Conference
of International Commission for the
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Parliamentary Institutions
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Edited by
Georgia Karvunaki
ICHRPI, National Convener of Greece



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Introductory Remarks and Greetings

Ladies and gentlemen,

Liberty presupposes knowledge and a strong intellectual and theoretical basis. It cannot come as a free gift to those who have not worked hard for it. The difficult, painful and long process of the rise and establishment of our democracies attest to this. Liberty cannot come without due consideration of scientific knowledge – not only on the fields of the humanities or the social sciences, but also of “hard science” as well, which supports, enables and rationalizes modern governance, as the recent pandemic and the admirable response of the global medical community have shown.

This means that the processes which determine our institutions is a complex one. The study of the institutions of our societies and states, their evaluation and the debate on their possible expansion and betterment, does not come only from the community of politicians. It mostly comes from researchers, academics, Universities. It is us, academics and scientists, who trigger the invaluable process of reconsideration and evaluation, without which no progress can be made; without which the very survival of our freedoms is not certain.

With these thoughts in mind, the National and Kapodistrian University of Athens has readily and happily responded to the invitation of the International Commission for the History of Representative and Parliamentary Institutions to co-host this conference. The fact that one of its thematic subjects is the Greek Revolution, during this year of its 200th anniversary, honours us all the more. But for our University, however important, it is not just that. Mostly, it is the opportunity to perform our duty as a major academic institution, and as a member of this global universe of academic and intellectual springboards for the betterment of governance and the securing of liberties throughout today’s tormented world.

Confident that we are going to further knowledge, and that by doing so we are going to serve global, high principles, the National and Kapodistrian University welcomes all the colleagues who, in our conference, will discuss the crucial issues of parliamentary government, past, present and future. I wish you the best possible success in your endeavours.

Professor Meletios-Athanasios Dimopoulos

M. D. Rector of the National and Kapodistrian University of Athens

Since the dawn of the modern era, Parliaments incorporated the demand for freedom and for political representation, and have emerged as a hope of the peoples who lived under the yoke of the ancient regime or of dictatorships. In the second half of the twentieth century (in other words, only recently), the European countries managed to achieve the dreams of countless previous generations of citizens, and to establish fully functioning, inclusive democracies, respecting human rights and enjoying legitimization.

But this was not, as it was once said, the “end of history”. The search for freedom never ends. We need to make sure that our institutions will be able to adapt and adjust to rapidly changing circumstances, including the ongoing pandemic or the rise of new technology. And, of late, we have found out that we still need to be able to protect – or even, allow me to use this word, defend – our democratic institutions from various dangers, including the feeling of relaxation or the trend of our own societies to take these achievements for granted. Representative democracy can only be the product of an intellectual mobilization and of responsible knowledge.

Representing the Speaker of the Hellenic Parliament, Mr. Constantinos Tassoulas, I would like to welcome the fact that the 72nd Congress of the International Commission for the History of Representative and Parliamentary Institutions, is being held in Athens, co-organized with the University of Athens. The study and the building of knowledge about our form of government is a precondition for its survival and expansion, and your conference contributes significantly to this common aim of all of us. The thematic focus on the Greek Revolution in this year of our national anniversary, makes the holding of this conference in Athens an even greater honour for the Greek people. I would like to thank the International Commission for this, and to wish all of you success in this important conference.

Athanasios Bouras

M. P. Third Vice-President of the Hellenic Parliament

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Opening Speech

Political conflict in the neapolitan parliament of 1820/21

MARIA SOFIA CORCIULO

The constitutional revolution developed in the Kingdom of Two Sicilies from July 1820 to March 1821 was particularly interesting in comparison with the similar political movements all over Europe, because of its deep democratic principles never expressed before nor applied in the other Italian States. In this perspective, it is very important the political role acknowledged to the monocameral Parliament, elected by almost all male citizens (universal suffrage). The legislative power was assigned to the Parliament, as the King had only the suspensive veto.

During the short constitutional regime, the Neapolitan Parliament was often in conflict with the cabinet, appointed by the King and composed of politicians before involved in the French Government, but it was also divided in two parts: the radicals coming from the provinces of the Kingdom – mainly sectarian members of “Carboneria” – and the moderates, coming from the capital of Naples.

This political conflict was clear in the occasion of the debates about the law for administrative autonomy, claimed by the provinces. Although not decisive, it influenced the early collapse, after only nine months, of this so innovative experience of progressive constitutionalism.

In the future, conflicts between radical democrats and moderate liberals were a constant state in Italian Risorgimento and maybe one of the causes of its incomplete success.

I'm especially pleased to take part in this “face to face” conference thanks to the strong efforts of Georgia Karvunaki, national convener of ICHRP, who organized it with the precious help of Prof. Thanos Veremis.

In Italy, in 2020, some academic-cultural events were planned to commemorate the historical memory and political-institutional legacy of the European Revolutions of 1820/21 (demonstrations naturally postponed due to the Covid pandemic).

It was only on October 1st, 2020, right before the general lockdowns, that we were able to hold a conference in Naples, at the Faculty of Law of Federico Secondo University. This date was chosen for its symbolic value, as the bicentenary of the Neapolitan Parliament's first assembly in 1820/21, called by King Ferdinando I in the Church of the Holy Spirit; here the President of the Italian Chamber of Deputies, Roberto Fico, wanted to repeat this ceremony, in the role of the King, along with some students from Vittorio Emanuele the First High School in the role of the dignitaries. This was no random choice, since the school building is located next door to the site where the sessions of what was the first representative assembly on Italian soil were held. For a number of reasons, which there isn't sufficient time to go into here, this Parliament has been almost completely unapprised, if not forgotten by most Italian historians (nevertheless the Academy of Lincei dedicated to it 6 volumes)¹, with a few rare exceptions in recent years.²

Yet it was a Parliament with extremely interesting political-institutional features, quite innovative for the time, having been borrowed *in toto* from the 1812 Constitution of Cadiz, which the Spanish King at first rejected but was subsequently forced to adopt in 1820, upon which it took root with enthusiastic, confident fervor in the Kingdom of the Two Sicilies. Then, in July 1820, a revolution took place, similar to what would occur in March of 1821 in the Kingdom of Sardinia, under the banner of democratic principles that were never expressed, let alone institutionalized, in the Italian States: a sole elective Chamber with effectively universal suffrage and the power to legislate, and which could only be overridden by veto of the King. Meanwhile, the peripheral State institutions answered to the Assembly itself. Like planets near the sun, the elected representative bodies at the municipal and provincial levels revolved around it, having a chief say in their administrative and political matters of any importance.

¹ A. ALBERTI, G. GENTILE (eds), *Atti del Parlamento delle Due Sicilie (1820-21)*, 6 vols (Bologna, 1926-31).

² Cf. M.S. CORCIULO, *Una Rivoluzione per la Costituzione. Alle origini del Risorgimento meridionale (1820-21)* (Roma, 2017) and cf. W. DAUM, J. SPÄTH (eds), 'Un primo liberalismo transnazionale. Le rivoluzioni mediterranee del 1820-23', *Rivista Storia Italiana* CXXX II, (2018), pp. 473-639.

This latter aspect especially was highly appreciated and coveted by the inhabitants of the kingdom, who were increasingly oppressed by the administrative centralization which, already heavy under the Bourbons, had been further reinforced and perfected during the decade of Napoleonic domination (1806/1815). The aspirations for a broader provincial autonomy, immediately after the adoption of the Constitution, was seconded and shared by the press, which, thanks to the freedom it enjoyed (during the so-called “*nonimestre costituzionale*”, 33 newspapers were published), frequently reported on this structural arrangement of the Kingdom, also in view of the changes the Parliament would have to make to the Cadiz text to adapt it to the Neapolitan reality. In these writings the peripheral arrangement envisaged by the Constitution was widely appreciated, in which, in clear antithesis to the ponderous centralization of the Kingdom of the Two Sicilies, the principle of local autonomy was amply safeguarded. One of the most authoritative newspapers of that period, close to the moderate revolutionary current “*La Minerva Napolitana*”, wrote that the need to heighten what it called “municipal power” could no longer be put off.³

The exponents of the moderate party explained here one of the primary aims of the revolutionaries: their wish to obtain autonomous provincial administrative and financial institutions, in order to exercise their own local decision-making power, which could be easily communicated to their rulers without having to run the gamut of checks and filters of the intervening authorities, especially that of important official of the Intendant.⁴

We now come to our Parliament. On 3 separate days, August 20th and 27th, and September 3rd, the elections were held on the three stipulated levels (whose modalities there is insufficient time here to go into). The inhabitants of the Kingdom elected the prospected 98 deputies (72 on the mainland and 26 on the Sicilian islands, however never summoned

³ Cf. M.S. CORCIULO, *Dal moderatismo al radicalismo. L'evoluzione politica de La Minerva Napolitana*, in *Una Rivoluzione per la Costituzione. Alle origini del Risorgimento meridionale (1820-21)*, pp. 105-116.

⁴ Cf. A. SCIROCCO, *Il problema dell'autonomia locale nel Mezzogiorno durante la Rivoluzione del 1820-21*, in *Studi in onore di N. Cortese* (Roma, 1976), pp. 485-528.

on the latter because of the unrest raging there), which gave birth to the first assembly freely elected by the Neapolitan nation.

It is certainly interesting to know something about these parliamentarians.

Who were the men this historic task fell to? What was the political path that led them to actively participate in revolutionary developments? We can try to draw a single line of interpretation about the makeup of this Parliament.

In general, most of the elected members, across the 3 electoral ranks, were chosen mainly on the basis of their culture and background of important political experience and commitment. And those who wished to revamp the obsolete Bourbon *status quo* were especially appreciated. The average age of many of the Deputies was fifty-five, rather old for the standards of the time. However, this meant that they were aged enough to have participated in the events of the Neapolitan Republic of 1799 and to have later been actively committed to the reformism of the Napoleonids. Besides these two important features they also adhered to the Carbonari, extremely widespread in the Provinces, whose aim – as could be read in a contemporary document – was “to propagate the constitutional education of the lowest class” (the origins of the Carbonari are still obscure). About 70% of the Deputies in this Parliament were able to check off at least 2 of these boxes.

For the high degree of politicization of many of them they have been rightly distinguished as “consummate professionals of politics”⁵, because of their know-how and expertise in parliamentary procedures and astuteness, which were useful assets for dealing with an Executive made up entirely of expert former collaborators of the Napoleonic regime of Gioacchino Murat. It was the government chaired by Campochiaro, authoritatively flanked by the Minister of the Interior, Giuseppe Zurlo, who had held prestigious positions during the 1790s as well as in the subsequent Murat period, when he had been appointed Minister of the Interior in 1809. After Bourbon’s return he was reconfirmed in this post by

⁵ Cf. R. MARTUCCI, *Il rodaggio del sistema rappresentativo nel nonimestre costituzionale delle Due Sicilie (1820-21)*, in G. D’AGOSTINO, M. DI NAPOLI, S. GUERRIERI, F. SODDU (eds), *Il tempo e le istituzioni. Scritti in onore di Maria Sofia Corciulo* (Napoli, 2017), pp. 399-411.

the heir to the throne Prince Francesco, to whom Ferdinando had passed the reins of the Kingdom while waiting to attend the Holy Alliance in Ljubljana, where he would openly dissociate himself from the revolutionary events which at the time he had wholeheartedly embraced, even swearing an oath to the Constitution.

After its inauguration, the Parliament set to work in its chosen headquarters of the church of San Sebastiano (located on the street of the same name) with its circular, naveless floor plan, very similar to the San Felipe Neri in Cadiz, where the first *Cortes* had been convened in 1812.

The most important task facing the assembly was to reform the “PEPA”, as the Constitution was familiarly called, since it was proclaimed on March 19th, Saint Joseph’s Day, January 1821), at the opening of the *Prima Legislatura* (which would last until January 31st, 1821) in the *adunanza* as the assembly sessions were called, 82 in all) of December 22nd, when a bill was presented to Parliament, drawn up by the special Legislative Commission for the Provincial and Municipal Administration in response to that of November 14th, on Minister Zurlo’s Civil administration of the Kingdom. Its aim was to maintain – by confirming them – the existing outlying institutions – such as the Napoleonic Provincial and District Councils, made up of persons generally loyal to the government – with those provided for by the new Constitution. The Parliament did not hesitate, in response to the Minister’s desideratum, to oppose them, by abolishing and then replacing them with an elective institution, the *Deputazione*, provided for in Article 322 of the Constitution. This article assigned broad and salient functions of autonomous management of interests to local authorities, including the important function of controlling the finances of the communes. However – and this is a little known fact – together with it the Spanish constituents had planned on a government official, a political *Jefe*, whose introduction most of the deputies were against and whom the Government obviously wanted. The conflict between the Executive and the Assembly was extremely bitter and lasted from January 8th to 28th, 1821. Zurlo was the major opponent to granting administrative and police functions exclusively to a collegial body, i.e. the *Deputazione*, and not to a single important official with governmental powers – as foreseen by the Constitution. The Radicals, tied

to the provincial Carboneria, expressed on that occasion their full favor of granting important powers at the local level to the Chiefs of the sect, thereby alienating the moderate part of the assembly, who were mainly city-dwelling Neapolitans, among which several latercomer infiltrators, directly in contact with the government and the top-echelon officials of the capital. These moderate deputies were worried that an excessive centrifugal tendency would take root in the provinces, and decided to somehow satisfy the government's requests. Hence a compromise was reached, giving rise to an unprecedented form of administrative-political decentralization, for which the figure of an Intendant-Prefect was maintained, nominated by the King; at the same time the administrative-political direction of the province was assigned to the *Deputazione*, presided over by them. Its elective members passed from seven to eleven, with all their important functions reconfirmed, as laid out in the Constitution. This legislation also applied to Municipalities, governed by a Mayor and administered by an elected municipal body.

So it was precisely on the occasion of the debate on provincial autonomies that political divergences emerged for the first time, not only between the Government and Parliament, but also within the Parliament itself. These would be one of the primary causes, together with the diplomatic-international ones⁶, of the revolutionary epilogue, crushed on March 7th, 1821 in Rieti under the command of General Guglielmo Pepe⁷, by the troops of the Holy Alliance.

Here for the first time we see the contrasts between democrats and moderates, a never healed laceration of the future Risorgimento, especially as it unfolded in Southern Italy.

Subsequently, despite the critical situation of the Kingdom, which the armies of the Holy Alliance were about to enter at the request of deceitful Ferdinand, on March first, 1821 the Parliament also opened its Second Legislature, as an exemplary gesture of civic courage.

⁶ Cf. *Atti del Parlamento delle Due Sicilie etc.*, vol. V, parte V, pp. 34-35.

⁷ G. Pepe, born in Squillace on 1783, is considered the military leader of the Constitutional Revolution of 1820-21. After the defeat of his army, he was exiled in England and France. He died in Turin on 1855.

Later, on March 19th, the Calabrian Deputy, the great patriot Giuseppe Poerio (who had sided with the Neapolitan Republic and whose death sentence had been commuted by Napoleonic pardon), presented, in the name of the assembly, a solemn protest “before God and men for national independence”⁸, along with one of the youngest Deputies, the abruzzese marquis Dragonetti, a fiery Carbonaro (who would be re-elected in the later Parliaments of 1848 and 1861), with the following noble expressions: “While the present generation does not merit the benefits of our Constitution, future generations, which will be more virtuous than ours, demand from us this act of protest of our freedom and national independence”⁹. It was a prophetic and courageous call to arms of the Kingdom’s populace.

At around three in the afternoon of the same day, the Police Commissioner placed the seals on the door of the church of San Sebastiano, where “the *so-called* Deputies” met – as was written on the proclamation posted there.

On October 1st, 2020, in the presence of the Mayor and the city authorities of Naples, at the end of the conference I mentioned at the beginning of this paper, a plaque was placed next to where the church of San Sebastiano stood, the headquarters of the Assembly (it collapsed in the first years of Forties) to commemorate – as we can read – “the National Parliament of the Two Sicilies, first elected by universal male suffrage, overwhelmed by the King’s betrayal and terminated by the force of Austrian arms, but alive in memory as a southern glory for the Unification of Italy”.

⁸ Cf. F. ESPOSITO, *Una vicenda storico-politica della Rivoluzione Napoletana del 1820: gli Imbriani e i Poerio* (Marigliano (NA), 1993), p. 43.

⁹ See the M. Schipa entry in the Treccani Encyclopaedia.

Opening Speech

1821-1831: Transition from Pre- modernity to a Modern Society

THANOS VEREMIS

Within a decade of the war for independence social entities, segmented by familial institutions, client- based networks and ties of locality, began their transition to modernity. Instead of an exclusive loyalty to the family and place of birth, modern identity turns to the abstraction of an "imagined community" – that of the nation.

Embracing modernity involved an expansion of cognition to accept the reality of concepts not subject to sensory verification. A variety of autobiographical works and historical memoirs will provide the evidence of transition and the difficulties that its verification entails.

The view of different segments of society, concerning their place and role in the war, were never uniform nor unchanging.

We will discuss works that produce conflicting evidence on the decade in question and subsequent times when most of the memoirs appeared in print.

Following the publication of a steady flow of memoirs by protagonists and secondary players in the seminal events that took place during the Greek War of Independence, the history of the subject has become increasingly diverse. Along with the wealth of information comes a reassessment of the major questions posed by later generations of historians.

Apart from Greek primary sources, archival material from British, French, Russian and Ottoman public records is now more widely available to researchers. The Ph.D thesis of Sukru Ilicak, under the supervision of Professor Cemal Kafadar of Harvard, has produced the hitherto unknown official Ottoman view of the Greek "disturbances" (1821-1830), otherwise known as the "Rum Fessadi". The Grande Porte considered the disorder as the work of Russian spies, as well as the ambitious aim of the Czar to dismember the empire of the Ottoman Muslims.

BACKGROUND

In the past, historians have stressed the extraordinary aspects of this war – focusing mainly on the attributes of the heroes who brought it about. Marxists have tried to identify the clash of social classes in the strife between warriors and notables. The focus of the reassessment of this event will be directed towards the nature of the "segmentary communities" that made the uprising possible. If the Marxist view of society is one of horizontal class division, my view of the segmented society is based on the vertical divisions that preserved the societal hierarchy in homogenous networks, inimical to each other, for the control of the emerging state. In such segmentary societies or communities, it is clientelism that becomes the necessary mechanism for connecting each segment with the central government.

The War broke in March 1821 and, almost simultaneously, in Romania under the command of an officer of the Russian army, Alexander Ypsilantis, as well as in the Moreas-Southern Greece.

Whereas the Romanian campaign was suppressed by Ottoman forces, the war in the Peloponnese was crowned by success. In the battle of Dervenakia (1822) the Greek commander, Theodore Kolokotronis, defeated an Ottoman army of 30,000 men. Meanwhile, the fleet, comprising ships from the islands of Hydra, Spetses and Psara, successfully patrolled the Aegean, thereby preventing the landing of Ottoman forces in the Moreas. At the same time, the rough terrain of the hinterland was ideally suited to the guerrilla warfare tactics of the insurgents. Following the success of the first two years, however, the Greeks turned against each other as segmentary communities. The Sultan, unable to suppress the Greek revolution, summoned his vassal, Mohamed Ali, Viceroy of Egypt, to his rescue. The Civil Wars of 1823 – 25 distracted the attention of the Greeks from the new peril. In 1825 the Egyptian regulars invaded the Peloponnese and successfully regained control of most of the territories that had risen up against the Sultan. The naval battle of Navarino (Ancient Pylos) in October 1827 ended in the destruction of the joint Turkish-Egyptian fleet by a combined English, French and Russian naval squadron. The sea battle was declared by British officials as an "untoward event". Be that as it may, it heralded the dawn of Greek independence.

Count Ioannis Kapodistrias, erstwhile Foreign Minister of the Czar of Russia, provided Greece with its first, and possibly best, head of State.

The transition of Ottoman despotism into a unitary state, based on the prototype of post- revolutionary France, started during the initial years of the Greek revolution. The first National Assembly in Epidaurus (1822) produced a constitution that established the principles of the representative democracy that was to emerge in the future. Public administration was founded entirely on the French model of governance.

The designation "Hellas" that emerged during the War of Independence, revealed the self- chosen identity of a Christian Orthodox community, with a linguistic tradition that spanned millennia. The term Hellas had never been used before to signify a single political entity. The spread of Christianity owed much to the Greek language and the Ecumenical Patriarchate in Constantinople adopting it as an instrument of religious education, which was continued under the Ottomans. Although the political identity of the Greeks, inherited by the Byzantine Empire, was Roman¹ (Rum millet for the Ottomans), their language was Greek. The new state not only chose to Hellenise its name, it also based its national education system on their perceived understanding of Ancient Greece.

As in most regions of the Eastern Mediterranean at the beginning of the 19th century, the Greek economy in 1830 was predominantly agrarian. According to the statistics of Thiersch² 65% of Greek families were engaged in farming. Land produce was the largest component of the annual national income and land constituted the major portion of capital wealth. The bifurcation of the economy into a subsistence and a market sector, was yet another property of production. Reconstruction was mainly based on these constituents of the economy. For future reference, a commercial and merchant marine class also emerged.

Various historians have associated the new state with the attributes and shortcomings of political personalities, the designs of the ruling classes, as well as foreign arbiters with their own agendas. The final outcome bears the imprint of its users: those who administer its institutions

¹ "Roman" in Byzantium is the equivalent of Orthodox Christian

² F. THIERSCH, *De l'état actuel de la Grece*, Leipzig p.54 1833

and the multitude of subjects who adapt their lives accordingly. Did the insurgent state fulfil the expectations of its founding fathers?

1821 not only signified the beginning of the Greek nation-state, it also constituted a reservoir of heroic action and behaviour that inspired subsequent generations. Throughout the two centuries that have elapsed, the great event became an idealised rendition of the early history of the Greek state. The pre-modern society of the War of Independence was eventually ushered into modernisation. The route to this transformation went through the avenues of commerce between east and west - the "Conquering Orthodox Balkan merchant"³, was not only a radical but also a reformer.

Within a decade of war, social entities of pre-modernity, segmented by familial institutions, client-based networks and ties of loyalty, started to acquire a modern identity. Instead of an exclusive loyalty, hitherto reserved for the family, village or place of birth, modern identity turns to the abstraction of an imagined community - that of the nation⁴.

It is not surprising that a segmentary pre-modern society was destined to come to the point of civil wars between its members. Yet even the clash among the revolutionaries proved a learning experience for a population of isolated people with little awareness of other territories outside their place of birth and profession. Fighting against the Ottoman authorities also gave many the opportunity of mobility which they had never known in the past. Unlike the merchants who roamed the Balkans, people of peasant origin had very little knowledge, not only of the outside world, but also of the islands and of central and southern Greece.

Throughout the war of independence the insurgents acquired a wider geographic understanding of their own compatriots. Although the content of a nation was secular it was based largely on religious denomination. The first Greek constitution of 1822 stated that Greeks are «those who believe in Christ». Historian Benedict Anderson would call the nation an "Imagined Community."

³ T. STOIANOVICH, *The Balkan Worlds: The First & Last Europe*, Abingdon: Routledge, 1994

⁴ B. ANDERSON, *Imagined Communities*. London: Verso, 1983

The process of unification to counter the initial segmentation, was also the harbinger of modernization of the emerging state. Ioannis Kapodistrias was the single representative of the executive branch with a tenure of seven years, according to the constitution of 1827.

Greece became the first independent state in the Balkans. Its subsequent development retained some of the merits of the warriors and primates that fought in that war. Their intelligence and courage became the heritage of the new nation – state. Greece also remained under British supervision until WWII.

Embracing modernity involves an expansion of cognition to accept the reality of concepts that are not subject to tactile confirmation. Undoubtedly, the nation is such an abstract subject because it pre-supposes acceptance without empirical evidence of existence or belonging, other than flag and anthem.

The first civil war which occurred within the War of Independence, (autumn 1823- summer 1824) was waged between primates and warlords, whereas the second (July 1824-January 1825) was a clash between the insurgents of Roumeli (central Greece), with aid from the island of Hydra- against the representatives of the Peloponnese (southern Greece). The landing of the regular Egyptian forces under Ibrahim, son of Mohammed Ali, hegemon of Egypt, and the resulting devastation in the Peloponnese, effectively put an end to the war among Greek factions. The appointment, by the National Assembly of Troezina, of the former Foreign Affairs Minister of Russia, Ioannis Kapodistrias, as the first head of government and State, was the starting point of a generally accepted leadership for the Revolution and the establishment of a unitary state authority.

Among the many authors of memoirs during the War of Independence, few were intellectuals of any calibre and most display varying degrees of literary skill. Fotakos (Fotios Chrysanthopoulos) was a self-taught chronicle writer, whose working experience in Odessa, as a small-scale merchant and member of the "Filiki Etairia", exposed him to the ideas of the Enlightenment.⁵ The same is true for Nikolaos Kasomoulis

⁵ Φ. ΧΡΥΣΑΝΘΟΠΟΥΛΟΣ, Απομνημονεύματα περι της ελληνικής επανάστασεως, τομ. Α+Β, Φιλολογικά Χρονικά, Αθήνα: 1960

and Spyro Milios, who were both men at arms with a flair for storytelling. The siege of Missolonghi of 1825-26 owes much to these two writers and their sharp pens and swords. George Tertsetis, a literary figure who tutored Dionysios Solomos in the Greek language, will also be remembered for scripting the memoirs of Theodore Kolokotronis. The "Old Man" of Moreas gave a full account of his exploits to the poet from Zante. Although the description of his key triumph at the battle of Dervenakia is somewhat terse, Kolokotronis devotes pages to describing details of secondary importance that, nevertheless, provide ample information about the times between 1821 - 1830. In contrast, the most traumatic incident of his son's death during the civil war is described in a few lines.⁶

The Memoirs of Nikolaos Speliadis reappeared in 2007, published in a new edition in six volumes by Panayiotis Christopoulos. The author relied mainly on his school education in order to master his formal Greek. He describes the disaster of the defeat of the philhellenes at the battle of Peta in north western Greece in skilful detail. In contrast to the more spontaneous accounts of Fotakos and Kasomoulis, Speliadis often reminds his readers of school teachers, who revert to exclamatory remarks when recalling the bravery of the philhellenes or the savage behaviour of the Turks. Yet, he provides valuable information about the administration of the state in its early years.⁷

Meanwhile, the un-lettered Ioannis Makriyannis became the most celebrated figure among the warrior-historians. Lauded by such prominent Greek literary figures as Giorgos Seferis and Theotokas for his primitive style of expression, Makriyannis appeals to a contemporary reading public, irrespective of their right or left-leaning political views. His constant grievances against those in power have a positive effect on a readership that participates in his culture of the under-dog. Furthermore, Makriyannis's concept of reality is divided between the times he describes and the later period when he committed his thoughts to paper. Thus, when he summons his compatriots to abandon their selfish

⁶ Γ. ΤΕΡΤΣΕΤΗ, Κολοκοτρωνη απομνημονεύματα, ΑθήναΤομος Τρίτος, Εκδ. Γρ. Γιοβανη, 1967

⁷ Ν. ΣΠΗΛΙΑΔΗ, Απομνημονευματα, Αθήναι:Ινστιτουτο Αναπτυξης Χαριλαος Τρικου-
πης,2007, 6τομοι

aims in favour of a united brotherhood, historically, he is writing in the midst of a civil war, during which he was an unabashed defender of one side against the other. Makriyannis supported the warlords of mainland Greece (Roumeli) against the Peloponnesian primates and Kolokotronis. Makriyannis is undeniably a talented story-teller but he is also completely incapable of taking an objective view. He praises Gogos Bakolas, who joined the Turks after his ignominious escape from the battle of Peta and decries Kolokotronis and his family for their self-seeking motives.

Throughout his work he acts according to the values of pre-modernity whilst, at the same time, declaring his support for values of a later vintage. His negative view of human nature is primordial, while his call for the cooperation of all insurgents belongs to a later form of enlightenment. Deciphering pre-modernity from modernity in the writings of Makriyannis will become the task of many future historians.⁸

The works of Christopher Perraivos offer an important supplement to the better-known memoirs previously mentioned. A native of Thessaly, Perraivos collaborated with Rhigas and was already an elderly man (54 years old) when Kapodistrias came to Greece. His early radicalism with the Carbonari in Italy and later with Rhigas in Vienna; his work as an agent of the Filiki Etairia, as well as his skill as a warrior with the Souliotes, qualify him as a first-hand witness to Greek history in the making. The recent publication of his writings includes a second part of the events between 1820-1829 in Central Greece.⁹ A short biography of Karaiskakis' early years, followed by his death in Phaliron, is another valuable account in the memoirs of Perraivos. An index, compiled by the editor, of the many names that appear in the text is also an important advantage of this new edition.¹⁰

Yannis Vlachoyannis offers information about possible editing in formal Greek of the Memoirs of Fotakos and Spyro Milios by unknown editors. He refers to this in his introduction to the Makriyannis Memoirs,

⁸ Απομνημονεύματα Μακρυναννη. Πρόλογος-Επιμέλεια, Γ. ΒΛΑΧΟΓΙΑΝΝΗ, Αθήναι, Έκδ Χ.Κοσμάδακη, 1907.

⁹ Χ. ΠΕΡΡΑΙΒΟΣ, Απομνημονεύματα πολεμικά, Εισαγωγή-Επιστημονική Έπιμέλεια-Σχολία. Στέφανος Παπαγεωργίου, Athens: Foundation of the Greek Parliament, 2019. The editor, a Professor Emeritus at Pantion University is the author of many books on 1821.

¹⁰ Op. cit, pp. 229-81, 355-58.

which he regards as one of the few, unadulterated texts on the War of Independence - yet only one page of the original Makryannis script survives to support his theory. Some even believe that Vlachoyannis wrote part of the work himself. Perhaps time will tell.

Having discussed works by native authors with regard to the War of Independence between 1821-1831, it is necessary to consider their views in perspective. It becomes increasingly clear that the identification of most writers with their birth place, family bonds and religious affiliations, constitutes the main sources of their loyalty. Until the new born nation-state acquired a firm base in society, thanks to the revolutionary agents of the diaspora, premodernity would reign unopposed in most institutions of a segmented society.¹¹

The civil war waged between the Greek factions allowed Ibrahim to prepare his assault against the Revolution, in exchange for Crete and, in time, the Peloponnese. This predicament compelled the revolutionaries to seek a centralised authority that would bring unity to their cause. The absence of a generally accepted leadership was a shortcoming of the Revolution from the very beginning. It appeared that the transition of Greece to modernity required a considerable degree of centralization. Thus, the unification of a segmented effort was secured and the new state could henceforth advance towards a liberal stage of its development.

Ernest Gellner achieved not only the best definition of nationalism - for which he is remembered - but also the formulation of pre-modern politics in segmented societies, which he analysed in such compelling terms:

"Traditional man can sometimes escape the tyranny of kings, but only at the cost of falling under the tyranny of cousins, and of ritual. The kin defined and virtually orchestrated, severely demanding and life pervading systems (...) may indeed succeed - at least for a time - in avoiding tyrannical centralization, but only at the cost of a most demanding culture, one which modern man would find intolerably stifling". The segmentary community we have already described, might avoid central tyranny by "turning the individual into an integral part of the social sub-unit".

¹¹ E. GELLNER, *Conditions of Liberty. Civil Society and its Rivals*, London: Hamish Hamilton, 1994, pp1-14

Segmentary communities may describe the preponderance of members' loyalty to the family and their birthplace, rather than to the state that collected their taxes. In such communities, identity was not chosen by the individual but ascribed to it by others - mainly the family. When referring to traditional Greek "individualism" it would be wiser to insert the pre-fix "collective". Despite all the changes that have taken place in Greek society, collective individualism persists to this day.

The relocation of the Greek population from the unhealthy lowlands up to the mountain communities, during the late 18th century, brought many Christians out of Ottoman control. These communities took to animal husbandry, while the consolidation of property in the lowlands led to the formation of large estates.

Mountain populations functioned outside the easy reach of the law and, as a result, banditry spiralled out of control. These predatory country men were responsible for the creation of the *armatoles*, who checked the activities of the brigands. Each *armatole* captain would run the territory under his control as a family fiefdom.¹²

In 1820, the rebellion of Ali Pasha against the Sultan rendered the Greek warlords valuable to both sides of the conflict. As captain of Aspropotamos, Nicholas Stornaris, controlled at least 120 villages with an average of seventy family inhabitants in each, as well as owning seven to eight thousand head¹³ of cattle, sheep, goats and horses. He fought on the side of the besieged Greeks of Missolonghi.

In his valuable research on the most prominent warlords of Roumeli and Olympus, Yannis Koliopoulos, has unearthed information concerning families such as the Boukouvalas, Stratos, Vlahavas, Kontoyannis, Varnakiotis, Diamantis, Botsaris, Tsongas, Iskos and even the Bakolas family, who remained in Turkish employment after Gogos Bakolas bolted from the Greek camp, following the battle of Peta in 1822.¹⁴ With regard to the "kapakia" (change of camp) of Sifakas, Tsongas and Iskos, Koliopoulos notes:

¹² GELLNER, op-cit- pp. 7-8;

¹³ D. N. SKIOTIS, "Mountain Warriors and the Greek Revolution", in V. J. Parry & M-E Yapp (ed) *War, Technology and Society in the Middle East*, London, 1975 pp. 308-329

¹⁴ Y. KOLIOPOULOS, "Military Entrepreneurship in Central Greece etc.", *Journal of Modern Greek Studies*, volume iii, No2, 1984, pp 163-175.

"In more than one sense, submission and collaboration grew out of the traditional exchange of roles between outlaws (klefts) and armatoles, familiar since before the war, though such behaviour now occurred in a new context, a fact that raised the stakes dramatically through the emergence of an alternate central authority".¹⁵

When discussing the psyche of the modern Greek, Patrick Leigh Fermor juxtaposed pairs of characteristics that allegedly co-habit in disharmony within every Greek. The search for self-gratification, as opposed to an ideal world of collective cooperation. Such concepts as concrete, real ambition of self-promotion, improvisation and empiricism, are juxtaposed with such terms as abstract, wider aspiration, systemic action and principle. The list of pairs is long in Fermor's book and their meaning is best rendered in his own words: "The cornerstone of the Romaic, as opposed to the Hellenic, interpretation is that inside every Greek dwell two figures in opposition. Sometimes one is the ascendant, sometimes the other; occasionally they are in concord."¹⁶

Fermor's theory would become relevant if pre-modernity could merge with modernity in a troubled symbiosis, as in the characters of Karaiskakis, Makriyannis, Androutsos and many others of 1821. In fact, in historical terms, different mindsets have always coincided within protagonists of human endeavour. Although Fermor is attempting to describe the mentality of a contemporary Greek, he also succeeds in sketching elements of pre-modernity and modernity, as they coincide in one person.

Before Greek society acquired the cultural homogeneity ascribed to it by historian Constantine Paparrigopoulos, its uniformity as a nation-state, administered by King Otto under the revolutionary banner, was at the very least questionable. This is not to say that only the armatoles, primates and the clergy were not of one mind, but that each one of these groups possessed a plethora of blueprints for the revolution and its outcome. The message of the Filiki Etairia promising freedom from tyrannical rule, was deliberately vague so that each recipient of its promise could add his own version to the bottom line.

¹⁵ Ibid. p. 175.

¹⁶ P. L. FERMOR, *Roumeli: Travels in Northern Greece*, London: John Murray, 1966, pp 106-107

According to Perraios, the Souliotes, who formed an insular confederation of villages consisting of mercenary warriors, aspired to freedom from central Ottoman rule and its pasha overlords. The freedom to establish the price of their mercenary services was mainly determined by Ali Pasha, the Albanian warlord of Jannina. The dispersion of the Souliotes and their family-based communities rendered them champions of the Greek cause and, ultimately, suppliers of officers for the regular forces of Greece.¹⁷

The Souliotes entered the war eight months before the uprising of the Moreas. They were initially recruited by Ismail Paso Bey to fight Ali Pasha and then they turned against the Sultan. After returning to their villages in Souli from exile in Corfu, they realised that the Albanian allies of the Grande Porte considered them equally as their enemies. Therefore, they decided to join their traditional foe, Ali Pasha, because he promised them their homeland and also paid their wages.

Perraios entered the ranks of the Souliotes as an agent of the Filiki Etairia and the cause of Greek Independence. He fought on their side against the Sultan, without encouraging them to show the colours of the Greek cause, given that their allies were mostly Albanian Muslims.

However, this did not prevent a gradual change of heart and camp by the Albanian allies of Ali Pasha, who were informed by the Porte that the Christian Souliotes were fighting on the side of the Greek insurgents. Chieftain, Tachir Abatzi, an ally of Ali, had visited Missolonghi to discuss with Alexander Mavrokordatos a possible alliance between the Greeks and the Pasha of Yannina. Abatzi was appalled by the sight of destroyed Muslim mosques and the wretched condition of the enslaved Turks and, instead, decided to join the forces of the Sultan.

The Souliotes persisted to the very frontiers of Souli in launching many operations against the army of the Porte, whilst carrying out acts of valour in the field.¹⁸

Those insurgents who were still in touch with the Filiki Etairia had a head start in formulating a view of their expanded homeland. The societal elite that had been initiated into the teachings of the Etairia

¹⁷ PERRAIVOS, *op.cit.* pp 97-201

¹⁸ *Ibid*, pp 113-170, 205-230

understood the content of their extended homeland and the nature of the nation to which they belonged.

When did Kolokotronis start to use the term "Ellines" in his speeches, instead of "Christianoi" (Christians). His memoirs, dictated to Tertsetis, included the ancient designation of "Ellines", resurrected by Adamandios Korais, the French educated scholar who endowed Modern Greece with elements of its ancient Greek heritage. Did Kolokotronis actually use this term when addressing his assortment of troops before the battle of Dervenakia? What is certain is that by the time his memoirs were published everyone in the Kingdom used the ancient designation when describing his or her ethnicity.¹⁹ Furthermore, the Christian Albanians, the Vlachs and the Balkan volunteers who fought for the Greek cause, were already assimilated into the new nation under a name that had never been used before - "Hellas".

Between the times of the actual events and the changes that followed during the reign of King Otto, confusion prevails in the scripted memoirs of Makryannis. Whereas, Fotakos, Perraivos, Kasomoulis and, more so, Speliadis are to a greater degree aware that social mores changed during the time that intervened between perceiving the events and putting them in writing, Makryannis is not. He passes judgement against his peers based on moral standards as they evolved during the Ottonian years.

Before the initial outbreak of hostilities between the Greeks and Turks, both Rhigas and Korais believed that coexistence between the two peoples was desirable and possible.

However, by October 1828, the President of Greece, Kapodistrias, informed the European Powers that "Turks and Greeks can no longer share a common space because they have fought too long over the status of vital territory". Before the Revolution there were approximately 40.0 Muslims in the Morea - few of whom survived after the war. Most left their homes and moved to Thessaly and a smaller number perished during the battles of the Revolution. The Greek population in 1830 numbered around 191.0 in the Peloponnese alone.²⁰

¹⁹ TERTSETIS, op. cit. p. 114 In this page Kolokotronis makes constant use of the term "Ellines".

²⁰ Γ. ΛΟΥΤΒΙΧ ΜΑΟΥΡΕΡ, *Ο Ελληνικός Λαός, Χαϊδελεβεργη 1835*, Εκδ. Αφων Τολιδη, 1976, p.65

Kapodistrias's view on the nature of the Greek nation, which appears in the following comment: «The Greek nation in his correspondence prior to his return to Greece in October 1827.» The Greek nation consists of people who have continued to practice their faith and speak its language since the fall of Constantinople." This cultural approach combines religion and language and, at the same time, gives credit to both paragons of Greek identity for keeping the Greeks aware of their history and foundations.²¹ Kapodistrias was a political conservative who accepted aspects of the Enlightenment concerning the formation of a unitary state.

Greek nationalism was developed as a concept by historian Constantine Paparrigopoulos several years after the end of the War of Independence. Paparrigopoulos spent most of his active life writing his multivolume work «The History of the Hellenic Nation» which was one of the best-read books of his time. Whereas, Korais attributed the origins of the nation entirely to antiquity and its renaissance, after centuries of Medieval slumber, Paparrigopoulos, sought the historic continuity between ancient, medieval and modern Greece. His was an ideology of unity, based entirely on cultural rather than racial elements.

Meanwhile, progress in the natural sciences in the west was indirectly responsible for the racial theories of J.P. Fallmerayer and Robert Roesler. Thus, the search began for purity in the blood of nations as the primary element in determining their behaviour and worth. Paparrigopoulos contested their view, in six volumes on the History of the Hellenic Nation, in order to prove the futility of racism. He believed that all his contemporary European nations were composed of hybrid collections of people and looked for their cultural characteristics to define their unique position in history. According to Paparrigopoulos, a nation is a society of people, bound together by ties of religion and language, who become citizens of a state to which they owe their foremost loyalty and allegiance. As a legitimiser of state authority, the nation became a decisive and primary unit in world affairs.²²

²¹ Θ. Μ. ΒΕΡΕΜΗΣ & Ι. Δ. ΜΙΧΑΗΛΙΔΗΣ, *Ιωάννης Καποδιστριας. Ο «αίματος» τις Παλιγγενεσίας των Ελλήνων*. Αθήνα Μεταίχμιο, 2020, p. 95

²² J. BREUILLY, *Nationalism and the State*, Manchester Univ-Press, 1993

The constitution of the two first National Assemblies was inspired by the unitary state of the French Revolution, particularly the French constitutions of 1793 and 1795. There is no mention of a royal head of State in the Greek constitution, nor are there any provisions (except age requirement) concerning income or even place of birth, to qualify for the right to vote within or without the theatres of the war.

The executive branch representing the central authority had limited power which, in turn, led to numerous confrontations with the equally powerful legislature. Their terms of office were both of one-year duration which left little time for decision making. Be that as it may, the decisions of the National Assembly were rarely observed during the war.

After the turbulent years of 1825, and especially 1826, the third National Assembly sought a central authority and found it in the person of Ioannis Kapodistrias, former Foreign Minister of Russia. Kapodistrias was recognised as the sole representative of the executive power (in place of the pre-existing five members) and was granted a seven-year term in office. Thus, President Kapodistrias was able to put his reforms into effect. The designation «Kyvernitis» had the significance of a President.

Meanwhile, Sultan Mahmoud had already promulgated a policy of centralizing his authority in the disintegrating periphery of his failing empire.²³

The open-ended nation of the Greeks allowed for a variety of Balkan peoples to take part in its formation. This element saved the Greek state from subsequent civil wars, such as the one we witnessed during the break-down of Yugoslavia.

The formation of a Greek identity was an on-going process, with new elements entering into the fray, following every innovative development during the war. Since most memoirs were published several decades after the events they describe, it is hard to tell when each hero enters modernity and starts to make use of its vocabulary. Kolokotronis was aware of developments in European affairs, on account of his service in the British unit at Zante, as well as his participatory role in the Filiki Eteria. His comparison of western revolutions with that of the Greeks' contains a

²³ Κ. ΓΑΡΔΙΚΑ, *Δανεισμός και φορολογία στα χρόνια της Καποδιστριας, 1817-1821* in *Δέλτιο του Κέντρου Ερευνας της Ιστορίας του Νεώτερου Ελληνισμού*. Ακαδημία Αθηνών, Τόμ-Α' 1998, p.69

degree of truth: "Our own revolution is different from those in Europe. The European revolutions against their administrations are, in fact, civil wars. Our war is one that is waged between two nations, because we deny the heathen right to treat us as slaves".²⁴

The National Assemblies were an invention of two westernised Phanariots, Alexander Mavrokordatos and Theodoros Negris, who represented central Greece. Membership of these bodies had been determined through an Ottoman system of communal representation. The delegates of the Assemblies comprised landowners, church leaders and a few merchants and intellectuals from the diaspora. Although the Assemblies, especially the first, were inspired by the institutions of the French Revolution, they clearly promoted factional interests. The legislative body, elected annually, would check the power of the Executive.

The first Assembly in Piada, a village near Epidaurus (December 1821, Jan, 1822), produced a provisional Greek government, giving the impression of unity. In reality it reproduced factionalism. The entire exercise of Mavrokordatos was in fact a ploy to exclude strong men, such as Dimitrios Ypsilantis and Theodoros Kolokotronis, from the implementation of policy. The latter (along with the warlords of Roumeli) constituted a new class, wielding armed power, who emerged from the victories in the field by Greek irregulars.

Kolokotronis and his new-found popularity displeased both the primates of Moreas as well as Mavrokordatos in Roumeli. But, whereas the first relied on meagre fighting forces to combat the "Old Man of Moreas", Mavrokordatos was able to recruit his formidable *armatoles* of western Roumeli to invade the Peloponnese.

The Second National Assembly at Astros made the cleavage between the executive and legislative branches unbridgeable and facilitated civil strife. Unlike the primates of the Moreas, who had to maintain their forces, Mavrokordatos did not have to provide for his autonomous warlords of western Roumeli. He could, however, entice them with the promise of Peloponnesian booty. The Roumeliots invaded the Moreas and fought his war with abandon. The irregulars of Kolokotronis fled to the mountains and the common cause for Independence collapsed.

²⁴ Θ. Μ. ΒΕΡΕΜΗΣ, *21 Ερωτήσεις & Απαντήσεις για το '21*, Αθήνα. Μεταίχμιο, 2020, p.31

In the meantime, Ibrahim made his winter crossing from Crete and landed his regular troops in Modon in February 1825.

The Third National Assembly of Troezina in March 1827 was convened under the shadow of widespread enemy triumphs. Historian, Constantine Paparrigopoulos, points out the failure of previous Assemblies to issue formal directives for effectively administering the war effort. His appraisal of Troezina is valid: "The regime of the Third Assembly was less certainly anarchic than the First and Second because instead of dividing executive power, it centralised it in the person of one President (...) and increased the duration of his term to seven years."²⁵

CONCLUSION

The views nurtured by different segments of society concerning their place and role in the War of Independence were never uniform or static. Furthermore, the transition from pre-modernity to the modern nation state is laden with obstacles. We have discussed memoirs that generate conflicting perceptions between past and present time. As is often the case in history, exceptional periods accelerate developments and confuse the perceptions of the onlooker. It is especially difficult for contemporary witnesses of the events to understand the process of change. The decade of upheaval produced individuals who understood, at a certain point in time, the significance of their contribution. Kolokotronis during the first years of the Revolution and Karaiskakis and Kapodistrias towards its end.²⁶

The threat of impending doom in the person of Ibrahim became a recurring reminder of the mistakes committed by the protagonists of the revolution. Kolokotronis, partially responsible for the civil strife, paid the highest price with the loss of his son Panos; Karaiskakis, after a spate of victories in the field, missed his chance of regaining the Acropolis by a random shot.²⁷ Kapodistrias was penalised by an expiring pre-modernity while anchoring his state to safety.

²⁵ ΠΑΠΑΡΡΙΓΟΠΟΥΛΟΣ *op.cit.*vol.6 Athens, 1925,p.45 For Constitutional issues see N. Αλβιζατος, *Το συνταγμα και οι εχθροί του*. Πόλις, 2013 pp. 60-68

²⁶ Θ ΒΕΡΕΜΗΣ, Ι. ΚΟΛΙΟΠΟΥΛΟΣ, Ι. ΜΙΧΑΗΛΙΔΗΣ, 1821. *Η Δημοκρατία ενός έθνους-κρατους*. Αθήνα, Μεταίχμιο, 2018

²⁷ Δ. ΑΙΝΙΑΝ, *Ο Καραϊσκάκης*, Edited by Ι.Κ. Μαζαράκης-Αινιαν, Ερμής, 1974, pp.108-113

Even Mavrokordatos, responsible for the intrigues that almost destroyed the revolution, lost three young children to typhus fever. Lesser figures in the war for independence also suffered great personal losses. Kasomoulis lost most of his family and Nikitaras, the hero of Doliana and Dervenakia, died in abject poverty. Makriyannis wrote a second text which, according to Vlachoyannis contained the "ravings of a mad man". He intimated this to Theotokas, who was anxious to read it. The second manuscript, which was published as recently as 2002 contains the author's visions of saints and his rambling discourses with them.²⁸

The war for Independence brought misfortune to almost every protagonist - regardless of their contribution. More so, to the nameless multitude who died during the ravages of the war - or were sold as prisoners in the slave markets of the east.

The search for the foundations of modernity deserves a further look at the heroes of the war and their motivation, as well as its unsuspecting victims.

²⁸ This second, untitled, manuscript was published by the Foundation of the National Bank of Greece (Μορφωτικό Ίδρυμα της Εθνικής τραπεζικής) with the title: Οραματα και Θαματα, MIET, 2002, with the introduction by Λίνος Πολίτης.

Transnational liberalism and the Spanish transatlantic liberal revolution in 1820: Resolutions of the representative assemblies of the Basque Country and their abolition. (1820-1823)

JOSEBA AGIRREAZKUENAGA¹

The Spanish monarchy was composite and transoceanic, and liberalism was a transnational movement. The cycle of liberal revolutions began in the Spanish transatlantic, composite monarchy with the intervention of the Napoleonic armies in 1808. The dynamic “liberal revolution versus counterrevolution” developed until 1840, and the triumph of the 1820 liberal revolution took place in this period, through a military uprising and popular support for the Constitution of 1812.

The representative Assemblies of the Basque Country requested the continuity of their system of governance and self-government, and in their resolutions the representative assembly of Biscay tried to propose a new grammar to become “political subject and actor” within the framework of transnational liberalism.

FROM “COMPOSITE MONARCHY” TO “NATION-STATE”

The Spanish monarchy of the Habsburgs (XVI-XVII centuries) was a composite monarchy. It was succeeded by the monarchy of the

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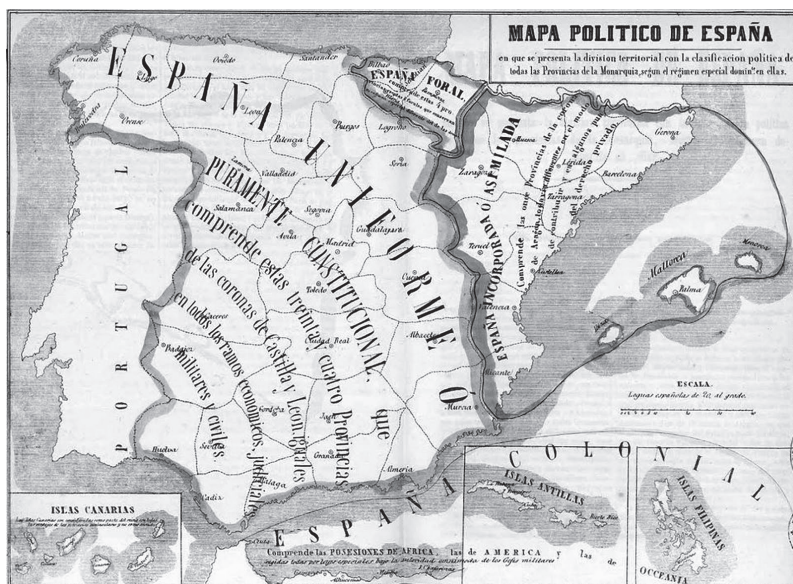
Bourbons which created a centralized, institutional monarchy based on Castilian law, with the exception of the territories of the Kingdom of Navarre and the Basque Provinces. The *Cortes* (parliament) of Navarre continued working until 1841, and the *Juntas Generales* (representative assemblies) of Alava, Biscay and Gipuzkoa until 1877.

In J. F. Torres Villegas' *political map of Spain of 1852* (opposite page), which presents "the territorial division with the political classification of all the Provinces of the Monarchy according to the special regime dominant within them", a distinction is made between four different Spains:

- "The uniform or purely constitutional Spain that includes these thirty-four provinces of the crown of Castile and León, [which are] equal in all the economic, military and civil branches".
- "The incorporated or assimilated Spain: This includes the eleven provinces of the crown of Aragón, still different in their form of contributing and in some points of private law".
- "Colonial Spain: This includes possessions in Africa, those of America and those of Oceania, all ruled by special laws".
- "Foral Spain: This includes these four exempted or foral provinces that conserve their special regime different from the others". This is the territory of the former Kingdom of Navarre and the provinces with self-government and representative assemblies – the territory of Vasconia-Euskal Herria (the Basque Country, Alava, Biscay, Gipuzkoa and Navarre) in cultural and linguistic terms.

This political description, which dates from the middle of the XIX century when the Liberal revolution had consolidated its main reforms, gives us a vision of the new Liberal state that is in contrast to the uniformity spelt out in the Liberal constitutions of Spain of 1812, 1837 and 1845.

With the emergence of national parliaments and new projects designed to build the French or Spanish nation-state, the compatibility between the Basque representative assemblies and the new national parliaments became a problem – this was the making of the so-called the Basque Question from the XIX century. Stated briefly, there were two experiences with different results in the Basque Country of France and in the Basque Country of Spain.



In France, during the eighteenth century the French monarchy expanded the royal administration, which accounted for the almost permanent conflict between French civil servants and representatives elected by territorial assemblies, particularly in the peripheral Pyrenees region. Consequently, the Basque representative assemblies were seen as trouble makers, the National Assembly decided on the abolition of the Basque assemblies and the Kingdom of Navarre. The new “Département des Basses-Pyrénées” united the Basque Country and Bearne, but the choice of Pau as capital gave Bearne greater influence in the administration of its affairs. In France, the National Assembly was formed as the representative depository of public power, even in determining the language of communication among citizens.

At the start of XIX century, the diplomat, politician and intellectual W. von Humboldt, following a second journey to the Basque Country, wrote a similar reflection:

“How should the Basque nation be treated by the Spanish Monarchy (since, for the French Republic, the Basque districts can only have a very secondary importance) to make its strength and its activity as advantageous for Spain as

possible? (...) The second question has a higher practical interest, even more so now since it is frequently the case that different peoples are united in the same State. But it must be freely confessed that until now more thought has been given only to getting rid of the difficulties which disparity sets up, than in making use of the good which peculiarity brings with it.”²

In 1804 Humboldt noted that, in order to write both universal history and the history of different nations, one had to combine study of the language, customs, and history:

“The union of the study of the language, history, and peoples as a new field, but one which must now be truly cultivated for knowledge of, and to dignify, the human race. The fact that I have chosen the Basques as an object of study was in the first place a question of chance. My journey to Spain led me to take an interest in that nation and country. ... But later when I continued my study with written notes, I was tenaciously drawn by the differential character of the language, the people, and the country. ... What has made them great and interesting is the near certainty of predictions of the ruin of their nationality and even of their language in a short space of time.”³

In 1810, with the Napoleonic Wars raging and the blockade of the United Kingdom in full force, the English Romantic poet and Poet Laureate William Wordsworth, once a supporter of the French Revolution, wrote a poem praising the oak of Gernika, symbol of a type of democracy of historic importance, and the venue for the meetings of the Biscayan parliament:

“The Oak of Guernica”

Oak of Guernica! Tree of holier power
Than that which in Dodona did enshrine

² J. AGIRREAZKUENAGA: Wilhelm von Humboldt and the representative assemblies of the Basque Country, *Parliaments, Estates & Representation* Vol. 19, (edited by A. F. Upton) Aldershot, 1999, p.143-149; W. HUMBOLDT, “Los vascos” in, *Guillermo Humboldt y el País Vasco*. San Sebastian, 1925. Transl. by E. Aranzadi. p.120

³ W. HUMBOLDT, “Anuncio de una publicación sobre la lengua y nación vascas,” in Garate Justo, *Guillermo de Humboldt. Estudio de sus trabajos sobre Vasconia*. Bilbao, 1933, 117–19.

(So faith too fondly deemed) a voice divine,
 Heard from the depths of its aërial bower—
 How canst thou flourish at this blighting hour?
 What hope, what joy can sunshine bring to thee,
 Or the soft breezes from the Atlantic sea,
 The dews of morn, or April's tender shower?
 Stroke merciful and welcome would that be
 Which should extend thy branches on the ground,
 If never more within their shady round
 Those lofty-minded Lawgivers shall meet,
 Peasant and lord, in their appointed seat,
 Guardians of Biscay's ancient liberty.⁴

Wordsworth's vision of the Biscayan representative assembly is particularly interesting. He portrays the Biscayan parliament, which brings the different classes together in a single house ("Peasant and lord in their appointed seat"), as the embodiment of a Romantic ideal. The spirit of the people (represented by the peasants), combined with the rational, enlightened influence of the nobility, generates the best possible combination between spirit and reason. This interpretative vision was probably based on opinions of the Basque institutional system that Wilhelm von Humboldt and other travelers (William Bowles and Alexandre Laborde, for example) had spread throughout Europe.

The different processes of nationalization are frequently considered in historical and political interpretations as dysfunctions of modernization, dysfunctions that give rise to localist, regionalist or peripheral nationalist movements. Thus during the XX century there is a constant appeal to the "problem of Spain". The historiography of the 1990s, albeit

⁴ See W. WORDSWORTH, *The Poetical Works of William Wordsworth* (London: Longman, Reese, Orme, Brown, and Green, 1827), vol. 1, 184, "The Oak of Guernica" and vol. 3, Sonnets, 182–83; I. DE FAGOAGA, "Apostillas al soneto de Wordsworth," Gernika: Cahiers de culture humaniste Basque 11 (1950): 4–12; and, "Poems dedicated to National Independence and Liberty" (no. 24), "In due observance of an ancient rite . . ." (no. 25), and "Feelings of a Noble Biscayan at one of those funerals . . ." in W. WORDSWORTH, *The Poetical Works of Wordsworth: With Introductions and Notes*, ed. Tomas Hutchinson (London: Oxford University Press, 1965), 253.

with nuances and differences, accepted this argument, partly because Spanish political culture was, and continues to be, indebted to the French model of the nation-state. The creation of the nation-state model, invented in France and exported by Napoleon, is one of the great constructions of the modern world. Its success has spread throughout the whole world and, in a certain way, political-administrative globalization began with the diffusion and application of this model.

As a result of the Liberal revolutions, but especially the French revolution, there were radical alterations in the sources of legitimation of the public powers. The models standardizing the administration were identified with rational centralization, which in its turn was identified with freedom and progress. New categories of thought, such as the general will, the nation, the people, won political and popular acceptance. The individual rights of the citizen found reflection in the juridical code that transformed prior traditions. The king ceased to be the source of a power legitimately inherited from God. His place was taken by the general will, the nation or the people.⁵ Over the course of the century, within the empires, monarchies and new states, new conceptions emerged by which the different units described as people, community or nationality aspired to become depositories of the logic of the individual rights proclaimed by the French revolution. The ruling elites of all the nations and states invented national traditions, recreating simple and pure units as if these were natural heritages or the remnants of a former Arcadia. These ideas served in the ascendant constructions – the new nation-states – as well as in the declining structures – the lesser collectives or identities.

But, as perceived by Acton, the Cambridge history professor writing in the second half of the XIX century, the rights of collectives, peoples or the nation could enter into conflict with the development of the liberal and democratic principles of individuals. In his implicit debate with Stuart Mill, he argued that the states or empires should be able to enrich themselves and draw vitality from the plural presence of differentiated ethnic communities. In his collection of essays, *Freedom and Power*, the

⁵ E. GARCIA DE ENTERRIA, *La lengua de los derechos. La formación del derecho público europeo tras la Revolución francesa*. Madrid, 1994, 102.

essay concerning nationality, written in 1862, openly criticized the progressive conception that was attributed to nationalism by John Stuart Mill in his *Considerations on Representative Government*, published in 1861. According to Stuart Mill, the spread of the nationalist idea or interpretation within states contributed to the expansion of the idea of freedom. Acton distrusted the nature of the nationalism of the “nation-state” and in his opinion the heterogeneity of states was a guarantee of the development of freedom. And not only freedom, but civilization too depended on heterogeneity. A state reduced to a single homogenized or homogeneous nation would mean a step towards barbarism. In his opinion, the empire-states, such as Britain or Austria, were the most perfect and the most natural form of organization: “A State which is incompetent to satisfy different races condemns itself; a State which labours to neutralize, to absorb or to expel them, destroys its own vitality; a State which does not include them is destitute of the chief basis of self-government”.⁶

THE CONGRESS OF VIENNA (1814-1815)

AND TRANSNATIONAL LIBERALISM

More than 200 European polities and political entities were represented in Vienna to arrange the new political order in Europe. The last great peace Conference was the Paris peace conference that had ended the American War of Independence (1783). Later there was the Peace of Paris of 30 May, 1814: Six peace treaties between France on the one hand and the United Kingdom, Russia, Austria, Prussia, Sweden, and Portugal on the other hand. And the final Act of the Vienna Congress of 9 June 1815 came after the Battle of Waterloo of 18 June 1815 and the defeat of Napoleon.

In the peace of Paris of 20 November 1815, the great powers – France again took up its traditional place – would take common responsibility for the general peace and stability of Europe. And later, in 1823 the Bourbon king of France, Louis XVIII, decided to invade Spain to restore Ferdinand VII to absolute power, with the agreement of the British liberal government.

⁶ G. HIMMELFARB, *Lord Acton. A study in conscience and politics*. London, Routledge, 1952, 86.

Following the Congress of Vienna in Europe, wars between the different powers diminished. However, civil wars within the monarchies increased due to the growing strength of liberalism. The idea of war as a positive value, in particular wars of national liberation to establish liberalism, spread amongst the bourgeoisie and the popular classes: Liberal revolts in Spain, which achieved success in 1820; revolts in Italy against Austria in the 1820s; the war of independence in Greece against the Ottomans. War was nourished by a new myth, the patriotic myth of liberation embodied in political liberalism. This myth would continue with the fighting on the barricades in 1848 and the Paris Commune of 1871.

The success of the liberal revolution in Spain in 1820 generated a new hope in transnational liberalism, especially in the countries of the Mediterranean, and directly influenced the liberal revolutions in Portugal, Naples, Piedmont in 1825, and the Decembrist movement in Russia. Transnational liberalism successfully took off on the continent of Europe.⁷

The success of the popular guerrilla war waged against Napoleon's armies in Spain became a model for the liberals. In 1823 in Spain, the conservatives, inspired by absolutism, entrusted the French army with the annihilation of the liberal revolution, in spite of the fact that the majority within Spanish liberalism had a conservative leaning.

In the Spanish XIX century, a model of political intervention to change the political regime was established, involving intervention by the military and the formation of revolutionary juntas.

Until the "desired" arrival of Fernando VII from France, the Regency of Cadiz, installed in Madrid, governed the monarchy with the Constitution of 1812. The provisional regency hoped that the King would take an oath to the constitution. However, general Eguia carried out a *coup d'état* and arrested the members of the Regency, and Fernando VII restored the absolute monarchy (1814). Once again the Inquisition came into force and the Basque representative assemblies were re-established. In Biscay

⁷ J. SPÄTH, *Revolution in Europa 1820–23. Verfassung und Verfassungskultur in den Königreichen Spanien, beider Sizilien und Sardinien-Piemont*. Colonia, sh-Verlag, 2012, J. SPÄTH and W. DAUM, "Un primo liberalismo transnazionale? Verso il bicentenario delle rivoluzioni mediterranee del 1820-23". In, *Rivista Storica Italiana* CXXX, fasc. II, 2018. M. ISABELLA, *Risorgimento in esilio. L'internazionale liberale e l'età delle rivoluzioni*, Roma-Bari, Laterza, 2011

the representative assembly was interpreted as the institution that guaranteed the “political existence” of Biscay as a political entity. When, after the army’s *coup d’état* led by general Eguia, Fernando VII abolished the liberal constitution of Cadiz and restored the absolute monarchy, the Syndic General Attorney, Martín León Jauregui, declared in the re-established representative assemblies of 1814, that “we have been on the point of losing our political existence (...) that is, our Fueros and privileges (...) and of seeing our constitution trampled on; the people of Biscay suffered in silence the effects of a tyranny it was unable to resist (...) sustaining the rights of Religion, the Throne and the Homeland as far as circumstances permitted”.⁸ In 1810 this personage had collaborated with the “Government of Biscay” that was incorporated into the French Empire and directed by French general Touvenot.

On the occasion of the arrival of the King, some verses printed on fliers were published in the parish of Abando, adjoining the township of Bilbao. These were written by the anti-liberal woman Vicenta Moguel.⁹ She demanded that Fernando VII should restore the Inquisition and that nobody should in future dare to combat the Catholic Church. In another verse, the fliers called for Peace to be preserved. Espoz Mina and other liberal army officers organised uprisings, but when these failed they were forced to go into exile.

The absolute monarchy’s public treasury was bankrupt. As were the Basque public treasuries. Managing the debt was a new opportunity for demonstrating the viability of the Basque institutions and representative assemblies.

Once again, absolutism managed to place limitations on the powers of the Biscay government. At the representative assembly of Biscay there was a conflict between the oligarchic groups, inspired by aristocratic values, and the middle class represented by lawyers of the medium sized towns and representatives of small autonomous property owners, over

⁸ *Juntas Generales del M.N.y M.L. Señorío de Vizcaya*, 1814, pp.14-15

⁹ “Inok Elexien kontra/ ezer esaten dau?/ Ez eijozu parkatu/ barriketa zital au. Garbiturik jaon daizun/ zure erlijinoia, / irme sendatu eizu/ Inkisizinoia”. A. ZAVALA, *Frantzesteko bertsoak*, II liburukia. Tolosa, Auspoa, 1991; 27-37. X. ALTZIBAR, *Bizkaierazko idazle klasikoak. Mogeldarrak, astarloatarrak, Frai Bartolome. Nortasuna, idazlanak, grafiak*. Bilbao, Bizkaiko Foru Aldundia, 1992.

the internal rules of the representative assembly and representation within it. The representatives of the middle class wanted to prevent one representative from representing several parishes and thus corrupting the representation. While in 1814 they had achieved their goal, in 1816, by appealing to tradition, the practice of empowerments for different parishes was re-established. This fight started to stand for somewhat more than pure control of the institutions and both sectors began to align themselves ideologically, in a liberal or anti-liberal direction, with the latter position corresponding to the middle class.

POLITICAL AND ECONOMIC CHALLENGES: DEBATES IN THE REPRESENTATIVE ASSEMBLIES (1814-1820)

The survival of the Basque representative assemblies and the parliament of Navarre was one of the challenges posed in the cycle of the liberal revolution. In the framework of the composite monarchy they contributed to its very definition. The absolutism of the XIX century tended towards the limitation of their powers as they placed limits on the power of the sovereign king. In the concept of the unitarian and centralist nation-state the liberals favoured their suppression by appealing to a sole national sovereignty. Other issues debated in the representative assemblies at the start of the XIX included the following:

1. The European wars had required the mobilisation of huge resources and resulted in the indebtedness of the municipal treasuries and that of the *foral* government: the War of the Convention (1793-1795) and the Napoleonic Wars (1808-1813), as well as other wars with England (1797-1801 and 1804-1808), had upset the structure of the Basque maritime economy.
2. The customs barriers: the resistance to customs – and finally commercial – union on the peninsular territory of the monarchy, resulted in the marginalization of the port of Bilbao from direct trade with America. Moreover, the industrial products of the Basque Country were taxed in the territories of the monarchy as if they were foreign goods. Likewise, the prohibition on the circulation of currency from Castile in the Basque space had a negative influence on the dealings of the mercantile bourgeoisie. All of this generated a broad debate on the strategy to be followed to find

a model of economic growth, depending on the different interests of the classes that made up Basque society.

3. There was growing fiscal pressure and demands from the monarchy regarding the quota contribution to the monarchy and military service, so that that the Basque participation to meeting their costs should become regular.
4. Survival and social crises of the popular and disadvantaged classes as a result of subsistence crises, agricultural disaster (1797-98) and famines (1803-04). The rebellion of the popular classes was expressed in an increase in crime and attacks on the wealthy classes. In the countryside this resistance was expressed in the non-payment of feudal rents.
5. For its part, the bourgeoisie demanded the liberalisation of prices and the land, with the aim of reorienting its surpluses towards the purchase of lands, which is why they demanded the disassociation of birthrights and the disentailment of the land.
6. In ideological and cultural terms, there was a dispute between enlightenment and counter-enlightenment that was to become a dispute between revolution and counterrevolution. There were different cultural formulations for defining the Basque political personality – Basqueness – according to liberal or anti-liberal principles.
7. Alternatives underway: The commercial bourgeoisie was in favour of making liberal reforms to the monarchy, with a well-articulated and integrated internal market. On the other hand, landowners and those rentiers living from the land favoured politically strengthening the power of the representative assembly and its government in Biscay. However, blue, commercial blood was in the process of fusing with that of those rentiers receiving incomes from the land.
8. In Alava on 5 September 1799 a representative assembly of notables was held in Zurbano, which was attended by 41 people, in order to oppose the aspiration expressed by a sector of the population belonging to the lower estate demanding recognition of a juridical status for themselves similar to that of the nobles. Finally, at the representative assembly the nobles of the province secured a rejection of the demand, which had simply requested that they should be recognised as equals of the noble estate as was the case in Gipuzkoa and Biscay.
9. Continuity of the representative assemblies: The central power of the monarchy was not neutral, but its policy in favour of a new public administration

ruled directly from the court directly affected the future of the system of government dependent on the Basque representative assemblies.¹⁰

On 6 November 1815, King Fernando VII appointed a “Junta to Reform Abuses of the Royal Treasury in the Basque Provinces”, which was to issue its verdict in 1819. With a clear aim, following the arguments developed by Godoy in 1796 and based on the historical assertions of J. A. Llorente, the author of *Noticias históricas de las Provincias Vascongadas* (1805), its initial goal was to examine the question of contraband in the exempted provinces, but at the same time it sought other goals related to the treasury and the limitation of the self-government of the Basque assemblies: “Many centuries have passed in which the sovereign authority of Your Majesty has experienced slights and very stubborn resistances... you can be assured that everything there is viewed as counter-foral if it is not stipulated or ordered by the natural authorities of the country... What can be found there that is common to the rest of the provinces of Spain? Absolutely nothing. The laws are different; the government is theirs; their contribution non-existent; trade without regulations and all of it free; the customs posts without revenues... What do they contribute to Spain? From whom do they receive the protection of their trade and the administration of justice with many other graces and benefits? They are even free of having to levy troops...”.¹¹

In the conclusions elaborated in 1819 a series of political measures were proposed to incorporate and homogenize the Basque provinces within the monarchy. These measures became state policy irrespective

¹⁰ Francisco Zamora, attorney general of the army in the Basque Country wrote to Manuel Godoy, valid of King Carlos IV of Spain, (10.05.1795): “*If this peace (Basilea) is followed by the union of the provinces to the rest of the nation, without foral (constitutional) obstacles that separate them and make them almost a dead member of the kingdom, Your Excellency will have achieved one of those great works...*”. In 1796 he set up a committee to study the issue of the validity of the foral, Basque constitutional system and commissioned intellectual works to demonstrate that the constitutional system of the Basques was a concession from the King and not their own right. See, *Diccionario Geográfico-Histórico* (2 vols., 1802) and the *Noticias históricas de las tres Provincias Vascongadas*, by Llorente (5 vols., 1806-1808) defended the royal position against the agreement or contractual view of the Basque representative assemblies.

¹¹ 1815 November 6. “Junta de Reforma de Abusos de la Real Hacienda en las Provincias Vascongadas” (Council to Reform the Abuses of the Royal Treasury in the Basque Provinces) in Madrid to revise the foral-constitutional laws of the Basque Country). The report was finalized in 1819

of whether the government was in the hands of absolutists or liberals in the XIX century. This can be seen in the royal communication directed to Gipuzkoa in 1817, which stated that the confirmation of the constitution (Fuero) of Gipuzkoa should be realised “without prejudice to the general interests of the nation and the system of unity and order”. This was the theoretical category that would be employed in successive decades.

In sum, the commission proposed that the following measures be taken against the power of the Basque representative assemblies and their governments:

1. The customs posts should be moved to the coast and the Pyrenees, with the resulting suppression of the contraband courts.
2. The deputations, the governments of the Basque assemblies, and other exempted authorities and judicial instances of the provinces should not intervene or ever be involved in questions of income or trade, nor in any way impede the free trade and administration of the customs posts, nor the jurisdiction of the employees of the King in the name of the licence of exemption contained in the constitution of Biscay. In the end, this immunity, Law XI of the Biscayan Constitution, says that anything provided by the Lord or King going against the laws and liberties of Biscay “will be obeyed but not carried out”. This was the control of the continuity of the constitution of Biscay and the so-called “*the foral pass*”, which was decided by the lawyers of the Representative Assemblies and was to be abolished.
3. The validity of the state monopoly of tobacco and salt.
4. As a result, iron and other industrial products should have free entrance in the ports and cities of the monarchy, without suffering any surcharge.

Facing the offensive of the absolute monarchy, the links of union between the Basque provinces were strengthened and they managed to put up a firm united opposition. The Political Conferences involving the commissioners of the three provinces were held with greater frequency than usual. The representatives of the deputations, Francisco Zabálburu, for Biscay; José Sola, for Gipuzkoa and Diego Arriola, for Araba, declared at the meeting held in Vitoria in December 1817, that “*the system of unity is hardly analogous but instead incompatible with the Monarchic*

Government that is essentially demanding classes, distinctions and privileges: this cannot coincide nor be reconciled with the diversity of character, laws...”. For its part, the deputation of Biscay commissioned José Ybáñez de la Rentería to draw up a critical report that set out several examples of the composition of the European states and criticised the interference in the internal affairs of Biscay that was being prepared.

In 1817 the central treasury, which was completely bankrupt, requested that levies of men should be contributed by the four provinces, (Alava, Biscay, Gipuzkoa, Navarra) principally to preserve the colonial empire. In reality, according to the “constitution” (*fuero*) of the Basque assemblies, the provinces were able to oppose this, but they offered a donation of 10 million reales in lieu of the military service. In 1819 the deputies in the parliament drew up a new project, similar to that of 1727, in which new relations, primarily economic, were established between the two administrations: their project was centred on consolidating the Basque space as a free area and they requested, on one side, the derogation of all the royal charters and circulars that attacked the framework of free trade, and on the other, protectionism for the iron industry and its derivatives. However, their proposals did not meet with any success.

It was in this context that a military revolt took place and the Constitution of 1812 was re-established.

THE LIBERAL REVOLUTION OF 1820 (1820-1823)

It was in this context that Riego’s military uprising took place: instead of leaving with his troops for America to repress those sectors that were promoting independence, he declared his intention to restore the Constitution of 1812. On 1 January 1820, he rebelled with his troops in Cabezas de San Jan and began a march through Andalusia. There were civic-military rebellions in A Coruña, Oviedo, Murcia, Zaragoza and Barcelona in favour of proclaiming the Constitution of 1812. Different military garrisons joined the *coup*.

On 7 March 1821, the King decreed that he would take the oath to the constitution, following the garrison of Madrid’s declaration of support for the constitution. On 9 July, he took the oath, but he had no intention of complying with it.

A revolutionary junta was formed in Madrid. But for the expectations of the popular classes it was a frustrated revolution, as it was controlled by conservative liberalism.

The provisional junta prevented radicalism and the victory of the ideas of federalism of the members of Parliament elected in America.¹²

Revolutionary juntas were formed in different localities in Spain with the participation of the urban professional middle classes and the bourgeoisie, which, after the first months, quickly set limits on the more radical demands of the popular classes.¹³

However, in the Basque provinces the governments of the Basque assemblies, the deputations, controlled public order, preventing the formation of such juntas, and convened the representative assemblies.

ABOLITION OF THE REPRESENTATIVE ASSEMBLIES ACCORDING TO THE SPANISH CONSTITUTION OF 1812, IN 1820

There is the antecedent of the position adopted in 1812 by the representative assembly of Biscay with respect to the constitutions, favouring both constitutions – that of Biscay and that of Cadiz. In the representative assemblies of 1820 there was a repetition of the debate of 1812, concerning the question of the compatibility of the Spanish constitution with the Basque institutional system.

On 26 March 1820¹⁴ the committee of the representative assembly prepared the report with the aim of “examining the analogy that there might be between the peculiar constitution of Biscay and that promulgated by the Monarchy in the year 1812 by the general and extraordinary parliament and whether it is necessary to renounce the former or if the advantages of the two can be reconciled in whole or in part”.¹⁵

¹² A. MOLINER, “Las Juntas durante el trienio liberal”, *Hispania* vol. 57, n. 195, 174

¹³ R. ARNABAT, *La revolución de 1820 i el Trienni Liberal a Catalunya*, Vic, Eumo, 2002, pp. 17-171.

P. RÚJULA- I. FRASQUET (ed.), *El Trienio Liberal (1820-1823). Una mirada política*, Granada, Comares, 2020.

¹⁴ Minutes of the Representative Assembly of Biscay. 1820. (Juntas Generales el M.N.y M.L. Señorío de Vizcaya)

¹⁵ Minutes of the Representative Assembly of Biscay. 1820. (Juntas Generales el M.N.y M.L. Señorío de Vizcaya). Also in Catalonia, the Constitution of Cadiz was defended as a

In the committee's opinion "the spirit of the Biscayan constitution is to be found in the great charter, which is going to make the new rainbow of peace and the regeneration of the Spains". In principle it seemed that there should be no contradiction as both texts stood for guaranteeing freedom. But the committee immediately added "one does not observe, however, a perfect conformity; instead that they have adapted to the [constitution] of the Monarchy the wise Biscayan institutions that organise the interior regime of the province and that have justly been viewed as a bulwark of freedom and happiness for its inhabitants. Thus it is that by contributing the respectful tribute of its obedience and recognition, the Representative Assembly held on 18 October 1812, could not but express in the same act its ardent support for the conservation of its peculiar institutions and internal government. The principles of public law, the happiness of the Biscayan people and their situation urgently dictate this step".

The committee congratulated itself on "finding itself meeting with the great Spanish family (...) But as [Biscay] has never belonged to this Crown, nor is there between Biscay and His Lordship any intermediate body, their relations have always been direct, with its special social agreement remaining in force up until today". This relation and political reality might change "but such an alteration in any form demands that preliminary talks should precede this and all the contracting parties should agree on the form and terms in which this should be verified".

But the report immediately addressed an issue of vital importance, namely fiscal-economic management and particularly that of the public debt borne by the foral-Biscay administration since that affected an extensive sector of the political leaders: "the Nation takes on itself all the debts that Biscay has contracted for the realisation of services, expenditures and public works to which it must attend as a state separate from the others of the Peninsula and ruled by a peculiar constitution".

continuation of the medieval constitutions and traditions of the Crown of Aragon. The difference with Biscay was that the constitutions of Catalonia had been abolished for a century. See: R. ARNABAT, "Província, pàtria, nació i estat a l'inici de la revolució liberal (1820-1823)", in S. SERRA - E. RIPOLL (Ed.): *Identitats nacionals i nacionalismes a l'estat espanyol a l'època contemporània*, Palma de Mallorca, IEB, 2019, 31-48.

The terms “Biscayan people” and “Basque people [pueblo vascongado]” appear indiscriminately in the text, and it appeals to “the sacred Basque codes as the only remnants saved from the sad wreckage of the old Spanish freedom”. Those codes are what had forged its “political existence”. In conclusion the committee proposed that “the general Deputation should expound to the government what is conducive to preparing the transactions and measures that might be needed, without any innovations to the foral system being carried out in the meantime”. This report, which in all probability was written by the first “Consultor” or Lawyer of the Biscayan Assembly, C. Loizaga, was approved by the representative assembly and issued as a decree. However, the representatives of Bilbao, Balmaseda, Portugalete and the Valley of Carranza protested. In their opinion, in the first place, the Representative Assembly should proceed to take the oath to the new liberal constitution of the Spanish monarchy and later the Assembly will present the economic and other demands that it might consider opportune.

In fact, they defend a new constitutional pact between the representative assembly of Biscay and the new Spanish parliament, according to the opinion of Joaquín María Ferrer in 1820.¹⁶

In the assembly of the other Basque province, Gipuzkoa, reservations were expressed when it came to taking the oath to the Spanish liberal constitution: “The representative assembly, drawing attention at the same time to the fact that the oath relating to the protection of the “fueros” (political constitution of Gipuzkoa) is not reconcilable with the point that had motivated the convening of this congress, decided that the oath should be suspended (...) that they are aimed at establishing the constitutional regime, entirely opposed to the foral (traditional constitutional) system of Gipuzkoa, is and should be understood with the reservation of appealing to the superiority [of the central government], raising the corresponding requests based on law that the province possesses so as to guard their constitution (fueros)”.¹⁷

¹⁶ F. LLANOS, *El Trienio liberal en Guipuzcoa (1820-1823)*. San Sebastian, Universidad de Deusto, 1998, 98

¹⁷ Archivo General de Gipuzkoa-GAO JDAM168:307-311, Minutes of the Assembly of Gipuzkoa. 1820. See also, F. Llanos, *El Trienio liberal en Guipuzcoa ...* 93-101

Nonetheless, in case the abolition of the representative institutions of Gipuzkoa should be carried out, they decided that it was necessary to negotiate the debt of 19 million reales with an annual interest of 510,000 reales. There was also resistance to the innovations in municipal organization and the management elections.

The representative assembly of Alava took the oath to the constitution without any clauses containing reservations. In the Kingdom of Navarre, the members of the deputation or government of the Kingdom, also approved the liberal constitution by the initiative and pressure of the military garrison and José Espeleta, the viceroy of Navarre, was dismissed. (11.3.1820) and afterwards, it was established a “junta”. (16.3.1820).

The resolutions of the representative assemblies of Biscay and Gipuzkoa had no practical consequences. The provisional “junta” formed in Madrid acted to implant the stipulations of the Constitution of 1812 without any negotiations to mediate the public law contained in the constitution of Biscay. The “junta” established in Madrid dissolved the governments of the Basque representative Assemblies and appointed political delegate in Biscay, Lorenzo Antonio Vedia, (10.4.1820) for the literal application of the Constitution of 1812. In the urban villages of the coast were formed the new councils of majority of liberals (Lekeitio, Bermeo, Plentzia, Portugalete) and in Bilbao the liberals who were in 1808 returned to the town hall and shared the administration with people linked to political traditionalism. In the rest of Biscay there was no change in the ruling elites, despite the change of legislation for their election.

Elections to the Spanish parliament were also called.

PARLIAMENTARY ELECTIONS 1820

The Royal Decree of 1820 convened the election of representatives to parliament, with one deputy and one substitute for both Alava and Gipuzkoa, two deputies and one substitute for Biscay and three deputies and one substitute for Navarre. The parish elections were held on 30 April in the four provinces, those of the districts between 6 and 12 May, and the provincial elections between 20 and 22 of the same month.

In Alava, which had been divided into the sections of Amurrio, Caicedo Sopena, Laguardia, Salvatierra, Villarreal and Vitoria, the 6 electors

gave the representation of deputy to parliament to Ramón Sandalio Zubia (4 votes) and of substitute to Pedro José de la Cuesta (4 votes).

In Biscay, the district of Durango demanded the right to designate two electors, to the detriment of Bilbao, to which only one elector corresponded. To these were added the two electors of Gernika and Portugalete. As a result of the election they held, the following were elected: Casimiro Loizaga as first deputy, with 4 votes, Juan Antonio Yandiola as second deputy, also with 4 votes, and Juan Bautista Goicoechea as substitute, with 5 votes.

Seven electors were designated in Gipuzkoa, corresponding to the sections of Arrasate-Mondragón, Azpeitia, Elgoibar, Hernani, San Sebastián, Segura and Tolosa. The candidates for deputy and substitute, José Fernando Echave-Asu Romero and José Domingo Mintegui, respectively, obtained the nomination by unanimity of votes in both cases.

Navarre was divided into the districts of Estella, Olite, Pamplona, Sangüesa and Tudela, with the designation of one elector corresponding to each of them, except for Tudela, which designated two electors. The 9 electors proved unanimous in their voting, with the representation falling to José María Ezpeleta, first deputy, Alejandro Dolarea, second deputy, José Francisco Lecumberri, third deputy, and José Luis Munárriz, substitute deputy. The provisional political leader of Navarre expressed doubts about whether José María Ezpeleta fulfilled the residence requirements established by the constitution, but the Election Committee rejected the allegation.

NEGOTIATION OF THE PUBLIC DEBT OF THE GOVERNMENTS OF THE BASQUE ASSEMBLIES

On 19 August 1820, the Council of the Regency approved the report drawn up by the committee that had examined the question of the treasury of the Basque provinces. The relocation of the customs posts, the application of taxes on tobacco and salt, the extension of the use of official sealed paper, and the organisation of the intendancies (administrative delegations of the central government) were the new issues of debate, for which the report of the Board of Abuses served as the basic document of reference. The functionaries and politicians based themselves on the

principle that “Every exception that gives advantages to one province over the others, would constitute it in the form of a separate republic in itself”. Therefore, they recognised individual rights but under no circumstances their community dimension, which would have included the representative assembly of Biscay.

The cited report insisted that “*the attributes of Sovereignty*” that were exercised by the Basque provinces could not be tolerated, particularly their treasury system. According to the governor of the customs posts in Cantabria, abuses and fraud were increasing and the deputations rejected their authority “as their measures were rejected if they did not have the legal exemption of the Deputations” according to the Biscayan constitution. Thus, contraband in tobacco, textiles and decapitalization due to the departure of funds, were in his opinion the immediate consequence of the existence of inland customs posts. It was at once decided to relocate the customs posts and, until the parliament met, not to require sealed paper. Tobacco and salt also remained outside the state monopoly.

The government commissar, J. Telleria, was sent to evaluate the public debt. As an example, facing the figures provided by the *foral* deputation he recognised that Biscay had a debt of 6,119,859 reales. The provincial deputation, in a text sent to the King on 28 April 1821, summed up the impact of the constitutional system as follows: “one of the difficulties that has emerged in establishing all the parts of the constitutional system in its district has been the liquidation of the public debt that the province had contracted and the way of addressing its payment in future, because it was not just that Biscay, made uniform with the rest of the Nation, should suffer separately the weight of the enormous debt for which it is responsible due to the peculiar government it had previously had”.

A bilateral agreement was reached to manage the debt, but the state itself assumed it and in 1822 the constitutional fiscal system in its entirety was applied. In the meeting held by the three deputations they agreed upon the following distribution of the direct contributions and the tax on consumption that were required:

	Territorial tax	Tax on consumption	Total
Gipuzkoa	1,089,000 (32,3%)	936,107 (30.4%)	2,025,107
Bizkaia	891,000 (26.4%)	1,353,107 (44%)	2,244,107
Alava	1,388,887 (41,2%)	780,107 (25,4%)	2,168,994
Total	3,368,887 (100%)	3,069,322 (100%)	6,438,209

The Deputations requested that a percentage of these contributions should be used to pay the interest on the debt and its liquidation.

INTERNAL RESISTANCE TO THE LIBERAL REVOLUTION

Pamphlets opposing the constitutional reform were soon published, for example in Bilbao. Here, a text written by *El buen vizcaino* [The Good Biscayan] appealed to tradition from counter-revolutionary positions in order to oppose the new constitution and its regime of liberties, etc. Moreover, it made a veiled threat about the possible separation of Biscay: "And if the current Ministers had the audacity to want to suppress them by force, you can still say that at your discretion the option remains to be separated from the rest of your Nation, to remain independent or to place yourselves under the protection of the august sovereign of France".

In Gipuzkoa, the criticisms focused on the tax on consumption. However, in San Sebastian a society organised by the Collado La Balandra articulated and defended the liberal-constitutional position. This society published 1,000 copies of an important liberal newspaper titled *El Liberal Guipuzcoano* [The Gipuzkoan Liberal]. It was edited by the lawyer Pablo Mendibil.

The liberals organised national militias in different localities. These militias had a very marked sense of class as they only accepted bourgeois property owners. For example, Juan Ignazio Urruzola was turned down by the militia in Tolosa because he belonged to "the class of domestic servants".

However, the opponents of the liberal constitution and its regime once again decided to organise an armed opposition, a popular war against the liberal state, just as had occurred against Napoleon. In August 1820, the political chief of Gipuzkoa, the Count of Villafertes, reported that 20 “rebels” opposing the liberal constitution had been arrested in Alava.

The following year the armed groups were more numerous. Priests and former guerrilla fighters against Napoleon frequently emerged as their leaders. The most significant of the uprisings took place at Salvatierra (Alava). On 19 April, 400 men rose in arms. One of their leaders was José Ignacio Uranga, who was born in Azpeitia in 1788 and had also taken part in the war against the French. They were also called “armies of the faith”. It was their understanding that the liberal constitution would destroy the Catholic foundations of society. The Catholic religion became the common nexus of collective identity and popular mobilisation. *Furbulal el Caco*, and *el Pinto* acquired fame in Navarre. One outstanding leader of the armed groups was Fernando de Zabala, who had also taken part in the guerrilla war against the French.

Gaspar Jauregui, who had been an anti-Napoleonic guerrilla fighter and in 1820 was a liberal at the head of the government forces, tried without success to convince Fernando Zabala, leader of the anti-liberals and royalist to surrender. In 1822 the insurgents began to coordinate their actions, with the result that the “*mendi-mutillak*”, or men of the mountains, were persuaded to form part of the “army of the faith”, an army led by the priest Goristidi, and by the priest Gezala in Biscay. On 15 August 1822, the Regency of Urgell was formed to give political leadership to the rebellion.¹⁸ Vicente Quesada led the Royal Navarre Division and T. Zumalacarregi led the second battalion. The royalist groups applied guerrilla tactics. The priest Goristidi, who had also fought in the Napoleonic war, stated in 1824 that he had over 400 young Gipuzkoan men available who were prepared to fight “in defence of the Religion, the King and the *fueros* of this Province”. However, the intervention of the government troops succeeded in dispersing them.

¹⁸ R. ARNABAT, *Visca el Rei i la Religió! La primera guerra civil en la Catalunya contemporànea (1820-1823)*, Lleida, Pagès, 2006, 251-301.

The national militias of Bilbao set out to confront the royalist armed groups, who were fighting in favour of the King and the Catholic faith in Biscay. However, the groups were so widespread in Biscay that a deputation of war was formed to manage the territory they controlled. On 24 August 1822, in light of the inefficiency of the royalist groups, the chiefs of the groups met in Madoz (Navarre): Gorostidi for Gipuzkoa, Uranga for Alava and Zabala for Bizkaia. In the presence of 1,600 fighters they formed the Higher Junta of the United Provinces to coordinate the insurgency. The supreme command was entrusted to Vicente Quesada from Navarre. In this way, their activities in the Basque Country became more widespread. However, they would not have achieved their aims without foreign military intervention.

Some verses from the Markina area sum up the new socio-political situation and denounce the increase of fiscal pressure:¹⁹

“As if they were unable to satiate themselves with the sweat of others, they daily ask us for orders and taxes, patents, registers and many other things; it is not surprising that even Barrabas is incited”.

“They really have imposed their frequent levies and militias on the Basques. Farewell to our *Fueros*, farewell to the nobility, it as if the people here were intimidated”.

In sum, in this anti-liberal message taxes and replacements for the army are counter-posed in graphic images to the “old freedoms”, so as to disqualify the liberal triennium as a type of bitter experience. In the context of this foreign intervention several verses were published that ridiculed and criticised the constitution and the liberals, appealing to the youths to take up arms in favour of the counter-revolution, asserting the name and personality of the true Spaniards, who could only be on the side opposed to the liberal constitution. This political discourse

¹⁹ “Constituzioneko damiaren asmuak zortzikuan” : “Petxu eskabide/egunero legez/nor-en izerdiaz/aspertu ezinez/Patente ta registro/zenbat beste asma/Ez eutsan Barrabasi/gogua emango”.

“Quinta ta miliziak/ lantzian ta sarri /ez deusku euskaldunoi lan txarra ezarri. Agur gure forubak agur noblezia Kordaturik balego hemengo jentia” (Juan José Mogel, Markina, 1823). Verses collected by Mahn C.A.F., *Denkmaeler der baskischen sprache*. Berlin, 1857

is common to the anti-liberal and favourable to absolutism of the King in the Basque Country, Aragon, Catalonia and Valencia ²⁰

The most important consequence left in the wake of the foreign intervention and the success of the guerrilla groups was that from then onwards, throughout the XIX century, the political and social groups opposing each other or displaced from power, took recourse to armed uprising as a method of political opposition. This form of activity frequently resulted in civil war as a method for resolving the control of political and institutional power.

In short, the civil war takes place from the summer of 1822 to February-March 1823. The liberal government, the constitutionals, have won this war by expelling the anti-liberals royalist to France and Portugal. But the king of France Louis XVIII decided the invasion.

CONCLUSION. RE-ESTABLISHMENT OF THE BASQUE ASSEMBLIES AND PARLIAMENT OF NAVARRE IN THE FRAMEWORK OF AN ABSOLUTIST MONARCHY, RE-ESTABLISHED BY FRENCH MILITARY INTERVENTION (1823)

The liberal revolutions from 1820 in Cádiz, Porto, Naples and Turin, as well as the independence of Greece and the new states of Spanish and Portuguese America, caused great concern to the absolutist states of Europe.²¹ On November 19, 1820, chaired by Tsar Alexander I of Russia together with his foreign affairs minister Ioannis Kapodistrias, Austria, Prussia and representatives of the United Kingdom and France met in Opava or Troppau. Austria, Russia and Prussia approved the principle of military intervention against the new liberal states. Later they met at the Congress of Verona between October 20 and December 14, 1822. France wanted a military intervention in line with the aim of King Ferdinand VII to restore the prestige of the "Bourbons". The

²⁰ R. ARNABAT, "El realisme a la Catalunya del Trienni Liberal (1820-1823)", *Recerques*, 79 (2021), pp.7-32.

²¹ J. SPÄTH, *Revolution in Europa 1820-23: Verfassung und Verfassungskultur in den Königreichen Spanien, beider Sizilien und Sardinien-Piemont*, Colonia, Böhlau-Verlag GmbH, 2012.

United Kingdom placed certain conditions, but finally France took the initiative.²²

On April 2, 1823, the Duke of Angoulême justified the intervention to reinstate King Ferdinand VII with his absolute powers, appealing to the "family pact" between the Bourbons. On April 7, 1823, an army of 90,000 men invaded Spain to abolish the Liberal Constitution of 1812 and replace it with the absolutist system of Fernando VII. There was no need for a secret treaty. The initiative responded to the logic of the absolutist empires of 1815, implemented in this case by France. The French army, once again crossed the Pyrenees, but on this occasion to restore the counterrevolution. Gaspar Jauregui, at the head of the liberals, was forced to retreat until he was defeated and sent as a prisoner to France. In this way, the climate of civil war that had developed since 1821 ended with the victory of absolutism. The French army defeated the Spanish liberal army, led by Rafael Riego on August 14, 1823 in Jódar (Jaén). In October several cities capitulated, (San Sebastian, Seu d'Urgell, Lleida, Badajoz). The French troops occupied Barcelona on 4 November and King Ferdinand VII entered Madrid on November 13, after having abolished the liberal constitution on October 1, 1823.

The influence of Juan Bautista Erro in this phase of the absolutist re-establishment was important and, without doubt, influenced the establishment of the representative assemblies and the Basque political governments elected by the Assemblies. The customs posts were once again relocated inland to the line of the Ebro river, the Basque territory once again became a free market for commercial relations and the representative assemblies and the Basque governments of Alava, Biscay and Gipuzkoa assumed their political powers.

The historical paradox was that "the republican political culture" of the Representative Assemblies and the governments of the Basque territories, which set limits on the monarchical powers to protect individual rights and had been historically proclaimed by the Basque legal constitutions of the territories of the Basque Country since the 16th century, was now linked to the continuity of the Absolute Monarchy in 1823.

²² R. DE LA TORRE, "El falso tratado secreto de Verona de 1822", *Cuadernos de Historia Contemporánea*, 2011, vol. 33, 277-293.

One might describe the 1823–1833 period in the Basque Country as a continuation of a conflict that had begun with the antiliberal war in 1821. And this climate of war became a civil war from 1833 and would not ease up until 1839. Later, from the consolidation of the constitutional liberal regime in Spain in 1839 until 1877, a new constitutional formula was found for the recognition of the continuity of the governments of the Basque Representative Assemblies. But this formula of consensus broke down again in 1877 when President Cánovas del Castillo decided to abolish the institutions of self-government of the Basques, founded on the Representative Assemblies.

The post-Napoleonic British Parliament and the ideological context of its legislative authority: the case of the Seizure of Arms Bill of 1819

ANTONIOS AMPOUTIS

In 1819, the "Seizure of Arms Bill" caused a series of debates between the supporters of Lord Liverpool's government and its Whig opposition in the House of Commons. The "Seizure of Arms Bill" was part of the so-called "Six Acts" passed in the parliament as legislative measures against the renewed radical movements in the aftermath of the Napoleonic Wars. The object of this announcement is to present the main arguments of the pro et contra debates concerning the Bill in the ideological context of the re-conceptualised, by the late-eighteenth and early-nineteenth-century conservative thinking, "Ancient Constitution" of Britain. In this way, the relevant debates will be shown to be indicative of the parliament's legislative authority as it was conceptualised and presented by the members of the House of Commons. At the same time, aspects of the limitations and pre-conditions of the parliamentary legislative authority over the "ancient rights/liberties" of the British people will be elucidated.

The debate on 14 December 1819 in the parliamentary committee regarding the Seizure of Arms Bill, was one of a series of debates that took place the last two months of that year concerning the restrictive measures that the Lord Liverpool government submitted in the form of Bill in the House of Commons. The examination of this particular debate could be indicative of the nature of the political conflict inside the Parliament during that period. It could also be indicative of the range and limitations of the legislative authority of the British Parliament in the late eighteenth and early-nineteenth centuries.

During the Anglo-French conflict the British state had to face great challenges. The continental blockade by Napoleon and the Anglo-American War from 1812 to 1815 had caused severe economic distress to the

British society. Furthermore, in the aftermath of the Napoleonic Wars, the ending of government contracts for military purposes and the discharging of nearly 400.000 men from the militia, the army, and the navy (Evans, 2019, 242) caused unprecedented unemployment especially in the early industrialised areas of Yorkshire and Lancashire. Unemployment accompanied by a decrease in wages, inflation, high taxation and the so-called ‘retrenchment’ on public expenses due to the public debt caused by the war (ivi, 241 – 251) (Cannadine, 2017, 128 – 130).

In this socioeconomic context Lord Liverpool’s Tory government had to deal with social discontent especially in the industrial North and the subsequent challenge of the reappearance of British radical movements. As for the radical rhetoric of the post-war period, although it still retained strands of the 1790’s natural rights narrative by Thomas Paine, it mainly derived its key elements from the popular constitutionalism idiom (Epstein, 1994, ch. 1) (Vernon, 1993, 296, 328 – 330) (Philps, 1998, 257 – 258). In short, the post-war radical movement, in its attempt to avoid any connection to the French Revolution and its ideology, invoked the ‘ancient liberties’ and ‘rights’ of the people which were included in the British constitution. Due to the ‘corruption’ of the ancient constitution of Britain these ancient rights and liberties were infringed and had to be restored. It was a rhetoric of ‘renovation’ and ‘restoration’, not of ‘innovation’ (Innes, 2003, 90 – 91) (Saunders, 2008, 75).

So the demands of the radical groups were chiefly political, concentrated at large in parliamentary reform and summed up in the popular slogan “reform” (Innes, 2003, 85–97). It is characteristic that post-war radicals believed that the expansion of political participation to the lower classes was the remedy for their economic situation and therefore in order to achieve that goal they used a renovated popular constitutionalism language.

However, during the Anglo-French collision the political and social climate had been polarised; any grievance about political reform, however limited and moderate that would be, was easily associated by the political Establishment and the loyalist organisations as rebellious and treacherous (Poole, 2019, 28). In 1817 a secret committee reported that, due to the general economic distress and the activity of radical societies, sections of the “labouring and manufacturing classes” were more inclined

toward rebellion. (Hansard, 19 February 1817 vol. 35 cc 439-447) (Cannadine, 2017, 130) This political climate hadn't undergone much change by 1819. The members of the aristocratic political elite and the Establishment at large supported the Tory government of Lord Liverpool and its austere measures against the radical movements.

On 16 August 1819, a vast demonstration of 40,000 to 60,000 people took place at St Peter's Fields in Manchester,¹ organised by Manchester Patriotic Union. The main demands of the assembly were: parliamentary reform with universal suffrage and annual parliaments, the abolition of the so-called rotten boroughs and the repeal of the Corn Laws. The local gentry and middle-class proprietors deemed many of the slogans of the demonstrators, such as "Equal Representation or Death", and the quasi military-style organisation and presentation of the protesters, to be dangerous and provocative. In the minds of the local magistrates monitoring the assembly, the public display of the Cap of Liberty in particular, notwithstanding the attempt by leaders such as Henry "Orator" Hunt to link it to more traditional narratives of the "freeborn Englishman," was mostly linked to French radicalism (Epstein, 1994, ch. 3). Consequently, the magistrates decided to arrest Hunt and other leading figures on the hustings, a decision that resulted in the death of eleven to seventeen people and the injury of 400 to 600 protesters – among them women and children – when the yeomanry cavalry charged the crowd (Cannadine, 2017, 130 – 131).

The 'Manchester Massacre' or 'Peterloo' as the incident was named sarcastically by the radical press (a portmanteau of St Peter's Field and Waterloo) resulted in further protests nationally and became an issue of controversy within the Parliament concerning the legitimacy of the local magistrates' reaction.

Nevertheless, the Manchester Massacre intensified the political elite's fears of a forthcoming rebellion or even worse a revolution on the French example. This could be seen from the opening speech of the Prince Regent at the opening parliamentary session on 23 of November in which the incident of the 16th of August and the general unrest in the industrial

¹ For a more detailed estimation regarding the numbers of the petitioners, the casualties, and the injured: Poole, 2019, pp. 301-304, 312-314.

districts was central, as “the seditious practices so long prevalent in some of the manufacturing districts” had “led to proceedings incompatible with the public tranquillity, and with the peaceful habits of the industrious classes, of the community; and a spirit is now fully manifested, utterly hostile to the constitution of this kingdom, and aiming not only at the change of those political institutions which have hitherto constituted the pride and security of this country, but at, the subversion of the rights of property and of all order in society.” [...]; “and I feel it to be my indispensable duty, to press on your immediate attention the consideration of such measures as may be requisite for the counteraction and suppression of a system which, if not effectually checked, must bring confusion and ruin on the nation.” (Hansard, 23 November 1819 vol 41 cc1-3).

Of course the Prince’s opening speech expressed the government’s intentions. Lord Liverpool’s government submitted a series of legislative measures aimed at deterring the resurgence of the radical groups and the possibility of any insurrection. One of the bills, which resulted in the well-known Six Acts in December 1819 (Epstein, 1994, 95-96) (Cannadine, 2017, 135), was the Seizure of Arms Bill. According to Lord Castlereagh, the Foreign Secretary, “the whole object of the bill was to give the magistrates a concurrent jurisdiction, enabling them to seize arms, in particular cases, in a neighbouring county” (Hansard, 14 March [December]² 1819, vol. 41, c. 1132). This jurisdiction, however, didn’t presuppose a warrant and gave the authority to the Justices of Peace to conduct investigations by force even during the night. The introduction in the House of Commons of the bills by Lord Liverpool’s government and the Seizure of Arms Bill in particular, was supported mainly by tory MPs on the ground of an imminent rebellion. However, it should be noted that the possibility of armed rebellion concerned even whig MPs who considered the bill to be rather austere. One case was that of Edward Protheroe who, even though he disagreed with the provision which gave the authority to the local magistrates to conduct search during the night, was

² According to *Hansard’s Parliamentary Debates* the debate and the session of the committee with regards to the bill took place on the 14th of March. Of course it’s a typographical error. According to the *Journals of the House of Commons*, (vol. 75, 60 – 61) the correct date is the 14th of December.

convinced “that there did exist a widely spread conspiracy for changing the constitution of the country” (ivi, col. 1127).

During the session of the committee, which would discuss any proposed amendments to the Bill, objections were raised to some important aspects of the bill or even to the Bill in principle. These objections were expressed mainly by whigs who were considered to be ‘radicals’, (of course according to conservative parliamentary standards), moderate or connected to the Foxite-Holland circle; a whig group which was related to the old whig parliamentarism of the late 17th and early 18th century and influenced by the Lockean ideology of that period (Mandler, 1990, 55 – 65).

The whig opposition to the bill caused the confrontation between the government’s ministers. One of the keystones of the speeches by the opposing whig MPs was the questioning of the ‘necessity’ of the Bill, on which the government had based its submission. According to the whig politician T.W. Anson:

“Although he allowed that there was cause for alarm, he expressed his conviction that that cause had been greatly exaggerated, for the purpose of obtaining the concurrence of parliament in measures hostile to the freedom, and repugnant to the feelings of Englishmen. If there could be one of those measures more repugnant than another to a free and high-spirited people, such as the English were, it was this” (ivi, col. 1128)

And the radical whig Henry Grey Bennett argued more aggressively:

“It would be in the recollection of the committee that on the subject of depriving the people of arms, a measure had been proposed in the year 1817, which he had opposed. He did so upon this principle—because he held that the distinctive difference between a freeman and a slave was a right to possess arms; not so much, as had been stated, for the purpose of defending his property as his liberty. Neither could do, if deprived of those arms, in the hour of danger. It was a violation of the principles of a free government, and utterly repugnant to our constitution. Let the committee consider the process by which the object of the bill was to be effected.” (ivi, cc. 1130-31)

And later on, in the debate, Henry Brougham, an MP who was closely associated with the Fox-Holland group (Hay, 2005, 4 – 7), would describe

the Bill as unprecedentedly austere and “an infringement of the acknowledged and ancient rights of the people” (ivi, col. 1136). He argued that the right to keep and bear arms was a traditional entitlement of every Englishman in order to defend his house – or “castle” – against “the unwarranted intrusion of the police, or against the attack of thieves” (ivi, col. 1133).

The ancient right to keep arms to which the three MPs were referring to had originated from the republican concepts of the “armed freeholder” formulated by the English philosopher James Harrington in the 17th century (Pocock, 1971, 135–40) (Skinner, 2003); (Malcolm, 1996, 125) James Harrington contended that the capacity of a citizen to bear arms and to protect his property was connected to his independence and civic virtue (Pocock, 2002, 245 – 246) (Hoppit, 2002, 155 – 161). As professor Malcolm points out, although, the Harringtonian theory probably didn’t survive as a purely theoretical context, the concept of the right to bear arms and its link to property and independence survived and was established in the British society in the eighteenth century (Malcolm, 1996, 128 – 134).

However, the reference to this “ancient right” by the whig politicians probably did not emanate, at least directly, from the neo-republican concept of the ‘armed freeman’ but mainly from the ideological context of the Glorious Revolution and the Bill of Rights (1689).³ This was one of the ‘ancient rights and liberties’ which was included in the Bill of Rights as an impediment to the power of the king. An armed citizenry could be used as a counterpoise to a standing army, such as the one James II had tried to create. In conclusion, as Joyce Malcolm has shown, the “right to keep and bear arms” was not “ancient;” however, it was officially acknowledged as such by the English aristocracy in 1688 (Malcolm, 1996, ch. 7). Therefore, this narrative of the free-born armed Englishman, who had the right to defend his life, property and by extension his liberty was acceptable by the political elite at the turn of the eighteenth century. In other words, we can assume that the ‘right to keep and bear arms’, along with other concepts originating from the seventeenth and eighteenth-century

³ “That the subjects which are Protestants may have arms for their defence suitable to their conditions and as allowed by law;” (English Bill of Rights, 1689).

republicanism, was embedded in the ‘parliamentary language’ in the late eighteenth and early nineteenth century. Nevertheless, these republican elements were adjusted in the context of a ‘constitutional consensus’ among the segments of the political elite in order to support the British political institutions (Philp, 1998, 239).

Accordingly, the defence of the right to keep and bear arms could also be associated with John Locke’s idea of resistance. For example, the Lockean notion of resistance can probably be traced in Henry Brougham’s words:

“[The Englishman] had a right to arms for his defence, not merely because he would preach it up to him that he might use them against the lawless measures of bad rulers, but to remind those rulers that the weapons of defence might be turned against them if they broke the laws, or violated the constitution” (Hansard, 14 March [December], vol. 41, col. 1141).

Of course, the British political elite was familiar with the radical connotations of the Lockean ideology and how they were used by the radicals of the late eighteenth century.⁴ The Establishment would reject any political statement that would imply a contractual relation between Government and People or the right to resist against the sovereignty of Parliament as radical. Thus, Brougham subsequently stated that: “...no act of the rulers of the country, in which they were supported by the constituted authorities, could warrant any part of the community to talk of, nay, to dream of resistance. If the law of the land were to be altered, it could only be altered by parliament;” (ibidem).

Nevertheless, not only the Whig opposition, but also the governing Tories acknowledged the right to keep and bear arms. As Castlereagh contended, “the right to have arms could never be called in question” (ivi, col. 1133). However, this acknowledgment by the Tories didn’t have the same basis as the Brougham’s or Bennet’s arguments. The document of the Bill of Rights, as all the constitutional documents, couldn’t bind the

⁴ Regarding the use of John Locke’s ideology by Thomas Paine and other radicals see for example Peter Laslett’s footnotes in: J. LOCKE (1988), *Two Treatises of Government*, (edited by Peter Laslett), p. 281.

Parliament. In contrast to the idea of the modern constitution, there wasn't a founding document of the British Ancient Constitution. The conservative constitutionalism at the time was expressed by two main theorisations.

The first was William Blackstone's "Commentaries on the Laws of England". In the mid-eighteenth century when the sovereignty of Parliament had reached unprecedented levels, wrote that the Parliament: "[...] can regulate or new model the succession to the crown; [...] It can alter the established religion of the land; [...] it can change and create afresh even the constitution of the kingdom" (Blackstone, 1768, 161).

This absolute sovereignty of the Parliament was criticised by MPs and, of course, by the radicalism of the late eighteenth century. During that period a traditional version of constitution resurfaced and was renewed by Edmund Burke in answer to the late-eighteenth radicalism of natural rights and to the ideas of the French Revolution. Burke stressed that the British constitution was the expression of the British body politic and the embodiment of custom (or fundamental) law which had evolved 'organically' since time 'immemorial'. Therefore, the ancient rights and liberties as part of the immemorial law were legal rights, not natural rights as the 1790's radicalism of Thomas Paine would stress, and were embedded in the English constitution; this meant also that it could not be created *ex nihilo*, but only "discovered" exclusively in the constitution and "distributed" exclusively by Parliament (Pocock, 1967, 234) (Romani, 2003, 188 – 199). Hence, the law and the liberties could be qualified only by Parliament in accordance to necessity, meaning, in accordance to the particular circumstances. Although Edmund Burke was not the sole exponent of a wider constitutional tradition, he was probably the most influential among the members of the political elite, offering an appropriate conservative constitutional language during that period (Jones, 2019, 28).

Therefore, accordingly to that particular conservative language, George Canning answered Henry Brougham by contending that: "there was no general and abstract right belonging to the community, which was not subject to the control of the governing power of the state, on the showing of an adequate necessity" (Hansard, March [December] 14, vol. 41 col. 1142).

In order to justify his position he would make a reference to the Glorious Revolution and to Bill of Rights. By no means was this reference incidental. The Glorious Revolution and the Bill of Rights of 1689 were the benchmark of the whiggish parliamentary tradition. He made that remark in order to clarify that the rights described therein were “subject to qualification” by Parliament. This, of course, concurred with the conservative constitutional language which regarded the Bill of Rights, and any other constitutional document, as an affirmation of the ancient and immemorial custom of the British community at a specific historical moment. As a result, notwithstanding the fact that the ancient right to keep arms was acknowledged for all English subjects, regardless of their religion, in the Bill of Rights this particular right was restricted to the Protestant subjects of the kingdom, to the exclusion of Catholics. It was a qualification deemed necessary given the specific historical circumstances.

The intention of George Canning was probably to bring pressure to bear on Henry Brougham by using his reference to the Lockean idea of resistance in order to expose him and the Whigs as potential radicals. As a result Brougham had to clarify once again:

“He was stated to have said that the people had a right to arm, notwithstanding any interdict of the legislature? Good God! when did he assert that they had such a right? He had all along admitted that the legislature had clearly a right to disarm the whole people; but then it was necessary that a case of the most decided necessity should be made out” (Hansard, March [December] 14, vol. 41 col. 1150).

The retreat of Henry Brougham due to the accusations of George Canning can be a reliable indicator of the limitations of the political conflict inside the British Parliament in the aftermath of the Napoleonic Wars. The political rhetoric couldn't bypass the conservative constitutional narrative with regards to the legislative authority of the British Parliament. Any notion of social contract or natural right outside Parliament's authority could not be accepted, as we can see in the case of Henry Brougham. The language of the conservative constitutionalism prescribed that the British Constitution was not an artefact of intelligent people nor an imagined contract between the government and the

people imprinted in a document. The British constitution, as Martin Loughin summarises, was rooted in the practices of the English law, a body of ancient custom – a set of usages, practices that they had evolved from time immemorial (Loughin, 2013, 19). Therefore, the fundamental law was not made but discovered, interpreted and distributed by the members of a governing elite who served the commonwealth as trustees. This, of course, ensured the capacity of the governing elite to modify or suspend the rights and liberties of the members of the body politic in accordance with necessity. Hence, the content of the term necessity was so often a point of contention between the members of the Parliament.

Consequently, this constitutional language provided the ideological power needed by the Parliament, namely the governing elite, to exercise legislative authority. However, at the same time the constitutionalism of the Establishment set the limits of that authority. Although, the Parliament had the legislative power to qualify the ancient rights, as the right to keep and bear arms that we examined in the current debate, it didn't have the authority to abolish them. The ancient liberties and rights were a part of the fundamental law and constitutional documents, despite the fact they could not be regarded as fundamental and bounding, they were the confirmation of the existence of these rights. When George Canning referred to the 'right to keep and bear arms' of the Catholic subjects in the Bill of Rights, he didn't only use that example as an affirmation of the parliamentary authority to qualify, but also as an affirmation of the existence of that right. Hence, any legal measure which restricted an ancient right and liberty should be accompanied by a denial of the permanence of the measure; since the prolongment of this kind of measures could offer a solid ground for MPs of the opposition to describe the parliamentary act as an infringement of the ancient rights; and even worse for the Establishment could offer a solid ground to the outdoor radicalism to cause a breach in the normative power of the governing elite.

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The Hellenic Constitution 1844: Woodrow Wilson's 'Absolutely unmolested opportunity of autonomous development'

PETER J. ASCHENBRENNER

Constitutional instruments are often composed at the time that nations are founded or refounded. The significance of these instruments may depend on externalities, typically recognition wars, rebellions, ethnic unrest and so forth. An incubation period often follows the adoption of a constitutional instrument as nation-building enters a new phase. In 30 instances the Hellenic Constitution 1844 instructed the newly-minted Assembly and Senate to enact laws covering specific topics. These constitutional provisions set the legislative agenda for future lawmakers. In other words, these provisions framed the work of these legislative bodies as they built out the nation during its infancy or incubation interval. Article 3 provided that "citizens are those who have acquired or shall acquire the rights of citizenship, according to the laws of the Realm" and this cadre of citizens was to be drawn from those who qualified as "Greek". Article 3 did not define the term "Greek". Aristotle's Politics addressed the distinction between (a) variables whose values were fixed at birth (height, beauty, parents' social status) and (b) variables based on accomplishment (property acquisition, pursuit of a trade or profession). Even if constitutional text did not assign lawmakers the task of sorting citizens from inhabitants, lawmakers were obliged to address the demographic-biographic distinction because nation-building required them to take into account inhabitants' biographies, taken cumulatively. The ambitions of the new Greek nation-state (1844) were therefore linked to the individual destinies of its inhabitants.

AN ABSOLUTELY UNMOLESTED OPPORTUNITY

I begin with the term "autonomous development". The phrase directs attention to "nations in a state of becoming" (my phrase), which opens up nation-building as a topic of conversation. Woodrow Wilson (1856-1924) employed the term in the Fourteen Points (1918).¹ More

¹ See avalon.law.yale.edu/20th_century/wilson14.asp

precisely, Wilson “weaponized” autonomous development. He advocated that ethnic groups inhabiting empires allied with the Central Powers seek national independence as a means of forcing these empires to sue for peace. Wilson’s phrase appears twice in that declaration.

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity to autonomous development.

XII. Nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development.

The phrase “autonomous development” offers multiple, if tangled, understandings and insights into the process of nation-building. I turn back to an earlier employment of that phrase. At the Congress of Vienna (1814-1815), Russia, Austria, Russia and the United Kingdom formed the Vienna Cartel. I drastically recontour events; my note of caution appears in the margin.² These were, technically speaking, multi-ethnic nations; each regarded itself as an “empire”, a clumsy attempt at achieving definitional clarity. The political history of each empire revealed multiple failures in managing events arising from domestic discord. For example, rebellion took place in Ireland (1796-1797), one of many threats to British rule on that island. In 1794 the “Kościuszko” uprising in Poland challenged both Prussia and Russia. Most famously, the British empire bungled its chances to manage domestic peace among inhabitants of North America, many of whom advocated the “rights of Englishmen” and were, ethnically speaking, indistinguishable from inhabitants occupying the southern half of Great Britain. From 1814-1815 to 1848 these nations engaged in long-running (and often coordinated) attempts to dictate to smaller nations various aspects

² The reader will instantly recognize that my allusions to international and domestic events culminating in the adoption of the Hellenic Constitution 1844 do not align with the historical record; my excuse is that I employ Wilson’s and Truman’s foreign policy to frame events in the interval 1821-1844. The purpose of these preliminaries is to introduce Article 3 (of that constitution). That requirement uses both demographic and biographic perspectives to advance the course of Greek nation-building.

of their foreign and domestic policy. The term “cartel” draws attention to this ambition. Although these empires survived the upheavals of 1848, between 1917 and 1947 all four empires closed up shop and went out of business. Failure to manage issues arising from discord among inhabitants should be taken as a significant contributing factor.

As it happens, the founding of Greece (1821-1844) is the first full-featured instance of the Vienna Cartel’s approach to nation-building. The cartel may not have intended to establish a pattern of nation-building – a “cursus honorum” – when it opened for business in the fall of 1814. Nevertheless, Greece was the first nation-state on the perimeter of the Vienna Cartel over whose organic arrangements the cartel exerted a significant influence. The relationship between national founding, on the one hand, and constitution-writing, on the other hand, is not clearly understood. Difficulties in conceptualizing the connection present serious challenges. The newly-formed parliamentary assemblies in Greece were obliged to distinguish between (a) inhabitants living within its borders and (b) citizens who were tasked to play a defined role in the machinery by which lawmakers were to be elected. Put another way, the Hellenic Constitution 1844 required lawmakers to bring into existence a cadre of voters (selected from inhabitants) who could validate (justify) their role as lawmakers, a role that lawmakers had already assumed.

What I have just said exposes an ontological fragility at work. Lawmakers who weren’t elected by citizens (according to the machinery to be established by law) were obliged to erect votarian mechanics for the purpose of identifying a body of citizens who could (in the immediate future) elect lawmakers who had a better claim to legitimacy. Article 3 assumes that nation-state legitimacy is earned. I commented on this ontological difficulty in a recent study. Aschenbrenner, 2022, 87-88. In so doing I drew attention to John Locke’s remark that “the world was supported by a great elephant [which] rested on a great tortoise”. I note the source in the margin.³ Suitably reduced: The fundamental power of a national government is to declare the powers that it possesses *and* this power includes the power to declare its powers.

³J. LOCKE, *Essay*, Book II, Chapter XXIII, Section 2.

As stated above, constitution composers must consider how citizens are to be selected from inhabitants, at least for the purpose of enfranchising voters to elect a new round of lawmakers with a better claim to legitimacy. I note the elegance of Hans Kelsen's solution to the problem in his *Reine Rechtslehre* (1934). His pure theory of law treats all national foundations as the source of immediately and freely-conferred legitimate authority. Kelsen, 1934, 56-57. Kelsen then invokes the following condition subsequent. A civil government is deprived of its legitimacy if its programs lose their effectiveness/*Effektivität*. Kelsen, 1934, 59-60. There are other inherent difficulties in organizing representative government, that is, one employing the votarian mechanics that I have described above. In the course of sorting citizens from inhabitants, the notion of "single-ethnic nation", for instance, offers fuzzy definitional edges. No nation has all of "this people" within its borders while, at the same time, none of "any other people" live within its borders. Every nation needs to deal with more than one ethnic group taken as inhabitants. This complexity impacts a new nation's opportunities for nation-building. Kelsen's pure theory calls on investigators to test all programs for loss of effectiveness over time. This caution applies to programs (votarian mechanics) designed to "select in" (include) some inhabitants *or* "select out" (exclude) other inhabitants in the cadre (ranks, class) of voters that statutory provisions require.

I illustrate this point with the following counterfactual. Assume that Klaus von Metternich (1773-1859) believed that it *was* in the Vienna Cartel's best interests to teach would-be nation-states how to organize, grow and evolve relations with "second-tier/sub-dominant ethnicities" in these new nations. Also assume that the cartel's teaching (instruction, influence) was successful. New nation-states on the perimeter of the cartel might achieve a measure of domestic peace between dominant and sub-dominant ethnic groups within their borders. In this counterfactual, new nations in Europe and fronting the Mediterranean Sea could become an inspiration – and therefore a threat – to the stability of the four empires who formed the cartel. Good domestic policy for smaller nations didn't promote good foreign or domestic policy for the members of the cartel.

Effectiveness in nation-building was, on this account, a double-edged sword. A small nation on the perimeter of the cartel might be successful

enough, success measured in light of its internationally-appointed and domestically-inspired path towards nation-building. The cartel members might even engage in a bidding war for small nation alignment with their geopolitical ambitions. Britain and Russia (for example) might compete for the support of a small nation. Domestic discord, however, would degrade the value of small-nation support for imperial ambitions. On the other hand, it was not necessary for a small nation to achieve a full measure of “domestic tranquility” (US Constitution 1787). As the counterfactual points up, resolution of all competing ethnic aspirations would degrade the value of small nation alignment (with great power ambitions). The bare-bones direction of Article 3 both reveals and conceals these threads. That provision begins by noticing “Every Greek ...” and concludes with a requirement that citizens be defined “according to the laws of the Realm”. The provision begs the question “what does it mean to be a ‘Greek?’” The inquiry driven by the need to know “who you are” is always germane to nation-building.

This foregoing mind-experiment underscores that the Vienna Cartel’s foreign policy was necessarily tangled up with the domestic policies of new single-ethnic nations who were located on the cartel’s perimeter. Wilson’s autonomous development (1919) outlined a pathway forward for single-ethnic nations to achieve legitimacy *not as defined* by other nations but, rather, *as defined* by a domestic process of nation-building with rather broad parameters.⁴ Of course, international security arrangements could support – up to a point – the new nation, at least during its incubation interval. If one is counting cartels (more politely, international security arrangements), the post-World War II Pax Americana might be numbered as another such cartel, at least in Europe. Koliopoulos and Veremis note that Greece (as of 1952) had reverted to the status of “a Balkan state under institutionalized great power protection”. (2002, 346).

⁴ Reading Hans Kelsen (1934) backwards to the Fourteen Points (1919): Woodrow Wilson assumed that newly formed nation-states gained legitimacy because they were taking advantage of the “absolutely unmolested opportunity of autonomous development” that the Fourteen Points promised their inhabitants. In other words, Kelsen’s pure theory of law redeemed Wilson’s ontological error. Legitimacy is conferred once; it can be lost but not gained by the “good works” of a nation’s leaders.

SPECIAL LAWS TO BE FRAMED

The Hellenic Constitution assigned duties to the newly-founded Assembly and Senate by employing phrases such as ‘by law’ or, more frequently, by weaving a requirement for future lawmaking into constitutional text.⁵ For example, Article 11 concluded by declaring that “every individual shall have the right of forming educational establishments, provided he conform to the laws of the realm”. By rough count, on 30 or more occasions the Hellenic Constitution assigned these tasks to lawmakers; taken together, these tasks marked out an incubation period in the political history of the new republic. As to some topics, the constitution urged lawmakers to take up certain “subjects ... as soon as possible”. Article 105, for example, provided that “the following subjects shall be taken into consideration as soon as possible and special laws framed thereon”.

(a) The number of Bishops in the Kingdom, and the means necessary for the support of the clergy in a manner suitable to the dignity of their sacred character, and for those who belong to, perform the services of any monastic institution.

**

(j) The encouragement of agriculture, trade, and commerce.

(k) The fixings of pensions for the Army and Navy, and civil functionaries.

Directions along the lines of “take up this task right away” (my phrase) should be taken as constitutional scaffolding. Framing an incubation period in nation-building implicitly offers a succeeding generation of leaders an opportunity space of their own, that is, after the expiration of the nation’s first twenty years of existence. As far as this essay is concerned, Article 3 was the most important provision that required the lawmakers’ immediate attention. This provision directed that an inhabitant might become a citizen “according to the laws of the realm κατά

⁵ In this essay, I rely on the English translation of the Hellenic Constitution 1844 which appears online at hdl.handle.net/2027/njp.32101062267651 [“The constitution of Greece. As voted by the National Assembly, to which His Majesty King Otho gave his Royal assent on the 18/30th March ... Translated from the Greek copy”].

τοὺς Νόμους τοῦ Κράτους”. This text underscored the lawmakers’ need to distinguish between (a) human beings who were inhabitants and (b) the smaller number of inhabitants who were tasked to do the voting that Greece, like all representative governments, required to stay alive.

Is it possible to overemphasize biography when it comes to organic arrangements? Aristotle and Kelsen had something to say on this point. The human beings who are the leaders of a civil government are to be distinguished from the structure of the government itself. In the *Politics*, Aristotle surveys 166 transitions in the form of civil government.⁶ Book V contains the bulk (120) of the instances that he surveys. Aschenbrenner, *Nation-States*, 260-261. At the opening of Book V, Aristotle correctly distinguishes between rebellions, assassinations or other instances of regime change, when “without disturbing the form of government, whether oligarchy, or monarchy, or any other”, these usurpers “get the administration into their own hands”. 1301b11. As Book VI opens, Aristotle rethreads this point. His survey of transitions, he points out, is concerned with “the destruction and preservation of states”. 1317a38.⁷ Composers of the Hellenic Constitution 1844 must have assumed that their intentions were clear to their contemporaries. After a new generation came into power – at about the twenty-year mark – new leaders could draw on the experience of the previous twenty years as a resource. On this account, flops and hits, successes and mistakes would serve to guide and govern lawmakers as the early maturity of the nation unfolded from the twenty-year mark forward.

Of course, Aristotle’s remarks might be limited to city-states. As a type of government, they have (mostly) passed from the political scene, overlooking Swiss cantons, among other small fry. Thousands of scholars and statesmen over the past eight centuries may have wasted their time reading Aristotle’s lecture notes in search of insight into the coming into being and passing away of nation-states, taken as a type of civil government. Aristotle’s *Politics* has nothing to do with nation-states. Moreover,

⁶ In this essay, I rely on the Harris Rackham (1932) translation of Aristotle’s *Politics*, using that edition’s Bekker citations.

⁷ I treat the traditional (post-Renaissance) division of the *Politics* into “Books” as if this arrangement conforms to Aristotle’s intentions, such as they may be teased from his lecture notes.

Aristotle might be wrong about city-states, even in his own time. (a) You could argue that the form of civil government changes when new leaders come into power; Aristotle's first point then makes no sense. Why draw attention to those politicians whose ambition is to get government into "their own control", 1301b13-14, when every general election can bring about a change in executive leadership and therefore produce a change in the form of civil government? (b) You can argue that the form of civil government never changes; Aristotle's second point – addressing "destruction and preservation" – would then make no sense. In his defense, I suggest that Aristotle anticipated both difficulties in a passage that appears at the beginning of Book III. "A constitution or government being an arrangement of the inhabitants of a state". 1274b38-39.⁸

ἡ δὲ πολιτεία τῶν τὴν πόλιν οἰκούντων ἐστὶ τάξις τις

This definition threads the needle, so to speak. Whatever arrangement exists among inhabitants exposes the constitution of the city-state. Identifying its features is a problem for social science.

The foregoing discussion sheds light on an overlooked case. As noted above, Aristotle singles out those whose ambition is to get government into "their own control". 1301b13-14. He distinguishes these cases from transitions involving changes in the form of civil government "for instance, from democracy to oligarchy". 1301b9. It is rare, Aristotle would argue, that revolutionaries overthrow a form of government but do not take office in the new government. As a practical matter, revolutionaries are compelled to take office to protect the new form of government from being overthrown in a counter-coup.

⁸ For my English text, I switched to Benjamin Jowett's translation because Harris Rackham's use of "organization" as in "organization of the inhabitants of the state" implies institutional (or institutionalized) arrangements, a meaning the Greek text does not convey. ARISTOTLE, *The Politics* (B. Jowett trans.) in *The Basic Works of Aristotle* (New York, Random House, 1941; R. McKeon, ed. in chief). W.D. Ross revised Jowett's 1885 translation; Ross's version made its first appearance in the *Works of Aristotle Translated into English*, vol. X (Oxford, 1921). "I have endeavoured, in revising his [Jowett's] translation, to take account, while preserving as far as possible the ease and grace of the original rendering". At iii. McKeon used Ross's revision (without crediting Ross) in McKeon's compilation (1941, note above). To recap: Jowett (1885) and Jowett-Ross (1921, 1941) settle on the "arrangement of inhabitants" as the correct translation of "οἰκούντων ἐστὶ τάξις τις".

Kelsen's brief case-study elaborates this point. "In einem bisher monarchischen Staat versucht eine Gruppe von Menschen, sich im Weg eines gewaltsamen Umsturzes an Stelle der legitimen Regierung zu setzen und die bisherige monarchische durch eine republikanische zu ersetzen/In a nation-state (monarchical in nature) a group of revolutionaries a violent *coup d'état*, the purpose of which is to install a republican form of government in the place in the place of the monarchical form". Kelsen, 1934, 59. By underlining the "violent" nature of the revolution, Kelsen signals that the revolutionaries could not easily withdraw from public life and retreat to their pre-revolutionary lives as shoemakers and flute-players. Aristotle takes a slightly different approach to the problem. The intentions of the revolutionaries are significant to their purposes: if they set out to install an oligarchy, then those intentions – features of their political biographies, so to speak – matter to the unfolding of events in the city-state's political history.

Kelsen elegantly draws attention to the revolutionaries' intentions by theorizing that none of their intentions, goals, ideological beliefs (and so forth) matter because the new form of civil government is pre-supposed to be legitimate, thanks to the operation of the Grundnorm, a presupposition of his pure theory of law. "But now 'a new Grundnorm/eine neue Grundnorm' is presupposed ... and this authorizes the lawmaking activity of the revolutionary government." Kelsen, 1934, 59; Aschenbrenner, 2021, 272-274. True, the revolutionaries need to know (before their coup) whether they intend to establish a monarchy, oligarchy, democracy or despotism. Their political beliefs must be known to them. They must be self-aware political actors, so to speak. Once the new "arrangement of the inhabitants" is in place, the pure theory instructs scholars that the beliefs of the coup plotters are irrelevant to the legitimacy of the new "arrangement of inhabitants".⁹ Aristotle would agree with Kelsen on this point. Put another way, the features of the new "arrangement" are to be located in the behavior of inhabitants and to be explored empirically, that is, by using the tools of social science. Interviewing the successful coup-plotters and recording their sloganeering and ideological murmurings is irrelevant to this task.

⁹ See previous discussion on the correct translation of οἰκούντων ἐστὶ τὰξις τις

Of course, the political historian is free to endow the new form of government with a human-like personality and discuss its ambitions, goals, purposes and so forth. These serve as useful points of departure or reference in a scholar's narrative of events. Both Aristotle and Kelsen, however, strip civil governments of such personalities, as a matter of political science, preferring investigation of inhabitants' behavior to spinning out features assignable to a virtual personality which came to life in a scholar's meditations. I draw on these points as support. If investigation of a newly-founded oligarchy or democracy requires assignment of the value legitimate (or its opposite, illegitimate) Aristotle would have named these subdivisions at any number of points in the *Politics*, especially at 1301b5-17. Likewise, Kelsen would have said "there is no point in discussing loss of effectiveness of a newly founded civil government in the case of a government (established without a proper legal foundation) because it was never legitimate in the first place". In a broader sense, Aristotle and Kelsen agree that there is no point in launching fact-based investigations into *any* government's claim to legitimacy, "if political science declares that *some* governments were never legitimate in the first place". Aschenbrenner, 2021, 260-261. Case in point: I write a book declaring that the newly-founded ABC nation is "legitimately founded" and point to the noble aspirations of its founders in supporting my claim. You write a book describing my founders (of the ABC nation-state) as careerists, elitists, racists or economic pirates interested only pursuing the almighty dollar. There is no political science, Aristotle and Kelsen agree, without social science. Slogans, such as the "consent of the people" or "sovereignty of the people", are irrelevant to investigation that relies on the connection between those two disciplines.

LET US NOW UNITE OUR EFFORTS

I turn to "texts of political culture". These compositions shed light on the link between inhabitants and the process of nation-building. Otto's speech appears at the opening of the Hellenic Constitution. "Under the protection of the Almighty", Otto declared, "let us now unite our efforts for the establishment of a fundamental law conformable to the true wants

and circumstances of the State and adapted to advance and secure the true interests of each”.

I refer to other instances. Louis XVIII's speech appears as a preamble to the French Constitutional Charter 1814.¹⁰ Louis explains, in very down-to-earth terms, what the new constitution is designed to accomplish. At 749 words (in English), this is the longest of the three.

George Washington's address to the American people is much shorter (402 words).¹¹ This text is rarely printed with the US Constitution 1787. Washington's address is not a preamble to that instrument; it is framed as a letter to the Confederation Congress. That body was the US parliamentary assembly at the time.

Otto's speech appears in the printed official version of the Hellenic constitution. Of the three mentioned, Otto's is the most compact, at 296 words (in English). I note these elements in Otto's speech:

- Inhabitants are called upon to approve the Hellenic Constitution. That instrument is “adapted to advance and secure the true interests of each”.
- That constitution will aid in stabilizing the form of civil government. The constitution is a “fundamental law conformable to the true wants and circumstances of the State”.
- Inhabitants are also informed that religious belief plays a role in both the loyalty-maintaining and stability-delivering work of the state. Accordingly, inhabitants are called upon to “unite [their] efforts ... under the protection of the Almighty”.

Each element of Otto's speech touches on inhabitants' attitudes towards the new government. These should be taken as the collective (sum of) inhabitants' hopes, wishes, fears. The “constitution [will] secure [the] true interests” of individual inhabitants but only if inhabitants accept that its purpose is to “advance” those interests. The “true wants and

¹⁰ See napoleon-series.org/research/government/legislation/c_charter.html

¹¹ See rotunda.upress.virginia.edu/founders/RNCN-01-01-02-0008-0002

circumstances of the State” are subject to destabilizing externalities, such as earthquakes, domestic unrest, food shortages as well as partisan bickering. Otto declares that inhabitants should “unite [their] efforts”. That is, inhabitants’ expenditure of energy will return dividends in national stability if they support the new form of government.

As noted above, the Hellenic Constitution directs the lawmakers’ attention to more than 30 specific subjects requiring their attention. I refer to Hans Kelsen’s insights on this point. His pure theory of law frames one condition subsequent and another condition precedent; these points touch on the significance of successful programmatic action to the fate of the nation-state.

(a) If a given program does not stabilize the current form of civil government, then government suffers a degradation (loss) of brand loyalty. So long as government programs do not lose their effectiveness (*Effektivität*), allegiance is not degraded. This is Kelsen’s condition subsequent. Kelsen, 1934, 59-60.

(b) Lawmakers (program-writers) cannot assume that well-composed programmatic action will (once launched) maintain or augment the brand loyalty of the current form of civil government. This is Kelsen’s condition precedent taken in a negative sense. Just because you sweat time and treasure to write and launch a program that will deliver benefits, doesn’t mean that delivery of benefits will inspire inhabitants to maintain or augment their loyalty. Kelsen, 1934, 56-57.

As Otto declared, loyalty to the current form of civil government aligns with the “true interests of each [inhabitant]” because this loyalty is directed to a newly-founded government that needs inhabitants’ support. Loyalty is the freely-conceded gift of an individual inhabitant. On this account, allegiance to the nation-state – Otto and Kelsen would agree – is not subject to transactional politics. This point is an extension of (a) and (b) above.

AMONG FLUTE-PLAYERS EQUALLY GOOD AT THEIR ART

In Book III of the *Politics*, Aristotle concludes his discussion of productivity with this passage. “The best flute-player ought to be given the outstandingly good flutes/κατὰ τὴν αὐλητικὴν, ὅμως τοῦτω δοτέον τοὺς διαφέροντας τῶν αὐλῶν”.1282b39-40. I name two “conductors”. Each conductor is tasked to deliver the best possible performance by a flute-player. This mind experiment draws on passages from Aristotle’s *Politics*, Thucydides’s *History of the Peloponnesian War* and Plato’s dialogue *Gorgias*.

The “Delta” conductor is a very confident fellow. He has no doubt about how to address the challenge that I have given him. “Nothing could be easier”, the Delta conductor declares. He names the best flute-player in Athens.

“How did you select the best flute-player?” I ask the Delta conductor.

“I could have employed a variety of standards”, he replies. “The tallest or the most handsome and so forth. I selected the player whose parents occupy the most prestigious rung of the social ladder in Athens”.

“How did you select the best flute?”

“I told my servant to spare no expense. ‘Go to the Agora and find the best flute money can buy’. The most expensive flute was sure to be the best”.

“Are you sure about there’s nothing more to be taken into account?”

“When my chosen flute-player performs in public – tootling away on the flute I bought for her – she will give the best possible performance. It’s as simple as that”.

I ask the Delta conductor to read this passage from Aristotle’s *Politics*.

For perhaps someone might say that the offices of state ought to be distributed unequally according to superiority in every good quality, even if the candidates in all other respects did not differ at all but were exactly alike, because men that are different have different rights and merits. Yet if this is true, those who are superior in complexion or stature or any good quality will have an advantage in respect of political rights. But surely the error here is obvious, and it comes out clearly if we consider the other sciences and faculties. Among flute-players equally good at their art it is not proper to give an advantage in respect of the flutes to those

of better birth, for they will not play any better, but it is the superior performers who ought to be given the superior instruments. 1282b20-35.

“What does he know about flute-playing?” The Delta conductor dismisses Aristotle’s concerns. “According to him, an audience would be thrilled to hear a flute-player whose parents were farmers or slaves or – worse – not even Greeks! Who could take pleasure in listening to such a performance?”

The Delta conductor continues.

“Why should I look at matters from other perspectives? That is what Aristotle (wrongly) suggests. “The matter is apparent [when other] faculties and abilities are considered/φανερὸν δ’ ἐπὶ τῶν ἄλλων ἐπιστημῶν καὶ δυνάμεων”. 1282b31-32. One can overthink things. Aristotle thinks too much. Simplicity in designing a process has its own rewards. My approach involved only two variables (factors). The player’s (inherited) social standing and the instrument’s retail price. I don’t think you can make the solution to this problem – or any problem – easier than that”.

I turn to the “Beta” conductor; she is a university professor. “I admit that the alternatives in this case require serious thought. Perhaps there is another way to look at this. After all, we can always go back to the beginning and try again”.

“This case study – that’s what a political scientist would call it – sheds light on problems of governance”, the Beta conductor continues. “For example, what tools assist legislators in making better statutes? How does one increase one’s chances of getting things right? Generally, this is a question of productivity.”

BAD LAWS WHICH ARE BETTER FOR A CITY

The Delta conductor reaches for Thucydides’s *History*.¹² “In 427 BC this is what Cleon told the Athenian assembly: ‘On many other occasions

¹² In this essay I rely on C.F. Smith’s translation of Thucydides’s *History* (1919) using citations appearing in that edition.

in the past, I have realized that a democracy is incompetent to govern others, but more than ever to-day, when I observe your change of heart concerning the Mityleneans.” 3.37.1

πολλάκις μὲν ἤδη ἔγωγε καὶ ἄλλοτε ἔγνων δημοκρατίαν ὅτι ἀδύνατόν ἐστιν ἑτέρων
ἀρχειν, μάλιστα δ' ἐν τῇ νῦν ὑμετέρᾳ περὶ Μυτιληναίων μεταμελεία

“You’re opposed to the Athenians reconsidering the mission that the Assembly sent (the day before) to kill the rebels on that island?” the Beta conductor asks.

“Consideration of multiple alternatives is fruitless”, the Delta conductor responds. “You refer your readers to many variables (factors, alternatives) in the process of grading flute players. You could have said, ‘Bob (the flute-player) was born with this skin color *or* grew up in this neighborhood *or* his parents occupy such-and-such a rung of the social ladder’. Like the Athenians – in the case of the Mytilenean rebellion – you put too much faith in process”.

“I would call on my friends and conduct a number of different tests”, the Beta conductor defends her approach. “Each candidate would play the flute behind a screen; my friends would serve as judges and rate each player. After several tests, my friends, acting as judges, might reach a consensus and thereby name the best flute-player. To find the best flute in Athens”, the Beta conductor continues, “I would have my friends interview flute-makers (in their workshops) and ask each flute-maker to explain what makes a good flute. Based on these interviews, my friends could then decide what flute is likely to be the best”.

“Of course, you might have to reconfigure the process by which any conclusion is reached”, the Delta conductor sneers. “What if a flute-maker is inarticulate or naturally shy? Or he is a foreigner who can’t speak much Greek?”

“Sometimes process must be changed”, the Beta conductor concedes. “This would happen ‘on the fly’, so to speak,” she continues. “I think we agree on this point. What irritated Cleon was the idea that an assembly could invent a new procedure – modern parliamentarians would call it a ‘motion for

reconsideration’ – and invoke this new procedure to consider changing a merit outcome”.

“Cleon has more to say”, the Delta conductor responds. “‘But quite the most alarming thing is, if nothing we have resolved upon shall be settled once for all, and if we shall refuse to recognize that a state which has inferior laws that are inviolable is stronger than one whose laws are good but without authority’ – There’s more”, the Delta conductor concludes, “but you get the idea”.

πάντων δὲ δεινότατον εἰ βέβαιον ἡμῖν μηδὲν καθεστήξει ὧν ἂν δόξη πέρι, μηδὲ γνωσόμθα ὅτι χεῖροσι νόμοις ἀκινήτοις χρωμένη πόλις κρείσσων ἐστὶν ἢ καλῶς ἔχουσιν ἀκύροις 3.37.3

“But I have authority,” the Beta conductor replies, rejecting the charge that she is proceeding “ἄκυρος”.

“Show me!” the Delta conductor demands.

‘I direct you to Plato’s dialogue *Gorgias*’, the Beta conductor replies.¹³ “‘[I am] one of those who would be glad to be refuted if I say anything untrue, and glad to refute anyone else who might speak untruly; but just as glad, mind you, to be refuted as to refute, since I regard the former as the greater benefit.’” 458A.

τῶν ἡδέως μὲν ἂν ἐλεγχθέντων εἴ τι μὴ ἀληθὲς λέγω, ἡδέως δ’ ἂν ἐλεγχάντων εἴ τίς τι μὴ ἀληθὲς λέγοι, οὐκ ἀηδέστερον μεντὰν ἐλεγχθέντων ἢ ἐλεγχάντων: μείζον γὰρ αὐτὸ ἀγαθὸν ἡγοῦμαι

“Changing your mind confers a benefit on political society?” the Delta conductor asks. “How is that possible? This makes everything subject to debate and reasoning. Nothing would ever be settled. At least I know who can claim to be the tallest flute-player. She can’t change her height!”

¹³ In this essay I rely on W.R.M. Lamb’s translation of the *Gorgias* (1925) using citations appearing in that edition.

MANY LIBERAL INSTITUTIONS WERE FOUNDED

Given the foregoing as preliminary, how does the contest between the demographic (variables whose values are assigned at birth) and the biographic (variables whose values can change over time) play out? As the reader will have guessed, the Delta conductor advocates a commitment to the demographic and the Beta conductor is the exponent for explorations relying on the biographic variable.

1. Who is a Greek citizen?

Article 3 provided: ‘Citizens are those who have acquired or shall acquire the rights of citizenship, according to the laws of the Realm’. Thus, the following questions were left to the Assembly and Senate to resolve: “Who is a Greek inhabitant?” and “Who, inhabiting Greece (within its post-1833 borders), is to be regarded as qualified to be a Greek citizen?” I expand on this point as follows.

2. Do the circumstances of your birth answer the question, “are you a Greek?”

Your birth certificate or (more likely, in the 19th century) your baptismal certificate should answer the question. Assume that your baptismal certificate (apparently) proves that you are Greek. That conclusion depends (partially or completely) on answers to the question “who *were* your parents?” And doesn’t that inquiry call for an answer to the question, “who *were* your grandparents?”

3. Put another way, if it were easy to answer the question “who is a Greek inhabitant”, then why didn’t someone (as of 1844) come up with an easy answer and write that norm into the Hellenic constitution?

4. There are two hints in the Hellenic constitution that guide us to another perspective on the “who are you?” question.

5. King Otto’s speech offers this clue: From the very first establishment of the Monarchy, many liberal institutions were founded, with the object of preparing the way for the introduction of the definitive Constitution. Free Municipal institutions, provincial Councils, trial by jury, were the precursors of Representative Government in Greece.

If you believe that these “liberal institutions” were good, then you should tender your approval to the new form of civil government and (perhaps) even give the new form of civil government a measure of your loyalty. That’s what Otto was getting at.

6. I turn to Articles 89-96 of the Hellenic Constitution. These provisions defined rights that a person accused of a crime would enjoy in the course of a criminal prosecution. For example, Article 91 provides that “Every sentence shall be accompanied by the reasons thereof, and read in open court”. Who doesn’t want to live in a country with a well-organized and honestly-run judicial system? The behavior of the trial judge matters, for example, and not variables fixed when he was born, like height, eye color and left- or right-handedness.
7. I refer to Article 107.

The preservation of the present Constitution is entrusted to the patriotism of the Greeks.

Patriotism has something to do with action and action has something to do with belief. Neither action nor belief have a fixed connection to the demographic data that appears on a baptismal certificate.

A GOOD CHRISTIAN SHOULD KNOW GREEK

At the conclusion of my talk (21 October 2021) Dr. Thanos Veremis elaborated on the two perspectives (variables, factors) “demography” and “biography”. Veremis noted that Greeks became aware of their ethnicity *on the way* to nationhood in the interval 1821-1844. “Greeks started out as a religious unity”, he remarked; that unity required fluency in Greek. A “good Christian should know Greek to read the gospel, which they did”, he added.

At different times, different passages in the Gospel (or New Testament) may draw my attention and stimulate reflection. Add up the personal journeys of all inhabitants of a nation. Does the total of these experiences offer a connection to the nation-in-the-state-of-becoming?

Aristotle points out that changes in leadership (“regime change” to post-moderns) are not the equivalent of changes in the form of

civil government. Aristotle makes this point at the beginning of Book III. “This is a matter of dispute: a public act is spoken of by some people as the action of the state, others speak of it as the action not of the state but of the oligarchy or the tyrant in power”. 1274b35-37

νῦν γὰρ ἀμφισβητοῦσιν, οἱ μὲν φάσκοντες τὴν πόλιν πεπραχέναι τὴν πράξιν, οἱ δὲ
οὐ τὴν πόλιν ἀλλὰ τὴν ὀλιγαρχίαν ἢ τὸν τύραννον

If we accept the first prong (of the passage quoted in the previous paragraph), the acts (of state actors) can be regarded as public acts, even if we view them as morally deficient. Aristotle reduces this prong to the argument that demography is all that matters. If Bob has a certificate on the wall of his throne room certifying that Bob’s mom and dad were King and Queen, then Bob is King and all his acts are acts of state. This is the case even if Bob conducts himself like a cruel and bloodthirsty dictator. (This makes monarchy a cheap means of avoiding Kelsen’s pure theory; birth certificates confer legitimacy and that’s that.)

I turn to the second prong, evaluating only the negative side of this proposition. Here we assess the political biography of the tyrant. For example, did Jack come to power legally and acquire his taste for immoral behavior after his inauguration? Or did Jack seize power in a coup, promising nothing but ill-gotten gains to his ardent and equally corrupt followers? Perhaps Jack is a misunderstood fellow. He’s not altogether despicable; in other words, Jack’s a tyrant but he can command a public act. True, Jack’s oligarch friends have profited handsomely from state-run monopolies that Jack handed over to them. Nevertheless, taken together, Jack’s morals are not so bad that we would regard all his actions to be “private acts”.

I turn to another case in which Aristotle draws on demography vs. biography, taken as counterpart (double) perspectives. Aristotle asks, “what is the essential nature of a citizen?” 1275a3. People do not all agree that the same person is a citizen; often somebody who would be a citizen in a democracy is not a citizen under an oligarchy. 1275a3-5

ἔστι γὰρ ὅστις ἐν δημοκρατίᾳ πολίτης ὢν ἐν ὀλιγαρχίᾳ πολλάκις οὐκ
ἔστι πολίτης

The demographic features of an individual are fixed at birth and therefore, few in number. Aristotle also argues that demographic features assignable to a citizen may be disregarded or weighted differently, after a change in the form of civil government. Thanks to yesterday's revolution in the ABC city-state, today's form of civil government is a despotism. Yesterday King Fred was in power and the city-state was regarded as a monarchy. All the members of Fred's (royal) family have been now declared outlaws and stripped of their citizenship. Moreover, the tyrant's mercenaries (hired from neighboring city-states and non-citizens of ABC) are now declared to be ABC citizens. It would be hard to argue that the tyrant's henchmen – now citizens – confer legitimacy on the new form of civil government, if the government itself manipulated the membership of the class of citizens for the purpose of installing and keeping the tyrant in power.

Aristotle's analysis opens the way for consideration of the biographic features of individuals, insofar as they relate to participation in civil society (family ties, hobbies, skills acquired, languages read and spoken) as well as the record of their participation in political society (voting record, candidates endorsed, offices sought and attained). These behavior-based variables may be regarded as moving targets. Consequently, the sum (total) of the personal biographies of a nation's inhabitants exposes the features of a nation's identity and, more specifically, offer a resource of behavioral data from which the features of its political culture can be extracted.

I PAID FOR MY CITIZENSHIP WITH A GREAT SUM

Via time-travel Thanos and I go back to Athens and arrive when the Hellenic Constitution has been adopted. Thanos can support his claim that he is a good Christian, having read, for example, *Acts of the Apostles*/Πράξεις των Αποστόλων. Thanos, however, has his doubts about me. "Do you know the value that Claudius Lysias placed on Roman citizenship?" he asks me, referring to the tribune (of the Jerusalem guard) who dispatched the Apostle Paul to Governor Felix at Caesarea Maritima for trial. I should have cited to Acts 22:28; in this passage Claudius Lysias informs Paul that he paid for his citizenship "πολλοῦ κεφαλαίου/with a great

sum". Aristotle would highlight the point that Luke makes in his novelistic rethreading of events. If citizenship is a commodity, then its value is subject to market (external) forces. This means that highly-positioned members of the Roman government have found a way to avoid dealing with the demographic-biographic distinction. Selling citizenship in the marketplace does not involve any of the buyer's features (assigned at birth) nor does it have much to do with the buyer's personal attainments, other than his access to the purchase price at the time the price is settled.

Shortly after the Hellenic Constitution was adopted, the Senate and Assembly enacted electoral laws. The English language version of the Hellenic constitution prints these with the text of the constitution itself. Section 5 provides that:

The right of voting belongs to all men born within the Realm, and also to all those who have acquired the right of citizenship according to law, being 25 years of age, having any property either within the province in which they stand registered, or having any profession, or independent trade, except those under criminal examination: those provisionally or forever deprived of civil rights by sentence of any court, and those deprived of the management of their own affairs.

The Assembly and Senate have employed both types of variables. More precisely, demographic variables (age, place of birth) serve as a preliminary "cut". Since I was born in Oakland, California, USA (in 1945), no further consideration need be given to my application to become a Greek citizen with the "right of voting". On the other hand, if pass these preliminary tests *and* I own a house in a village *or* farm in the Greek countryside *or* I am a physician with a practice in Nauplion, then my application can go forward. Official attention will thereafter be directed to these two biographic variables: property ownership "within the province" or source of income ("profession", "independent trade"). What about historians? Do they satisfy the requirement that a would-be voter pursue an "independent trade"? I certainly have Thanos's attention; he and I are in the same boat.

The Greek "Law of Election" established an elaborate procedure. This was designed to guide government officials when they were called on (in specific cases) to resolve the question "who is entitled to vote". Sections 6 through 15. An essential feature of this arrangement enables

Petros and Thanos to argue their respective claims before a jury of 15 current and former public officials in the Deme in which they reside. In other words, they will have their chance to convince the 15-member jury that they are entitled to vote. Thanos has a trick card up his sleeve. He can oblige the jurors to read his published works. The jury must decide “claims and objections after having examined all the documents thereto belonging”. Section 13. After Thanos introduces his books into evidence, his scholarship is sure to win the jury to his side. My body of published works looks pretty insubstantial by comparison.

LEGATI MISSI ATHENAS

The Hellenic Constitution 1844 directed that actors and bodies (it named) build a nation; to accomplish this largest of tasks the legislature was obliged to decide which inhabitants of the new nation were qualified to serve as citizens. Put another way, a constitution instructed parliamentary assemblies to guide the nation through an incubation interval of 20 years. To do so, two new parliamentary assemblies were called upon to address the biographic features of inhabitants and establish a register naming those entitled to vote. These efforts of voters (at the polls) were essential to keep the Assembly alive, that is, to enable it to flourish as a living, breathing organ of government. Without voters, nation-building would come to a halt. On this account, the electoral law was significant to the evolving life of the Greek nation-state. Put another way: Nation-building required lawmaker understanding of personhood-in-the-state-of-becoming.

As discussed above, Aristotle posed the question, “why should the best flute be given to the best flute player?” Aristotle’s *Politics* did not reference the Roman mission to Athens (454-451 BC).¹⁴ Aristotle would have taken *legati missi Athenas* to be a Roman quest for the “best flute” in Athens. I refer to *Ab Urbe Condita/The History of Rome*, composed by Titus Livius (59 BC-17 AD). A controversy broke out between patricians and plebs over power-sharing arrangements in Rome. “Commissioners

¹⁴ The last date mentioned in the *Politics* is the death of Philip of Macedon in 336 BC. 1311b2.

were sent to Athens”, Livy states, “with instructions to make a copy of the famous laws of Solon and those of other Greek city-states and to investigate the institutions, customs, and laws of other Greek States/legati missi Athenas iussique inclitas leges Solonis describere et aliarum Graeciae civitatum instituta mores iuraque noscere”. 3.31.8.

We don’t know the details of the conversations that ensued between the Roman envoys and their Athenian hosts. However, Livy supplies the following background. The tribunes of the people proposed that the patricians “consent to the appointment of a body of legislators, chosen in equal numbers from plebeians and patricians to enact what would be useful to both orders and secure equal liberty for each”. *Id.* Put in terms that scholars from Aristotle to Livy understood: Romans were considering a change in a power-sharing arrangement, that is, a change in the Roman constitution. Controversy over allocation of power between inhabitants (who were divided by their demographic features) inspired both sides to agree to dispatch envoys to Athens. Hence, *legati missi Athenas*.

To build a nation requires acquisition and refinement of technical skills.¹⁵ Statecraft was at work in the case of Greece (1844) when that nation’s journey on the road to autonomous development was launched. It is in lawmaking – more than constitution-composing – that the unfolding of a nation-state’s autonomous development is to be traced. This evolution reflects the national biography working itself out in real time. That story is to be revealed according to the laws of the realm/ κατὰ τοὺς Νόμους τοῦ Κράτους.

¹⁵ In this essay I have employed four pairs of counterpart perspectives: (a) the organic (constitutional) versus the mechanical (statutory, policy), (b) tasks assigned to the founding generation and those which may be deferred to the nation’s early maturity, (c) allegiance versus stability and (d) the demographic versus the biographic.

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Sailing in an age of anxiety: George Theotokas' "Argo" as a political commentary on the crisis of the interwar period

NIKOLAOS BOUMPARIS

The Greek liberal intellectuals in the interwar period believed that the Greek nation would mature by being part of Europe. One of them, George Theotokas played a key role. He was fully aware that a new era had emerged through World War I. Both as a thinker and a novelist, Theotokas asked for common sense as a prerequisite for action. His novel "Argo" represents a turning point in Greek literature. As a novelist and an intellectual, George Theotokas has shown a very vivid description of the Middle War crisis in Greece, shortly after the Asia Minor disaster in 1922. In this paper, I intend to approach this classic novel focusing on the perspective of history in an age of anxiety. Certain parts of the novel are examined as political comments on the contemporary conditions, when democracy was cornered between fascism and communism.

The emergence of the parliamentary system is historically associated with the existence of a king and the attempt to safeguard the rights of the people against the crown¹. Things have changed in the wake of World War I following the collapse of most of the Royal regimes in Europe. This fact, along with often confusing government with a majority in Parliament, alters the historical context in which the parliamentary system was born and formed.

Although Parliamentarism was consolidated in the 19th century², it went through a crisis during the interwar period which peaked in the

¹A. MANESSIS, *Political History and modern political institutions* [in Greek: Αριστόβουλος Μάνεσης, Πολιτική ιστορία και σύγχρονοι πολιτικοί θεσμοί, Σάκκουλας, Θεσσαλονίκη 1978, σελ. 76.]

²For the evolution of parliamentarism in the 19th century, N. BOUMPARIS, *Ameliorating parliamentarism in Great Britain and Greece in the 19th century; A comparative study* in: P.

1930s. This criticism is to be observed in the whole of Europe, and even in England, the homeland of Parliamentaryism where the Parliament is often characterized as a talking shop³.

It wasn't just Parliamentaryism that struggled during the interwar period. It is also the time of the great spread and influence of dictatorships. Dictatorships were, therefore, a trend at the time, that is, they seemed as a solution to escape from the crisis of parliamentarism. Indeed, the dominant dilemma back then was parliamentarism or dictatorship? A dilemma that was also discussed in Greece.

The emergence of a reform current, which could be described as radical, in the aftermath of the global economic crisis and the failure of the reform effort of Eleftherios Venizelos, was an expected development. The younger generation of thinkers and politicians expressed the perception that the divisions of the past not only did not respond to the signals of the times, but at the same time were exploited with the intention of ensuring the dominance of the old attitudes and methods of governance⁴.

This generation believed in the need for a new social organization, which would ensure social justice, given that it would rest on a more reasonable regulation of the operation of economic forces. It was necessary for the reformers to move towards a broadly liberal and deeply radical direction that would combine the ideal of liberty with the, at the time, imperative claim to equality and justice⁵.

KIMOURTZIS, A. MANDYLARA and N. BOUMPARIS (ed), *History, A fine art*, Texts dedicated to G.B. Dertilis. [in Greek: Νικόλαος Μπουμπάρης, Βελτιώνοντας τον κοινοβουλευτισμό στη Μεγάλη Βρετανία και την Ελλάδα τον 19ο αιώνα: Μια απόπειρα σύγκρισης στο: Παναγιώτης Κιμουρτζής, Άννα Μανδυλαρά, Νικόλαος Μπουμπάρης (επιμ.), *Ιστορία, Μια καλή τέχνη, Κείμενα αφιερωμένα στον Γιώργο Β. Δερτιλή*, Αθήνα 2021, σελ. 199 κ.εξ.]

³ S. VLACHOPOULOS, *The parliamentary crisis in the interwar and the end of the 2nd Hellenic Republic in 1935. The constitutional consequences of an economic crisis* [in Greek: Σπύρος Βλαχόπουλος, *Η κρίση του κοινοβουλευτισμού στον μεσοπόλεμο και το τέλος της Β' Ελληνικής Δημοκρατίας το 1935, Οι θεσμικές όψεις μιας οικονομικής κρίσης*, Ευρασία, Αθήνα, 2012, σελ. 87 κ.εξ.]

⁴ E. HADZIVASSILEIOU, *Greek Liberalism, the radical drift, 1932-1979* [in Greek: Ενώθης Χατζηβασιλείου, *Ελληνικός Φιλελευθερισμός, Το ριζοσπαστικό ρεύμα, 1932-1979*, Πατάκης, Αθήνα, 2010, σ. 189.]

⁵ G. THEOTOKAS, *Political ideal*, in George Theotokas, *Cogitations and Opinions, political texts, 1925-1966*, vol. 1 [in Greek: Γ. Θεοτοκάς, *Πολιτικά Ιδανικά στο Γιώργος Θεοτοκάς, Στοχασμοί και θέσεις, πολιτικά κείμενα, 1925-1966*, τόμ. Α', Βιβλιοπωλείον της Εστίας, Αθήνα, 1996, σελ. 258-261.]

Literary artists who first appear in the interwar period – a period of multiform crises – are faced with a variety of questions regarding the role of literature in social and historical development, its communicative function (or dysfunction), its ideological parameters, how it compares with the other arts, as well as the relationship of the creator with the society as a whole.

One of the most important intellectuals of liberalism in Greece of the 20th century, George Theotokas, addressed the social, political, and spiritual issues of his time intensely and with the independence of mind⁶. Theotokas, a renowned creator and political thinker who is rare to find in the outlying areas of Europe, offers a rich field of research for both philologists and historians dedicated to modern Greece⁷.

In his four decades of writing life, Theotokas struggled to abide by the principle of the intervention of the intellectual, when it came to common matters, when issues are at stake that he believes can be fatal. An intellectual must take a stand and formulate his/her views, even if this confronts him/her with both the authority and the audience which he/she is addressed to⁸.

Theotokas is a representative figure of the new movement in Greek literature which was based on prose. One of his most recognizable features is that he not only sought to but also succeeded in integrating his quests into literary expression⁹. He has been mainly a political thinker¹⁰.

⁶ V. TSILIMIGRAS, *Greece in the pre- and postwar Europe, according to George Theotokas in Hagen Fleischer (ed), Greece, '36-'49. From dictatorship to civil war*. In Greek: Βασιλῆς Τσιλιμίγκρας, Η θέση της Ελλάδας στην προπολεμική και μεταπολεμική Ευρώπη κατά τον Γιώργο Θεοτοκά, στο: Χάγκεν Φλάισερ (επιμ.), Η Ελλάδα, '36-'49. Από τη Δικτατορία στον Εμφύλιο: τομές και ασυνέχειες, Καστανιώτης, Αθήνα, 2003, σ. 421.]

⁷ E. HADZIVASSILEIOU, *Bittered in the age of maturity, George Theotokas and the Greek political system, 1950-1966 in George Theotokas, 1905-1966, The centennial Nea Hestia*. [In Greek: Ευ. Χατζηβασιλείου, Οι πίκρες της ωριμότητας: Ο Γιώργος Θεοτοκάς και το ελληνικό πολιτικό σύστημα, 1950-1966 στο: Γιώργος Θεοτοκάς, 1905-1966, Εκατό χρόνια από τη γέννησή του, Νέα Εστία, 1784 (2005), σ. 1015.]

⁸ N. K. ALIVIZATOS, *Preface in George Theotokas, Cogitations and Opinions, 1925-1966, vol. 1* [In Greek: Νίκος Κ. Αλιβιζάτος, Πρόλογος, στο Γιώργος Θεοτοκάς, Στοχασμοί και θέσεις, πολιτικά κείμενα, 1925-1966, τόμ. Α', Βιβλιοπωλείον της Εστίας, Αθήνα, 1996, σελ. 45.]

⁹ A. E. CHARISTOS, *The literature of responsible, History and Identity in the literature movement of the '30s. The role of Angelos Terzakis*. [In Greek: Αντώνης Ε. Χαριστός, Η λογοτεχνία της ευθύνης, Ιστορία και ταυτότητα στη λογοτεχνική κίνηση του '30, Ο ρόλος του Άγγελου Τερζάκη, Γράφημα, Θεσσαλονίκη 2021, σ. 217.]

¹⁰ E. HADZIVASSILEIOU, see above. [In Greek: Ευ. Χατζηβασιλείου, ό.π., σ. 103.]

For Theotokas and for the writers of his generation in general, the 20th century was not just event rich. In fact, it was a period of constant controversies and reversals, where the density of historical events did not facilitate immediate contemplation nor sober conclusions. With its strong presence in everyday life, history reversed scales of values, imposed new hierarchies, hindered thought and action. Often, indeed, history took the form of a direct threat to what a scholar considers a *sine qua non* for his/her work: the basic terms for dialogue, free political expression and unfettered intellectual creation¹¹.

Theotokas' generation had grown up and formed during the Great War. The era that came after, known as the interwar period, had caused, internationally, intellectual clutter, with no obvious direction¹².

Without a doubt, Theotokas was the most involved with politics member of the so-called "Generation of the 1930s". This generation sought a creative Greece, free from misery and shallow and morbid nationalism and moved away from the visible memories of the Asia Minor Catastrophe¹³. These literary artists were raised at a time when Greek society's most fundamental demand of all was the search for a new national identity¹⁴.

Literature was considered a breeding ground for the formation of the new Hellenic stigma after the visions regarding the so-called 'Great Idea' collapsed, with the aim of promoting the concept of Greekness as a form of displacement of the unfulfilled territorial and nationalist integration. Because the radical current was primarily targeted to young people, the ideological agenda of its recipients was greatly influenced by literature.

¹¹ N. K. ALIVIZATOS, see above. [In Greek: Ν. Κ. Αλιβιζάτος, ό.π., σελ. 56.]

¹² E. HADZIVASSILEIOU, *Greek Liberalism, the radical drift, 1932-1979* [In Greek: Ε. Χατζηβασιλείου, *Ελληνικός Φιλελευθερισμός, Το ριζοσπαστικό ρεύμα, 1932-1979*, Πατάκης, Αθήνα, 2010, σ. 54.]

¹³ K. MOUSTAKATOY, *Ideas, and persons in George Theotokas' work. From the essay to the novel* [In Greek: Κατερίνα Μουστακάτου, *Ιδέες και πρόσωπα στο έργο του Γιώργου Θεοτοκά. Από το δοκίμιο στο μυθιστόρημα*, Διδακτορική διατριβή, Αθήνα 2012, σ. 15.]

¹⁴ S. MAKRI, *Greek liberalism and the 1930' generation. The liberal spirit of George Theotokas (1905-1966) and the course towards a liberalism à la grecque* [In Greek: Σπύρος Μακρής, *Ελληνικός Φιλελευθερισμός και γενιά του τριάντα, Το φιλελεύθερο πνεύμα του Γιώργου Θεοτοκά (1905-1966) και η πορεία προς έναν ελληνότροπο φιλελευθερισμό*, Ι. Σιδέρης, Αθήνα, 2008, σελ. 43.]

In fact, if we consider that *Argo* was released during an authoritarian dictatorship, we realise that literary works were operating as an alternative method for expressing ideological quests¹⁵.

According to Dimitris Tziouvas, *Argo* expresses the ideological concerns and literary quests of Greek society during the interwar period¹⁶ and is historical document, as it attributes the dynamic traits and the ideological stigma at the time and "*lies between myth and history*"¹⁷. This novel is also an intervention of political nature through unconventional means¹⁸. The ideological quest of a society tormented by rivalries is clear, as it has met the end of the 'Great Idea', without managing to replace it with something else. The ideological quest is, after all, the great protagonist of this work¹⁹.

He elaborates fiction and incorporates into the narrative what Theotokas himself experienced in the student fields of action, ideological disputes as well as the political events at the time: frequent military movements, dynamic emergence of the Communist proposal. Therefore, it highlights the political traits of the Greek interwar period: crisis of Parliamentarism, military involvement in civilian life, potential threat of Communism²⁰.

In the novel, Theotokas expresses how inadequate the elites are – their inability to capture the new momentum of the world. This deficiency is a trait of one or some political camps, but rather of the whole system²¹. The two most significant political camps, which had arisen out of the 1915 national schism, had, in the eyes of Theotokas, long concluded

¹⁵ E. HADZIVASSILEIOU, see above In Greek: Εν. Χατζηβασιλείου, ό.π., σ. 104.]

¹⁶ D. TZIOVAS, *The metamorphoses of ethnics and the false ideology of Hellenicity in the middle war*. [In Greek: Δημήτρης Τζιόβας, *Οι Μεταμορφώσεις του εθνισμού και το ιδεολόγημα της ελληνικότητας στον μεσοπόλεμο*, Οδυσσέας, Αθήνα 1989, σ. 95.]

¹⁷ D. TZIOVAS, *Rereading Theotokas' Argo: The Mythical Journey and the crisis of Greek Identity*, στο: *Modern Greek Studies Yearbook*, vol. 4, University of Minnesota, 1988, σ. 89.

¹⁸ E. HADZIVASSILEIOU, see above [In Greek: Εν. Χατζηβασιλείου, ό.π., σελ. 85.]

¹⁹ E. HADZIVASSILEIOU, see above [In Greek: Εν. Χατζηβασιλείου, ό.π., σελ. 88.]

²⁰ K. KARAKOTIAS, *Rereading Argo*, in *Giorgos Theotokas, 1905-1966, The centennial Nea Hestia* [In Greek: Κώστας Καρακώτιας, *Ξαναδιαβάζοντας την Αργώ*, στο: Γιώργος Θεοτοκάς, 1905-1966, *Εκατό χρόνια από τη γέννησή του*, Νέα Εστία, 1784 (2005), σ. 933.

²¹ E. HADZIVASSILEIOU, see above Εν. Χατζηβασιλείου, ό.π., σελ. 93.

their mission. Yet they still influenced in various ways the public life of Greece, based exclusively on their spirit of that old division²².

While writing *Argo*, Theotokas could not imagine that just a few years down the road, within a climate of Civil War which negated the achievement of social cohesion and national unity, history would agonizingly seek actions that speak louder than words²³. Because, as he wrote in another text of his at the time: "The fate of our generation is dramatic"²⁴.

²² A closer look should reveal that I have paraphrased a part of the founding declaration of the National Radical Union, a party founded by Constantine Karamanlis in 1956. For the relationship Theotokas had with this specific party, Evanthis Hadzivassileiou, see above [In Greek: Εὐ. Χατζηβασιλείου, ὁ.π., σελ. 412 κ.εξ.]

²³ E. HADZIVASSILEIOU, see above [In Greek: Εὐ. Χατζηβασιλείου, ὁ.π., σελ. 107.]

²⁴ G. THEOTOKAS, *Facing the social problem in George Theotokas, Cogitations and Opinions, 1925-1966*, vol. 1 [In Greek: Γ. Θεοτοκάς, Εμπρός στο κοινωνικό πρόβλημα, στο: Γιώργος Θεοτοκάς, ὁ.π., σελ. 170.]

Matteo Galdi, the first President of the Parliament of the Kingdom of Two Sicilies (1820-21)

MARIO DI NAPOLI

In 1820, the Kingdom of Two Sicilies was the first Italian state to adopt a Constitution, after the end of the Napoleonic age. A monocameral system was established according to the model of the Constitution of Cadiz. First President of the Parliament was elected Matteo Angelo Galdi (1765-1821), intellectual educated at the times of the Enlightenment and influential political actor during the French period. Although it lasted only none months, that Parliament was strongly aware of its duties as representative institution of the people of the Kingdom.

In common with many other parliamentary assemblies, the Chamber of Deputies of Italy has a collection of portraits of its former presidents. The Chamber of Deputies gallery, however, contains other portraits than just those of the presidents of the legislatures of post-unification Italy. When the Kingdom of Italy came into existence in 1861, it was as a result of the expansion of the Kingdom of Sardinia, and the gallery includes portraits of the lower house presidents from the years preceding unification (1848-1860). Their inclusion is effectively an acknowledgement of the institutional continuity between the parliament of the Kingdom of Sardinia and its successor, the parliament of the Kingdom of Italy (so much so that the eighth legislature of the former simply became the eighth, rather than the first, of the new unitary kingdom).

The presidential portraits gallery also bears the distinctive imprint of its creator, Francesco Crispi¹, who was elected President of the Chamber in 1877 before going on to become head of government several times in the 1880s and 1890s. Crispi wanted the gallery also to include the

portraits of the presidents of the diverse parliamentary assemblies of the various pre-unitary Italian states. By their inclusion, Crispi was sending a powerful political message of recognition to all the regions of Italy for their contribution to the formation of the new unified nation.

This is the reason that the first portraits in the gallery are pictures of the presidents of the Parliament of the Kingdom of Two Sicilies of 1820-21. It was elected by indirect universal male suffrage in the summer of 1820 after the Bourbon king, Ferdinand I, had been compelled by Carbonari revolutionaries into granting a constitution², the model for which was the 1812 Constitution of Cadiz³, at the time regarded as the most progressive of its kind to be found among Mediterranean nations, thanks also to its provisions for a single-chamber parliament, i.e. without a royally appointed upper chamber.

The Constitution of Cadiz provided the template for the Parliament of the Kingdom of Two Sicilies, which also adopted, to the letter, the parliamentary rules of procedure that the Spanish *Cortes* had approved for itself in 1813, including Rule 34 prescribing a one-month mandate for the President of the House. As a result, the Chamber of Deputies' gallery displays no fewer than five portraits of presidents from this parliament.

The constitutional system of government lasted nine months (July 1820 – March 1821) until it was snuffed out by the Holy Alliance. During that period, the parliament convened for a first session that lasted four months (October 1820 – January 1821) and ended with the solemn approval of a new constitution based on the Constitution of Cadiz suitably recast and adapted to the particular needs of the Kingdom of the Two Sicilies. During this session, the first presidency was held by Matteo Angelo Galdi (October 1820), who once again sat as president of the parliament when it convened in extraordinary session in the face of a threatened foreign invasion (February 1821). The following month, the parliament

¹ F. BONINI, *Francesco Crispi e l'Unità. Da un progetto di governo a un ambiguo mito politico*, Roma, Bulzoni, 1997.

² M. S. CORCIULO, *Una rivoluzione per la Costituzione (1820-21). Agli albori del Risorgimento meridionale*, Roma, La Sapienza Editrice, 2017.

³ *Las Cortes de Cadiz y la historia parlamentaria / The Cortes of Cadiz and parliamentary history*, Universidad de Cadiz, 2012 (CD-ROM)

opened for a second session, but it was destined for a short life owing to Ferdinand I's decision to abrogate the constitution⁴.

The parliament had 89 deputies elected indirectly by the provinces of the Kingdom according to the Spanish model of parish-based, district-based and province-based constituencies⁵. The MPs should have numbered 98, but no elections could be held in the provinces of Palermo and Agrigento where the separatists of the Sicilian independence movement were strong. No fewer than 20 members of the clergy were elected. The other MPs consisted of 8 soldiers, 11 members of the judiciary, 13 lawyers, 9 doctors, and 28 land owners⁶.

The election of the first president was conducted not in the seat of parliament itself but was decided by a "Preparatory Council," a body patterned on the Spanish model, in charge of verifying that all MPs had been legitimately elected and properly sworn-in, and that all the other official requisites for the opening of a new parliament had been fulfilled.

In fact, the Constitution of Cadiz specified that the president should not be elected at the first sitting of parliament but at a meeting held beforehand, perhaps with a view to ensuring that at its first sitting the parliament would already have appointed its highest-ranking member.

Meeting in a room once used as a library in the former convent of Monteoliveto, the MPs of the Neapolitan Parliament convened three times as a Preparatory Council in late September 1820. The Council appointed perhaps its most prestigious member, Matteo Galdi, as chairman, who, unsurprisingly, was then appointed president of the parliament for its first month of work. Later, in 1821, Galdi was elected chairman of the Permanent Deputation, a body, once again based on the Spanish model, that stood in for parliament between sessions. Most importantly – as mentioned above – he was appointed president of the parliament that convened in extraordinary session to galvanize the Kingdom's

⁴ V. FONTANAROSA, *Il Parlamento nazionale napoletano per gli anni 1820 e 1821. Memorie e documenti*, Roma, Società editrice Dante Alighieri, 1900.

⁵ G. FRUCI, "La catena delle elezioni". *Il momento spagnolo del voto nelle Due Sicilie del 1820*, www.sissco.it

⁶ See for all the following quotations from the parliamentary proceedings of the Assembly: *Atti del Parlamento delle Due Sicilie*, ed. Annibale Alberti, Bologna, Zanichelli, 4 v., 1926-1931.

resistance to the Holy Alliance's attempts to undo the constitution that Ferdinand I had granted. Ferdinand I went to the Congress of Ljubljana supposedly to defend the constitution that he had granted, but immediately turned round and repudiated it instead.

Matteo Angelo Galdi⁷, born in 1765 in the village of Pellezzano (Principato Citra – Salerno), emerged from the great tradition of the Neapolitan Enlightenment that included figures such as Filangieri and Pagano. During the Franco-Napoleonic period, he had been a prominent servant of the Crown, first as ambassador of the Kingdom of Italy to the Netherlands, and later as a close associate of Joachim Murat, king of Naples, in matters of education⁸. The very first words he addressed to the Preparatory Council are expressive of his concern to reconcile the new constitutional arrangements with respect for royal authority, for he evidently already had a foreboding of the betrayal to come. He therefore invoked virtue, moderation and justice to dispel the clouds that threatened to darken the shining orb of newly won freedom.

With both energy and competence Galdi lost no time in taking charge of the preparatory work for the inauguration of the parliament. His influence was decisive when it came resolving on the name of the new assembly, which some rather over-zealous supporters of the Constitution of Cadiz wanted to call the *Corti*, in imitation of the Spanish *Cortes*. Instead it was chosen to call it a *parlamento*, a parliament, a name that, as Galdi put it, “is not only noble and dignified in England and France, but is also deserving of our appreciation as it evokes a thousand cherished and sweet memories of our ancient virtue.”

He immediately objected to the use of the Church of San Sebastiano as the seat of parliament on the grounds that it was too small. He raised the issue with the relevant government minister, a certain Giuseppe Zurlo who, like Galdi himself, had once worked with Joachim Murat. The hope at the time was that a competition would be announced for the architects of the Kingdom to design a more worthy and permanent seat of parliament. Galdi also presided over the swearing-in of newly elected

⁷ M. ORZA, *La vita e le opere di Matteo Angelo Galdi*, Napoli, Tipografia Sordomuti, 1908.

⁸ M. R. STROLLO, *L'istruzione a Napoli nel decennio francese. Il contributo di Matteo Angelo Galdi*, Napoli, Liguori, 2003.

deputies, who had to declare their Catholic faith and take an oath to uphold the political constitution and honour their mandate.

Galdi expanded on the key political issue of the day in the course of his speech inaugurating the parliament, which opened for its first session on 1 October 1820. Galdi delivered his speech after taking an oath of allegiance to the Crown, but ahead of the king's speech to the new parliament, the reading of which, moreover, Ferdinand I had entrusted to his son Francesco, citing health reasons, but clearly intending also thus to distance himself from the parliament.

For Galdi, the constitution was the lodestar of the Kingdom. He saw it as a social covenant that delivered the people from the arbitrary violence of the government. He viewed this Spanish model of governance as offering a "point of contact" between popular rights and royal prerogatives. Galdi used the metaphor of a pyramid to describe his vision. At the base of the pyramid was the declaration of the rights and duties of the citizens, while at the apex was the Sovereign, the supervisor and guarantor of parliament.

After the closing of the first session of parliament, Matteo Galdi, in the capacity of chair of the seven-member Permanent Deputation, published a manifesto (February 1st, 1821) in which the Deputation affirmed its intention to uphold the constitution, from which, the manifesto declared, the Crown derived its legitimacy. When the prince regent Francesco convened parliament for an extraordinary session, Galdi was re-elected unanimously, without the need for ballot voting, president of the assembly itself, in a sign not only of his acknowledged authority but also of the urgency of the matters to be addressed.

At the inaugural session of 13 February 1821, Galdi affirmed that, thanks to the constitution, the Kingdom had awoken from its slumbers and compressed the work of an entire century into the space of just a few months, yet without violent upheavals or the overturning of ancient institutions. In bitter tones, he reminded the Bourbon monarchy that it had twice sworn allegiance to the constitution, which he in any case defined as "immortal." He was referring to the fact that on October 1st, 1820 King Ferdinand I had taken an oath of allegiance to the Constitution of Cadiz, and, on January 31st, 1821, his son Francesco had likewise sworn to uphold the amended version of the constitution which parliament had

revised and adapted to the needs of the Kingdom, even though it already feared that it would be forced to convene in extraordinary session to defend itself.

The parliament was left with little choice but to protest against foreign interference that was in open violation of international law and the independence of the Kingdom. One MP, Giuseppe Poerio, appointed as rapporteur, asserted the justice of the national cause and claimed that all the social classes were in agreement on the need for a common defence and on the intolerability of foreign domination. At the final sitting of the extraordinary parliament on February 28th, 1821, Galdi described the decisions of the Congress of Ljubljana as the “condemnation of a nation to civic death,” and he placed his last hopes in an agreement between the parliament and the prince regent.

On the following day, March 1st, the crisis of its own survival notwithstanding, the Parliament of the Two Sicilies convened to inaugurate its second ordinary session. A week later, the Battle of Antrodoco, fought between two sides of unequal military strength, marked the end of the constitutional experience of the Two Sicilies. Matteo Galdi lost his parliamentary mandate and retired to private life. He died just few months later, on October 31st, in Naples, perhaps afflicted by the failure of the constitutional dream.

Revisiting the parliamentary battlefield: political violence in the Greek National Assembly (1933-1935)

DIMITRIS DOUROS

This paper reflects on the topic of political violence, drawing upon the example of the conflicts that took place inside the Greek Parliament during the early 1930s, an era of extreme polarization sparked off by the cleavage of National Schism. More specifically, I will illustrate a few cases from 1933 to 1935, in which verbal confrontations between venizelist and anti-venizelist deputies turned into physical scuffles during plenary sessions. These cases will be examined in the broader context of the brutalization of interwar political culture. As far as Greece is concerned in particular, the institutionalization of military interventions is a characteristic aspect of this process. From that perspective, the period between the two abortive venizelist coups (1933-1935) is perceived as a pendulum swinging between parliamentary rule and dictatorship. In other words, there was a contest between the moderates and hardcores of -and in- both parties, as they struggled to seize power at all costs. In sum, I will argue that partisan politics disrupted parliamentary procedures and destabilized democracy on the whole, resulting in a prolonged political crisis that led to the establishment of Metaxas' dictatorship in August 1936.

INTRODUCTION¹

In liberal political thought, one of the most important elements of the “classical structure” of parliamentarism, is a “system of competing political parties that struggle for power in parliament” (Sellinger, 2019, 2-3). In turn, according to the political anthropologist, Emma Crewe, parliaments are considered to be “the most ritualised, exposed and complex

¹ This paper is based on the research for my doctoral thesis, entitled ‘Crisis and National Schism in interwar Greece (1932-1936): Political debates and social reflections’, which is supported by the Hellenic Foundation for Research and Innovation (HFRI) under the HFRI PhD Fellowship grant (Fellowship Number: 344).

political spaces within a governance world”, a place “where hierarchies, power, conflict, rituals and rules, are always found alongside loyalty and disobedience” (Crewe, 2021, 2). As they constituted the main locus of political antagonism, the parliament premises provided the stage for acts of violence to be unfolded during extraordinary times of political crises. Such was the case with 20th century, the greatest part of which was characterized by a surge of political violence in its various forms (Bloxham & Gerwarth, 2011).

As political violence is a “genuinely multifaceted and varied phenomenon” (including phenomena like civil war, genocide, ethnic cleansing, terrorism, intercommunal violence, military coups, political assassinations, state repression, or “low-violence” like mass protests or rebellions), the definition of political violence should here be restricted to “the actual infliction of physical harm” (Kalyvas, 2019, 11-13; Chriss, 2018, 1015-1018). Focusing now on the period between the two World Wars, the renowned “brutalization” thesis of George Mosse, elaborated in his book *Fallen soldiers: Reshaping the memory of the world wars* (1990), still remains, in my opinion, a sufficient frame of interpretation concerning the proliferation of violence in the interwar political culture (Alcalde, 2016, 17-42).

After the end of the Great War in 1918, thousands of veterans were traumatized by this ferocious experience; many of them found it impossible to adapt smoothly to their former civil routines. What is more, in many countries, recently demobilized men were also recruited as paramilitaries to fight the enemy *intra muros* in a series of civil wars, revolutions and counter revolutions across the continent, especially in central and eastern Europe; in that sense, the war has “failed to end” (Gerwarth, 2016). At the same time, political conflicts were not confined only in street riots; violence was rather usual inside the parliaments as well. One of the most significant acts of political violence took place in the Serbian *Skupština*, where a Serbian nationalist MP shot and fatally wounded the Croatian Prime Minister, Stjepan Radić, on June 20, 1928 (Mazower, 1999, 17).

In this context, my paper reflects on the topic of political violence, drawing upon the example of the conflicts that took place inside the Greek Parliament during the early 1930s, an era of extreme polarization

and political strife, which intensified after the economic crisis and the country's bankruptcy in the spring of 1932. Concerning the structure of my paper, after providing a brief outline of the cleavage of National Schism, I will examine a few cases from 1933 to 1935, in which verbal confrontations between antivenizelist (government) and venizelist (opposition) deputies turned into violent scuffles during plenary sessions. In sum, I shall argue that the memory and the legacies of the National Schism in partisan politics disrupted parliamentary procedures and destabilized interwar democracy on the whole, resulting in a prolonged political crisis that paved the way for the establishment of Ioannis Metaxas' dictatorship on the 4th of August, 1936.

THE CONTEXT OF VIOLENCE: NATIONAL SCHISM

In order to understand political behaviour in a period as well as in a society different from that of ours, it is necessary to acquire insights "into a country's political culture, the assumptions about political authority and leadership, the beliefs about public participation in politics" and so on (Birch, 2007, 287). Furthermore, understanding how political identities are formed is also vital in the study of political processes (Hoover, 1997, 3-4). As relevant studies have shown, the identity formation is fundamentally based on the existence of "a boundary separating 'me' from 'you' or 'us' from 'them'". Across and within this boundary, a set of relations is established, but also constantly negotiated (Tilly & Tarrow, 2015, 107).

This dichotomy brings us to the concept of "political cleavage"², a term under which falls the phenomenon of National Schism. In 1910, the ascendance of Eleftherios Venizelos to power certainly constituted a major turning point in modern Greek history. The leader of the Liberals' Party reformulated the existing political identities, which since then revolved around his personality. The new categories of venizelists and anti-venizelists would be the two major blocks struggling for power for several decades (Diamantopoulos, 2017, 30-34). The National Schism began as a conflict between Prime Minister Venizelos and King Constantine

² For a synopsis of the existing literature concerning the concept of political cleavage and its new dimensions, see: DEEGAN-KRAUSE, 2007, 539-541.

I concerning the involvement of Greece in the First World War. While Venizelos proposed Greece entering the war in Entente's side, the pro-German King advocated the country's neutrality, eventually leading the Prime Minister to resign twice in 1915 and form a Provisional Government in Thessaloniki during the summer of 1916. This de facto partition of the country led to a mini-scale civil war between venizelists and antivenizelists. The conflict ended when the Entente forces intervened against the King, forcing him to abdicate the throne and leave the country in 1917. Venizelos returned to power, re-unified the country in a dictatorial manner by suppressing the royalists and Greece finally entered the war against the Central Powers (Veremis, 2017, 71-102).

Both venizelism and antivenizelism could be described as interclass coalitions. Schematically, though, the former could be described as a radical political force which promoted liberal nationalism, as well as the quest for a Western type of modernization and economic development, whereas the latter expressed traditional and conservative values, as well as the allegiance to monarchy (Ploumidis, 2020, 27-113). Moreover, as Georgios Vlachos, one of the most influential antivenizelist editors admitted, antivenizelism represented a "negation" of anything Venizelos stood for.³ This political and ideological dichotomy, suggesting essentially a "crisis of national integration" (Mavrogordatos, 2020, 163-189), should not be interpreted merely as a clash of two types of "charismatic" leadership. While Venizelos and King Constantine impersonated the contrast of two conflicting worldviews, the National Schism obscured, overlapped and condensed deeper social and cultural divisions. From 1915 to 1917, the conflict of "democratic" and "monarchical" principles, the gravity of the geopolitical dilemma stemming from the Great War, and the rift between the "old parties" (*παλαιοκομματισμός*) and new political elites were three factors that could explain the magnitude and intensity of this conflict (Rizas, 2019, 45-57).

As Charles Tilly has noted, polarization "promotes collective violence because it makes the us-them boundary more salient, hollows out the uncommitted middle, intensifies conflict across the boundary, raises

³ *Καθημερινή*, 4/10/1923, 1.

the stakes of winning or losing, and enhances opportunities for leaders to initiate action against their enemies” (Tilly, 2003, 21-22). Regarding the Greek case, the “brutalizing” repercussions of the First World War in conjunction with the country’s particular political and social background were the necessary preconditions for the outbreak of an undeclared, yet ruthless civil war-like conflict. Under these circumstances, violence was legitimized as a means of resolving political disputes (Papadimitriou, 2012, 56; Kostis, 2014, 590-591).

On their part, hostilities like pogroms or (attempts of) political assassinations, fuelled mentalities of fear, which mobilized the two sides against each other and thus deepened the cleavage.⁴ The outbursts of violence in the context of National Schism were numerous. During the *Νοεμβριανά* (November incidents) of 1916, a fierce battle took place, when a small number of the Entente Forces embarked on Athens in order to exert pressure on the King to abandon his policy of neutrality, faced strong resistance by armed royalist reservists.⁵ The following day, when the Entente troops retreated from the Greek capital, the royalist mob unleashed a violent purge all around the city, terrorizing the supporters of Venizelos, as well as targeting venizelist newspapers, even shops and houses of renowned venizelists, like the Mayor of the city (Rizas 2019, 108-113).

The deep rift between venizelists and antivenizelists continued well after the end of the Great War. On August 12, 1920, Venizelos was returning to Greece after signing the Treaty of Sevres in the Paris Peace Conference. For many of his fellow countrymen, he was to be welcomed as a hero, for he liberated areas with large Greek populations in Asia Minor, thus creating the “Greater Greece” stretching over “five seas and two continents”. For antivenizelist fanatics, though, he remained a *persona non grata*; two retired royalist officers attempted to assassinate him at the Gare de Lyon railway station in Paris. Even though he luckily survived, the news provoked serious unrest back in Athens. The following day, a venizelist pogrom took place in the capital, which can be seen as a

⁴ Concerning fear as a mobilizing element in politics, see: COREY, 2004, 2-5.

⁵ On the royalist paramilitary force of *Επίστρατοι* (Reservists), see: MAVROGORDATOS, 1996.

revenge for the incidents of November 1916. The furious mob attacked antivenizelist citizens, looted their houses and vandalized the premises of opposition newspapers. This purge reached its climax when venizelist paramilitaries assassinated in cold blood the prominent antivenizelist politician, Ion Dragoumis, near the centre of Athens (Mavrogordatos, 2016, 285-286; Rizas, 2015, 167).

During the years of the National Schism, this culture of violence was definitely embedded in parliamentary activities as well. For instance, on August 11, 1917, at a time when most of the antivenizelist leaders were in exile, a like-minded deputy, Georgios Bousios, took the Parliament floor in order to defend the policy of King Costantine in the previous years. He spoke against the venizelist “revolutionary” movement in Thessaloniki, claiming that its success was based on the Entente’s intervention. According to him, it was the French ultimatum which finally led to the King’s ousting; not the “revolutionary” actions of the venizelists. That point provoked an outrage on the venizelist side; some MPs even rushed to the podium and attempted to pull the speaker away. Then, Pavlos Gyparis, a prominent venizelist lieutenant, who was employed in the Guard Service of the Parliament, entered the hall, assaulted and beat Bousios, dragging him off the podium. In view of this grave incident, Venizelos himself, who was present at the scene, reacted instantly. While he was trying to calm down the infuriated deputies, he approached the podium and tried to make sure that Bousios could resume his speech. He then addressed the Chair, demanding that he called the Head of the Parliament’s Guard’s Service to arrest the offender (Mavrogordatos, 2016, 116-117).

The bitter conflicts of 1915-1917 strengthened the bonds and reinforced the solidarity of both factions, as did the reminiscence of repression and sacrifice for a common cause. The demonization of the political opponent and the distorting propaganda accusing the “enemy” of high treason, justified not only his political eradication, but his physical extermination as well (Mavrogordatos, 2015, 270). In the aftermath of the Asia Minor Catastrophe, the execution of the antivenizelist leadership can well be perceived as the climax of the National Schism (Mavrogordatos 2017, 305-314). Underlining the key role of memory as the core of human identity, memory studies have shown that the effects of such traumatic experiences can contribute decisively to the formation of political

attitudes and individual or collective identities as well (Liakos, 2007, 277; Bell, 2006, 2-5).

Thus, after 1922, the memory of the *Eξ* (the six executed men) signified the antivenizelist “martyrdom” and forged the party’s identity and cohesion (Rizas, 2015, 349). In addition, the “regime issue”, namely the struggle between republicans and royalists soon added another source of discord among the existing layers of the cleavage. Eventually, all of the factors mentioned above were undermining any attempt of rapprochement between venizelist and antivenizelist parties in the years to follow. All in all, National Schism marked the abolition of the political “fair play” and also institutionalized military interventionism. (Rizas, 2019, 154-155; Veremis, 2018, 278-279).

POLITICAL CONFLICTS INSIDE THE GREEK PARLIAMENT (1933-1935)

The resignation of the Liberals’ government in the wake of the state’s bankruptcy in May 1932 and the confirmation of the collapse of venizelist rule after the September elections were undoubtedly the most important effects of the global economic crisis in Greek politics (Vlachopoulos, 2012). Venizelos’ strategy of reviving the memories of National Schism, as well as the danger of monarchy’s restoration, in order to maintain his party’s cohesion, heightened the polarization and fanaticism on both fronts ahead of the new elections on the 5th of March, 1933. The attempt of a prominent venizelist officer, Nikolaos Plastiras, to stage a coup and establish a military dictatorship in order to prevent the Popular Party coming to power, was the crucial event that opened a new vicious circle of violence. After the insurgency failed and the Popular Party finally assumed office, the extremist faction of the antivenizelists emerged at the forefront, demanding a strict policy against their opponents (Diamantopoulos, 2017, vol. 3, 33-37).

a) May 15, 1933: The conflict of Venizelos’ impeachment

In mid-April, Ioannis Metaxas, a former General, distinguished royalist and protagonist of the first phase of the National Schism (1915-1917), wrote in his diary that he was about to initiate a “relentless”

campaign against Venizelos, in a pretty dramatic tone: “I personally begin the struggle against Venizelos. I have doubts in me about where this will bring me. Am I be able to defeat this giant? It is my duty! Is it my duty?” (Vranas 1980, 37). Several days later, he officially accused him of instigating the coup and submitted a proposal to the Parliament in order to bring him to justice. The plenary session that was to decide on Venizelos’s impeachment took place in the 15th of May, 1933. Tensions ran high, as Metaxas elaborated his indictment and Venizelos replied with his own version of events concerning the night of the coup. While he admitted that his government was not eager to clash with the insurgent forces, his reference to the past “great services” of Plastiras towards the homeland (meaning his accomplishments as a military officer) caused the outrage of antivenizelist deputies, many of which tried to approach the podium yelling furiously towards the speaker. On the other side, many of the venizelist MPs also moved on the spot, in order to prevent an attack on Venizelos. As the two sides were exchanging threats and gestures, the conflict between the opposing deputies looked imminent (Dafnis, 1997, 214-216).

Eventually, the brawl forced Venizelos to step off the podium. Right afterwards, the Prime Minister, Panayis Tsaldaris, denounced the rhetoric of his opponent, claiming that “it is not acceptable for the leader of the Liberal Party to forget that this man (Plastiras) was the culprit of the execution of six exceptional politicians, among which was the founder of the Popular Party”.⁶ Tsaldaris also urged Venizelos: “stop reminiscing what affects our feelings so badly” and “stop recalling the past actions of the 6th March rebel” (Official Proceedings of the Parliament’s Plenary Sessions, 1934, 103). The different perspective of the two parties was obvious; while for the venizelists Plastiras was the one who reorganized the defeated army and saved Greece from anarchy right after the Asia Minor Catastrophe, for antivenizelists, he was as a symbol of the murder of their historical leaders.

After a while, Venizelos provocatively repeated that same phrase and defended his freedom of speech, claiming that he could not be

⁶ Plastiras was the leader of the military government which carried out the court martial and the execution of the antivenizelist leaders back in November 1922.

self-censored, as he was facing such severe accusations concerning the instigation of the coup. That was the last straw for the antivenizelist MPs; amid fierce protests and threats against Venizelos and his fellow deputies, Tsaldaris decided to leave the hall with his entire cabinet, while the Chair brought the session to an end, due to the widespread fear of more violent incidents.⁷ That was meant to be Venizelos' last speech on the plenary. He refused to return in the Parliament, unless the government guaranteed his unlimited freedom of speech. Subsequently, the venizelist opposition parties also abstained from the impeachment process, which was indefinitely postponed (Markezinis, 1966, 60-62).

In the following days, the discourse of the Press verified the resurgence of extremism. Liberal papers turned against antivenizelist intimidation and condemned the abolition of freedom of speech inside the parliament: "Mr. Tsaldaris did not deter his ally (Metaxas) from his malevolent initiative. He let the deputies of the Popular Party sign Metaxas' proposal (to indict Venizelos). At first, he sought to leave this accusation hanging like the sword of Damocles above the Liberals' leader in order to threaten, defame him and perhaps to blackmail him at will. Then, when this part of his plan failed, the Prime Minister unleashed all the vulgar and terrifying attitude of his deputies against Venizelos. Pistols were brandished and slogans of bloodshed were uttered in the Greek Parliament, where freedom of debate and respect for the speaker have now been completely erased" (*Ελεύθερον Βήμα*, 17/5/1933).

After the venizelist deputies' decision to abstain from the parliamentary sessions a few days later, the same paper addressed the antivenizelist government with an implicit threat:

"We hope that it is not a plan of yours to dominate the Parliament by physical violence. (...) Because if it is so, it is highly likely that the Chamber will temporarily remain under your control. But it would no longer be the sanctuary of parliamentarianism; it would rather be its tomb. We need not remind you of the pathways in which the domestic politics are led when there is a lack of free parliamentary rule" (*Ελεύθερον Βήμα*, 19/5/1933).

⁷ A brilliant description of the brawl can be found in the newspaper *Ακρόπολις* (16/5/1933).

At the same time, nonpartisan papers warned that such incidents were undermining parliamentarism itself and criticized the “agents of hatred and intolerance” (*Εστία*, 16-19/5/1933; *Ακρόπολις*, 19/5/1933). On the other hand, the Liberals’ leader was perceived by the pro-government Press as a “provocateur” and an “obstacle” to political normality (*Πρωία*, 16/5/1933; *Καθημερινή*, 17/5/1933; *Ελεύθερος Άνθρωπος*, 18/5/1933), while a metaxist paper openly called for his assassination:

“Yesterday, the incidents inside the Parliament, which the leader of the Liberals’ Party provoked, proved once again that Greece will never be peaceful while he is alive. Therefore, those who love Greece, those who care about this country, must direct their efforts towards this goal” (*Ελληνική*, 16/5/1933).

Three weeks later, on the 6th of June, this call for his assassination materialized, when Venizelos’ car was ambushed and gunfired in the outskirts of Athens, as he was returning from the suburb of Kifissia. Surprisingly, he and his wife survived this gangster-style attack (Papadakis, 2017, 1049-1055). This incident proved that Greece was really on the brink of a bloody conflict. During the summer months of 1933, in fear of monarchy’s restoration under the auspices of an antivenizelist dictatorship, the pro-venizelist military factions were preparing for a new insurgency against the government. The two sides were really hanging by a thin red line between parliamentary confrontation and civil war. The wavering of the venizelist side between the normal parliamentary path and the use of military force in order to prevail is well documented in the Venizelos’ archive as well. Despite his absolute disagreement with Plastiras on the necessity of imposing a dictatorship during their meeting in southern France in mid-July 1933, the worst-case scenario concerning the potential abolishment of the republic and the consequent establishment of an antivenizelist dictatorship certainly exerted a strong influence on Venizelos’ thought. For that matter, during the summer months of 1933, he had extensive discussions with close associates of him, such as Alekos Zannas and Georgios Ventiris concerning which strategy should be followed (*ΙΑΜΜΠ*, *AEB*, 296/25-26).

b) August-September 1933: Provocations and scuffles

Under these circumstances, there was a widespread fear that any verbal confrontation between government and opposition deputies could lead in a violent brawl, turning the Parliament into a “battlefield” (Ακρόπολις, 3/8/1933). This fear came true during a plenary session on the 9th of August, 1933. In a part of his speech, the member of the leftist Agrarian Party, Kostas Gavrilidis, accused some government members of acting like “hooligans” during the recent elections in Thessaloniki. This kind of abusive language provoked the antivenizelist MPs, some of which reached the podium and started beating the speaker with their fists. The opposition MPs and Gavrilidis himself reacted and a generalized brawl began, with government and opposition deputies fighting against each other, while a small minority was trying to calm things down. As newspapers reported, “the parliament hall has turned into a battlefield again. Beatings, hits with walking sticks and hurling chairs gave the impression of a tavern brawl” (Ακρόπολις, 10/8/1933).

The next day, some of the extremist antivenizelist papers praised the offenders for the beating of the “impudent deputy”, that “vulgarily insulted his colleagues”, while others noted that this incident was part of a venizelist plan to provoke turmoil inside the Parliament (Ελληνικόν Μέλλον; Εσπερινή, 10/8/1933). On their part, venizelists denounced their “intolerant” opponents. According to Georgios Kafantaris, the fact that the government did nothing to restrain the hot-headed MPs proved “once again the suppression of freedom of speech” inside the hall (Ελεύθερον Βήμα, 10-11/8/1933).

After these incidents, a minority of moderate papers was keeping a safe distance from the “troublemakers” of both sides and urged the Chair to impose strict measures in order to guarantee the plenary meetings’ decency at all costs. As the editors of *Εστία* pointed out, the safeguarding of parliamentary normality was of utmost importance, as an element which was necessary “for the effective work of the people and for the development and the progress of a country”. This had to be achieved in such a way, “so that the opposition would be convinced that the government would only use parliamentary methods and at the same time, the government would no longer suspect that the opposition was attempting its subversion, engaging in malevolent conspiracies” (*Εστία*, 4/8/1933).

However, as the issue of the persecution of the 6th March insurgents and the investigation of the attack on Venizelos went both unresolved, the political atmosphere was all but peaceful. The warlike discourse also persisted in the papers; *Ακρόπολις* stated that it was highly probable that a fight between the deputies of the two sides could be repeated during the forthcoming plenary sessions: “while political passions are rising, and the propagation of hatred and intolerance is intensifying, we fear that the ‘parliamentary battle’ of Monday will turn into an actual battle” (*Ακρόπολις*, 25/8/1933). This prediction proved to be quite accurate; on the 29th of August, violent scuffles broke out once again during the plenary meeting. At first, a raging argument between the leader of the venizelist peasants, Alexandros Mylonas, and the Minister of War, Georgios Kondylis, escalated the tension. Several minutes later, another brawl between the leader of the Agrarian and Labour Party, Alexandros Papanastasiou and the former Minister of Interior, Ioannis Rallis, almost initiated a fight between government and opposition deputies. In order to prevent such an event, the Chair had to abort the meeting (*Καθημερινή*, 30/8/1933).

The pro-opposition newspapers accused the extremist government MPs of undermining the parliamentary procedures, while others diagnosed that the “malady of the Schism” had once again infected the “national body” (*Ελεύθερος Άνθρωπος*, 31/8/1933). The “battle” discourse appeared once again in the Press, ahead of the next plenary session on the 1st of September. The meeting was supposed to deal with the Liberals’ accusations of the government obscuring the investigation of the attack against Venizelos. When Prime Minister Tsaldaris neglected these “false accusations”, the opposition deputies stressed that this kind of evasion was in fact a confession of the government’s guilt concerning this case (*Επίσημα Πρακτικά των Συνεδριάσεων της Βουλής*, 1934, 393-394; *Ελεύθερον Βήμα*, 2/9/1933).

Subsequently, a couple of days later, the opposition parties made an official announcement, claiming that during the last few months, “the government introduced violent means in order to prevent the criticism about its actions. This kind of violence intensified inside the parliament hall, in the hallways and in the audience galleries as well, by a large number of armed and provocative bullies”. The last straw was the

government's degradation of the National Assembly through the refusal to respond to the accusations of the opposition. The announcement concluded that "under these circumstances that humiliated the Assembly and abolished freedom of speech, it was impossible for the opposition to fulfill its duty. (...) Should we go on like this, we would just perpetuate the brawls, leading the parliament to infamy". For all these reasons, the venizelist parties decided to abstain indefinitely from the plenary meetings (*Ελεύθερον Βήμα*, 3/9/1933).

This decision of the opposition parties could well be interpreted as a lever of pressure on the government, or even as an implicit threat that the political struggle could be settled through a armed conflict, if the parliamentary path was closed off. This hypothesis can also be supported by the reception of the venizelist abstention as a prelude to rebellion, as described by the most prominent pro-government paper:

"Venizelism is definitely used to living, prospering and prevailing through revolutions; therefore it has every reason to believe that this is a safe tool with which it can easily overthrow regimes and governments, like in 1916 and 1922" (*Καθημερινή*, 4/9/1933).

The political stalemate following the opposition's decision to abstain from the legislature definitely increased the government's sense of insecurity. On September 13, in a private meeting with the Liberal MP, Leon Makkas, the moderate Minister of Finance, Spyridon Loverdos expressed his view that "the government feels suffocated and condemned to inflexibility in the midst of the obstacles set up by the intransigents of both parties". As Makkas later reported to Venizelos, Loverdos believed that the prolongation of this deadlock "was bound to lead us to an inevitable national disaster"; if the reconciliation of the two parties was not achieved, "a dictatorship would most likely be established". (*IAMMII*, *AEB*, 394/40).

In spite of these ominous warnings, during the autumn of 1933, every attempt of reconciliation between the two sides has failed and the fear of civil war hit the headlines once again (*Ελεύθερος Άνθρωπος*, 22/9/1933). Appalled by the authorities' inability to shed light on his assassination attempt, Venizelos accused the government of leading Greece to civil

war, because of its lenience towards the extremists. He stressed that “the National Schism was as harsh as during the 1915-1922 period” and also threatened that “if the perpetrators of the assassination attempt are granted a pardon, another period of retaliations would begin and nobody of those who granted it would be easy to survive” (*Αθηναϊκά Νέα*, 24/1/1934). On the other hand, according to his opponents, the aggressive attitude and threatening discourse of Venizelos were to blame for inflaming the discord of the old schism (*Εσπερινή*, 26/9/1933; *Καθημερινή*, 3-5/10/1933).

Although the opposition parties decided to return in parliamentary sessions in mid-December, by the end of the year, the country remained in a state of extreme political tension. As the President of the Republic, Alexandros Zaimis, confessed to the British ambassador, “the situation was worse than he had ever seen it before” (*PRO, FO*, 371/16772/341). In their annual report on Greek internal affairs which was sent to the Foreign Office, the British Embassy officials confirmed this unsettling situation: “The attitude of the Government towards the Opposition in the Chamber during the first six months after their accession to power was intolerant and resentful. This led to scuffles in the Chamber, in one of which an Opposition Deputy was dragged from the tribune, while the galleries joined in the attack on the Opposition without hindrance. The Opposition eventually decided to leave the Chamber, and it was only after more than three months’ abstention on their part that the Government met their reasonable demands for protection against physical violence and freedom of speech” (*PRO, FO* 371/18399).

c) 4/6/1934: Relapse into violence

In any case, 1934 could be described as a year of agony, as both sides were preparing for a major conflict. On the venizelist block, there was a widespread fear of monarchy’s restoration while on the antivenizelist side, the fear of a new insurgency prevailed. Thus, any attempt of appeasement by the moderates of both sides was destined to fail. Mutual suspicion and resentment eventually led to new scuffles inside the parliament. On the 4th of June, during a plenary session concerning the new electoral law, the dispute between Georgios Kondylis and Alexandros Papanastasiou led to a violent brawl. In the midst of their argument, Dimosthenis

Anagnostopoulos, a deputy of the National Radical Party of Kondylis, hurled a chair that hit Papanastasiou, who was standing at the podium. While throwing the chair back at Anagnostopoulos (without hitting him), Papanastasiou dislocated his shoulder. The situation went instantly out of control as the fight spread between government and opposition representatives; finally the meeting was once again aborted (Dafnis, 1997, 262-265).⁸

The following day, the photos of an injured Papanastasiou were all around the Press. A venizelist paper associated this incident with the “grim first anniversary” of the murderous attack against Venizelos, harshly criticizing the government:

“these bloodthirsty people do not abandon their methods; last year in Kifissias avenue (the venue of the assassination attempt), now in the parliament hall. They were bothered by the life of the opposition’s leader, so they wanted to take it away. They are now bothered by freedom of speech, so they are trying to abolish it. They are using any means, from bullets to chairs” (*Αθηναϊκά Νέα*, 5/6/1934).

On the same note, another paper stressed that “the antivenizelist majority covered the parliamentary meetings with a spirit of hatred and savagery”. According to the same article,

“there is no parliament if the freedom of speech is being violently suppressed (...) this is rather an arena, where mind is being replaced by chairs and arguments are reduced in insults and threats” (*Ελεύθερον Βήμα* 5/6/1934).

On the other hand, the antivenizelist extremist papers showed no remorse about the incident; besides, they condemned the “shameful

⁸ This incident was later reported by the British ambassador, Sydney Waterlow, to the Foreign Office as follows: “Party spirits now gradually rose to fever point and on the 4th June a disgraceful scene occurred in the Chamber, in the course of which M. Papanastasiou was floored with a chair by a supporter of General Kondylis and had his shoulder dislocated. After this, which followed several incidents only less disgraceful, the Opposition resolved, for the second time since the present Government assumed power, to abstain from further attendance at the sittings of the Chamber”. (PRO, FO, 371/19518)

bullying” of the opposition deputies and fanatically encouraged even more violent attacks, claiming that

“it is not an honor for the government MPs that they did not beat the arrogant and abusive deputy (Papanastasiou) until he passes out, but they restrained themselves, as much as a man who is being insulted could do. Self-discipline, rules, laws, and respect of the parliament hall are shown against decent men and not against filthy ones”
(*Ελληνικόν Μέλλον*, 5/6/1934).

After this new incident of violence, the venizelist parties decided to abstain from parliament for the second time within a few months. In their announcement on the 5th of June, they accused the government of the Popular Party of tolerating such attitudes, which harmed parliamentarism and democracy on the whole. This attack was regarded as the climax of the antivenizelist bigotry, which eventually “made it impossible for the opposition to resume its activities in the Parliament”. The assault against Papanastasiou, as the announcement mentioned, forced the leaders of the opposition to leave the Parliament. Had they not, they would be responsible for a potential bloodshed, not only in the parliament premises, but throughout the whole country as well. This decision, they concluded, was “a protest and a warning at the same time”, demonstrating that they had reached the boiling point (*Ελεύθερον Βήμα*, 6/6/1934).

According to a moderate antivenizelist paper, the violent scenes inside the plenary hall was a symptom of a dangerous malady of parliamentarism itself, since the parliament could not accomplish its mission, but was rather being a source of unrest (*Πρωία*, 5/6/1934). Furthermore, a nonpartisan one warned that “behind the opposition’s abstention lies the danger of dictatorship, either of Plastiras, if Papanastasiou prevails, or of Kondylis, if Anagnostopoulos does”. (*Ελεύθερος Άνθρωπος*, 7/6/1934). Likewise, *Ακρόπολις* suggested that such incidents were a warning for the whole political establishment, which was so blinded by hatred and fanaticism that could cause its self-destruction (*Ακρόπολις*, 6/6/1934).

During the next few months, new attempts of a rapprochement between the government and the opposition were made, but were as ill-fated as the previous ones. Although the abstention of the venizelist parties

was terminated in October 1934, the issue of the upcoming trial concerning the attack on Venizelos was keeping the temperature rising. In short, as Grigoris Dafnis has written in his excellent account of the interwar politics, on the eve of 1935 the peaceful coexistence of the two historical factions of National Schism was indeed impossible (Dafnis 1997, 205).

CONCLUSION: NATIONAL SCHISM AND THE DEMISE OF INTERWAR PARLIAMENTARISM IN GREECE

The phenomenon of political violence in the interwar years was undoubtedly not a Greek particularity; it was rather widespread in interwar Europe. Thus, the nexus between the experience of the Great War and the rise of a violent political culture in the post-war period seems quite plausible (Kershaw, 2005, 115-117). In times of profound political legitimacy crises and social turmoil, “violence was perfectly acceptable as long as it was interpreted and represented in a specific way and it was but one component in a group’s repertoire of propaganda methods and action” (Millington 2015, 122). As far as Greece is concerned, political violence -in its various forms- played a major role in the destabilization of parliamentary rule, especially from 1932 to 1936, when the concept of “civil war” emerged once again in the public discourse (Papadimitriou, 2012, 91). The revival of National Schism in the aftermath of the economic crisis triggered a downward “spiral of violence” (Chatzivassileiou, 2010, 27-29), from the abortive coup of Plastiras and the assassination attempt on Venizelos to the new venizelist rebellion in March 1935, which could potentially lead to a full-scale civil war (Mavrogordatos, 2017, 427-433).

To sum up, from 1933 to 1935, the escalation of the conflict between venizelists and antivenizelists was reflected in the violent incidents inside the Parliament, which were presented above. From that perspective, the developments of these years can be seen as a pendulum swinging between parliamentary rule and military conflict, which would eventually lead to the establishment of a partisan dictatorship. In other words, there was a fierce contest between the two parties that struggled to seize power at all costs, beyond any notion of democratic legitimacy and parliamentary rules. Finally, after the abortive coup of 1935, the antivenizelists had the opportunity to revenge the purge of 1922. Three venizelist officers

were executed after a court martial; one of them was a former anti-venizelist general, who played a major role in the Asia Minor campaign and later deserted to the republican cause. (Mavrogordatos 2017, 438-441). This was, after all, one of the final acts of the vendetta between the two sides, which determined the course of Greek politics in the whole interwar period.

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Le conflit sur le colonialisme dans les Assemblées constituantes françaises de 1945 et 1946

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The redefinition of the colonial order was one of the most debated issues in the French constituent process of the years 1945-1946. Thanks to the presence of about thirty members elected by the colonized peoples - including the future presidents of Senegal and of the Ivory Coast Léopold Sédar Senghor and Félix Houphouët-Boigny - the Constituent Assembly elected on 21 October 1945 approved some important laws, such as the one that eliminated forced labor, and established, on the constitutional level, the principle of a 'freely agreed Union'. However, this principle was abandoned by the second constituent assembly, elected on 2 June 1946 after the constitutional project approved by the first assembly had been rejected by referendum. In the second Assembly, the advocates of greater determination in ensuring the full maintenance of French sovereignty raised their voices and the debate with the representatives of the colonized peoples took on much more heated tones, both within the Commission in charge of drafting the constitutional project and in the plenary assembly. The paper examines the confrontation that developed in the two constituent assemblies on the structure and perspectives of colonialism and analyses the main weaknesses of the new French Union.

INTRODUCTION

La naissance de la Constitution de la IV^e République française du 27 octobre 1946 s'inscrit dans le cycle constitutionnel qui s'ouvre après la Seconde Guerre mondiale et qui, en l'espace de quelques années, conduit au niveau global à l'avènement de quelques dizaines de nouvelles Constitutions.¹ Dans ce tableau d'ensemble, la France a sa particularité.

¹ F. BONINI and S. GUERRIERI (eds.) *La scrittura delle Costituzioni. Il secondo dopoguerra in un quadro mondiale*, Bologna, Il Mulino, 2020.

En effet, dans la Constitution de la IV^e République, une grande place est consacrée, avec les trois paragraphes du préambule et surtout avec un titre spécifique de 23 articles (sur un total de 106), à la reconfiguration du vaste complexe colonial établi au fil du temps, traditionnellement appelé « l'Empire ».

Après la Seconde Guerre mondiale, la classe politique française ne voulait pas renoncer à cette imposante construction. Mais il n'était pas possible, étant donné que la lutte contre le nazi-fascisme avait été menée au nom des principes de liberté et que les troupes coloniales avaient largement participé à cette lutte, de se borner à confirmer le statu quo. Il fallait répondre dans la nouvelle Constitution aux aspirations des peuples assujettis, en les faisant participer au moins en partie aux droits garantis aux citoyens français et en leur assurant des formes de représentation au sein d'une configuration politico-institutionnelle qui n'était plus définie par le mot « Empire », mais par les mots « Union française ».

Dans ma contribution, je me propose de reconstruire la confrontation sur cette réforme du système colonial, qui fut un des aspects majeurs du débat constitutionnel aux origines de la Quatrième République.²

LE PROJET DE CONSTITUTION DE LA PREMIÈRE ASSEMBLÉE CONSTITUANTE

A la veille de la seconde guerre mondiale, la France avait un système colonial très vaste (avec 12 millions de km² et environ 70 millions d'habitants) et caractérisé par une grande hétérogénéité.³ Dans le petit groupe des « anciennes colonies » (comme celles des Antilles) le processus d'assimilation culturelle et administrative des peuples autochtones était assez avancé. L'Algérie présentait une situation très particulière, car elle était divisée en trois départements (gérés par le ministère de l'Intérieur) qui étaient considérés par les neuf cent mille colons qui y résidaient comme faisant partie intégrante de la France métropolitaine, un sentiment certainement pas partagé par les sept millions d'Algériens

² S. GUERRIERI, *Costituzioni allo specchio. La rinascita democratica in Francia e in Italia dopo la liberazione*, Bologna, Il Mulino, 2021.

³ C. LIAUZU (ed.), *Dictionnaire de la colonisation française*, Paris, Larousse, 2007.

contraints de vivre dans des conditions de soumission. Il existait surtout un grand bloc de colonies acquises par la suite, comme celles de l'Afrique subsaharienne, réunies dans les deux fédérations régionales de l'Afrique occidentale française et de l'Afrique équatoriale française, auxquelles s'ajoutaient les pays sous protectorat qui jouissaient, au moins formellement, d'une plus grande autonomie : Tunisie, Maroc et territoires indochinois. Enfin, les territoires sous mandat confiés à la France après la Première Guerre mondiale, à la suite de la dissolution de la domination coloniale allemande (Togo et Cameroun) et de l'Empire ottoman (Syrie et Liban), complétaient ce tableau déjà assez varié.

Or, après l'étrange défaite de 1940, c'est précisément dans les colonies que la France Libre de de Gaulle commence sa lutte armée contre le régime de Vichy, et les nouvelles forces armées gaullistes recrutent non seulement les colons, mais aussi les colonisés, qui avaient d'ailleurs déjà durement combattu pendant la Première Guerre mondiale et en 1940.

L'importance prise par les colonies dans le scénario de guerre conduit de Gaulle d'une part à réaffirmer qu'elles représentent une ressource essentielle dont la France ne peut se priver, d'autre part à promouvoir une action réformatrice modérée qui répondrait aux besoins des populations indigènes. La conférence de Brazzaville qui se tient du 30 janvier au 8 février 1944 amorce cette prudente voie de réforme,⁴ et un an plus tard, dans la déclaration sur l'Indochine du 24 mars 1945, apparaît l'expression « Union française », qui doit annoncer le nouveau cours de la politique coloniale.

Afin de donner une représentation aux territoires coloniaux, l'Assemblée constituante élue le 21 octobre 1945 inclut 64 députés d'outre-mer sur un total de 586. Si la moitié de ces 64 députés représentent les colons, l'autre moitié est constituée de représentants des populations indigènes.⁵

Certains d'entre eux sont des personnalités d'une importance considérable, qui dans les années 1945-1946 s'engagent sur une voie qui les

⁴ M. SHIPWAY, *Whose Liberation? Confronting the Problem of the French Empire, 1944-47*, in A. KNAPP (ed.), *The Uncertain Foundation. France at the Liberation, 1944-47*, Houndmills, Basingstoke-New York, Palgrave Macmillan, 2007, pp. 139-159.

⁵ *Tableau des élections du 21 octobre 1945 à l'Assemblée nationale constituante dressé aux archives de la Chambre des Députés*, Paris, Imprimerie de l'A.N.C., 1946.

conduira à devenir des leaders politiques de premier plan. Je donne ici quelques noms: le poète martiniquais Aimé Césaire, élu dans les rangs communistes et plus tard membre de l'Assemblée nationale française jusqu'en 1993; l'Ivoirien Félix Houphouët-Boigny, qui sera ensuite président de son pays pendant 33 ans après l'indépendance acquise en 1960; les socialistes sénégalais Lamine Guèye, longtemps maire de Dakar, et Léopold Sédar Senghor, grand poète et écrivain ainsi que leader politique, qui sera le président de la République sénégalaise de 1960 à 1980. Ces personnalités entendent collaborer à la reconfiguration des relations entre la France et l'outre-mer suivant deux axes essentiels : d'une part, l'extension des droits de citoyenneté à tous les colonisés; d'autre part, l'attribution d'un rôle clé aux colonisés eux-mêmes dans le gouvernement de leurs territoires, dans le cadre d'une dynamique évolutive qui devrait conduire à une émancipation progressive.⁶

Dans le cas de Léopold Sédar Senghor, ces orientations s'inscrivent dans une conception ambitieuse du dialogue entre la culture française et celle d'origine africaine, un dialogue qui devrait se traduire par un enrichissement mutuel: la France devrait reconnaître la valeur d'une civilisation profondément enracinée et dotée d'une riche identité (Senghor, comme Aimé Césaire, est l'un des principaux représentants du mouvement idéologico-littéraire de la Négritude), tandis que le monde africain devrait assimiler et adapter à sa propre situation le meilleur de la civilisation européenne.⁷

Comment ces orientations sont-elles reçues par la classe politique française?

Sur la politique à mener à l'égard des pays d'outre-mer, deux modèles s'affrontaient traditionnellement : l'assimilation et l'association.⁸ Le premier visait à imprégner progressivement les colonies des éléments les plus importants de la civilisation française, favorisant leur intégration croissante à la métropole ; le second, en revanche, considérait davantage les spécificités des territoires, et n'excluait pas l'octroi d'espaces

⁶ F. COOPER, *Citizenship between Empire and Nation. Remaking France and French Africa, 1945-1960*, Princeton-Oxford, Princeton University Press, 2014.

⁷ J.G. VAILLANT, *Black, French and African: A Life of Léopold Sédar Senghor*, Cambridge Mass, Harvard University Press, 1990.

⁸ A.L. PINCHETTI, *Per missione e per interesse. Il discorso coloniale in Francia durante la Terza Repubblica*, Milano, Franco Angeli, 2017.

d'autonomie significatifs. Dans une version plus élaborée, le modèle associatif s'ouvrait à la perspective d'une fédération.

Les deux modèles, assimilation et association, sont souvent évoqués au cours du débat constituant. Cependant, lorsque les réflexions théoriques descendent vers des perspectives concrètes, la dichotomie entre eux semble plus apparente que réelle. Les deux modèles se traduisent par des concepts fluides plutôt que par des visions rigoureuses. L'idée même de fédération donne lieu à des interprétations très différentes quant au niveau d'autonomie que l'on souhaite effectivement accorder. En réalité, le point crucial est le degré de distanciation réelle que l'on est prêt à accepter par rapport aux formes établies du lien colonial. Au Parti communiste et dans une partie du Parti socialiste (partis qui incluent dans leurs rangs divers représentants des peuples d'outre-mer), se manifeste une plus grande ouverture. Le Mouvement républicain populaire (c'est-à-dire la Démocratie Chrétienne française), le Parti radical et les forces de droite expriment en revanche une position plus prudente, craignant le risque d'un affaiblissement excessif de la souveraineté française.

Au sein de l'Assemblée constituante, les députés des peuples indigènes apportent une contribution notable aux travaux de la Commission des territoires d'outre-mer. L'action qu'ils mènent au sein de cette Commission aboutit à l'abrogation de l'institut de l'indigénat, qui était un régime juridique oppressif largement appliqué, et à l'adoption par l'Assemblée de deux lois importantes: la première est la loi Houphouët-Boigny du 11 avril 1946 sur l'abolition du travail forcé, décrit en ces termes dans l'exposé des motifs qui illustre la proposition: « Mal nourri, mal logé, mal soigné, le travailleur forcé touche un salaire de famine, alors qu'on exige de lui un effort nettement au-dessus de ses forces. Qu'il soit employé à des travaux dits d'utilité publique ou dans des entreprises privées, sa misérable condition demeure la même ».⁹ La seconde est la loi Lamine Guèye du 7 mai 1946 qui attribue à tous les ressortissants des territoires d'outre-mer « la qualité de citoyen » au même titre que les citoyens français (même si pour la définition des conditions d'exercice des droits qui

⁹ Documents de l'Assemblée nationale constituante élue le 21 octobre 1945 (DANC-1), Annexe n. 565, Proposition de loi tendant à la suppression du travail forcé dans les territoires d'outre-mer, présentée par MM. Félix Houphouët-Boigny *et al.*, p. 554.

s'y rattachent on renvoie à une future intervention législative). À l'action au niveau de l'extension des libertés s'ajoute la demande que les territoires bénéficient de plans de développement économique, ce qui aboutit à la loi du 30 avril 1946 qui institue un fonds à cet effet. Par ailleurs, les « anciennes colonies » de la Guadeloupe, de la Martinique, de la Réunion et de la Guyane reçoivent, à leur demande, le statut de « départements », pour être pleinement intégrées à l'État français.

Au sein de la Commission constitutionnelle, les raisons des colonisés sont soutenues notamment par Léopold Sédar Senghor, chargé de rédiger le rapport spécifique sur l'Union française. L'intellectuel sénégalais exprime le vœu que cette Union, à concevoir comme « un système dynamique » avec « la porte ouverte sur l'avenir », devienne « un exemple pour le monde », en vertu de la capacité des peuples qui la composent, « divers de la culture, de religion, de langue, de race », de vivre ensemble « libres, égaux, fraternels ».¹⁰

Le projet de Constitution approuvé par l'Assemblée constituante le 19 avril 1946¹¹, avec seulement les voix de la gauche, proclame le principe de « l'Union librement consentie ». Les habitants des territoires se voient reconnaître les « droits de citoyen », et à « tous les hommes et à toutes les femmes vivant dans l'Union » sont garantis les droits et les libertés proclamées par la Constitution. Le rapporteur général du projet constitutionnel, Pierre Cot, déclare que si jusqu'alors la France a été composée « de 40 millions de citoyens et de 60 millions de sujets », elle se trouvera demain « enrichie, ennoblie et agrandie » par le fait d'avoir « 100 millions de citoyens et d'hommes libres ».¹²

La structure institutionnelle de l'Union, dont les intérêts permanents sont représentés par le président de la République française, prévoit, au

¹⁰ DANC-1, Annexe n. 885, Rapport Supplémentaire par M. Léopold Sédar Senghor, pp. 855-856.

¹¹ Quatrième République, Projet de Constitution du 19 avril 1946, <https://mjp.univ-perp.fr/france/co1946p.htm#dec>.

¹² Annales de l'Assemblée nationale constituante élue le 21 octobre 1945 (ANC-1), Débats, 2e séance du 9 avril 1946, p. 1620. Selon Pierre Cot, le principal avantage du projet de Constitution est de « mettre un terme au régime colonial. L'empire colonial de notre pays n'est plus. À sa place nous voulons l'union française: nous réalisons cette communauté des peuples librement associés et tâchant de réaliser, par un effort commun, ce qu'il peut y avoir de meilleur dans nos traditions démocratiques » (*ibidem*).

niveau central, l'attribution aux territoires d'une représentation limitée au Parlement unicaméral (l'Assemblée nationale) et d'une représentation plus consistante au Conseil de l'Union française, qui a une fonction consultative. Au niveau périphérique, l'administration est coordonnée par la figure du « sous-secrétaire d'État résident », mais des assemblées locales « élues au suffrage universel et direct » sont prévues.

Pour Senghor, Lamine Guèye, Houphouët-Boigny, Aimé Césaire et plusieurs autres constituants d'outre-mer, les articles sur l'Union française, qui ne sont pas regroupés dans un titre spécifique mais répartis dans les différentes parties du texte constitutionnel, peuvent constituer un point de départ prometteur pour dépasser l'exploitation coloniale. Aimé Césaire prononce ces mots :

« Nous n'avons pas la naïveté de croire que le présent projet de Constitution est parfait, même en matière colonial, mais, s'il ne réalise pas exactement toutes nos ambitions, du moins a-t-il l'avantage de marquer un progrès sur le passé et de préparer l'avenir. Cela méritait d'être signalé. Nous ne dirons pas que ce texte résout le problème colonial, nous disons qu'il nous achemine vers une solution du problème colonial ».¹³

Toutefois, le projet adopté par l'Assemblée constituante est rejeté le 5 mai 1946 par le corps électoral lors du référendum de ratification. Il faut élire, par conséquent, une deuxième Assemblée constituante. Et bien que le thème des colonies ait été à peine évoqué dans la campagne référendaire, on pouvait craindre que dans la nouvelle Assemblée chargée de réécrire la Constitution, les forces les moins ouvertes à la poursuite de cette orientation réformatrice se renforcent.

L'UNION FRANÇAISE DANS LE DÉBAT DE LA DEUXIÈME ASSEMBLÉE CONSTITUANTE

Dans la deuxième Assemblée constituante élue le 2 juin 1946, le climat de relative sérénité dans lequel s'est déroulé le débat sur les questions

¹³ ANC-1, Débats, 2e séance du 11 avril 1946, p. 1720.

concernant les colonies fait place à un affrontement beaucoup plus tendu, qui occupe un plus grand nombre de séances aussi bien de la Commission constitutionnelle que de l'Assemblée. Devenu le premier parti du pays avec 28,2 % des voix, le Mouvement républicain populaire s'attache à mieux sauvegarder les formes d'exercice de la souveraineté française.¹⁴ Dans cet esprit, il demande que l'Union fasse l'objet - contrairement à ce qui s'était passé dans le projet rejeté - d'un titre spécifique qui définirait plus rigoureusement l'horizon dans lequel elle doit s'inscrire. Le Parti radical et la droite sont eux aussi plus déterminés à défendre l'hégémonie française, tandis que les lobbies des colonisateurs reprennent l'initiative et organisent la réunion à Paris du 30 juillet au 24 août 1946 des « États généraux de la colonisation française », qui chantent à nouveau les louanges de l'expérience impériale.¹⁵

De leur côté, les représentants des colonisés - les personnalités les plus en vue ont été réélues - sont bien décidés à défendre les résultats obtenus lors de la première Assemblée constituante. De plus, dans la nouvelle Assemblée, le courant radical, exprimé surtout par la composante algérienne, peut compter sur un nombre plus élevé de représentants. Le leader principal de ce courant est l'algérien Ferhat Abbas, qui sera le futur président de 1958 à 1961 du gouvernement provisoire en exil du Front de libération nationale. Le mouvement d'Abbas propose la création d'une République algérienne autonome au sein de l'Union française : un projet qui, bien que visant à maintenir un lien avec la France, est bien évidemment aux antipodes de la conception selon laquelle l'Algérie est partie intégrante de l'identité française.

Les positions des députés des peuples autochtones s'expriment avec décision aussi bien au sein de la Commission des territoires d'outre-mer que de la Commission de la Constitution. Ces députés présentent un texte constitutionnel qui prévoit la dénonciation solennelle par la France des « systèmes de colonisation basés sur la conquête, l'annexion ou la domination des territoires d'outre-mer » et sa renonciation à « toute

¹⁴ J.I. LEWIS, *The Mrp and the Genesis of the French Union*, in "French History", XII, 1998, 3, pp. 276-314.

¹⁵ C.-R. AGERON, *La survivance d'un mythe: la puissance par l'Empire colonial (1944-1947)*, in « Revue française d'histoire d'outre-mer », LXXII, 1985, 269, pp. 387-403.

souveraineté unilatérale sur les peuples colonisés ». L'Union française serait composée de nations et de peuples qui accepteraient « librement de coordonner et de mettre en commun leurs ressources et leurs efforts pour développer leurs civilisations respectives, accroître leur bien-être, perfectionner leurs institutions démocratiques et assurer leur sécurité ».¹⁶

La Commission constitutionnelle prend acte de ce projet et approuve, après une discussion difficile, un texte plus modéré mais qui maintient quand même quelques principes novateurs. L'Union française serait fondée « sur l'égalité des droits et des devoirs », et les peuples pourraient opter par la suite, dans le cadre de l'Union, entre trois possibilités : « un statut d'État libre lié à la France par un traité international », « une autonomie politique » ou bien « une intégration complète à la République ».¹⁷

La Commission constitutionnelle a donc accepté certaines revendications des représentants des peuples d'outre-mer. Mais, avec ces caractéristiques, le texte approuvé est destiné à provoquer une réaction très dure de la part de tous ceux qui, à l'intérieur et à l'extérieur de l'Assemblée constituante, restent ancrés dans une mentalité impériale.

Dans un débat sur la situation algérienne, le député du Parti radical René Mayer, élu par les colons français d'Algérie, déclare :

« L'autonomie économique et politique de l'Algérie est une thèse qui ne peut être défendue, dans l'intérêt même des Algériens, à l'époque où nous parlons. De plus, elle n'est pas acceptable pour la France qui, avec l'Espagne, est le seul pays d'Europe qui ait à la fois une fenêtre sur l'Atlantique et une autre sur la Méditerranée. La France n'est entière que quand l'Afrique du nord est française, que quand l'Algérie est française.

Ce n'est pas une nécessité coloniale. Non. C'est une nécessité nationale. La guerre l'a montré et c'est aussi ce qu'il ne faut jamais oublier. Les incertitudes algériennes doivent maintenant cesser. La marche en avant de la France et de

¹⁶ Assemblée nationale constituante élue le 2 juin 1946, Séances de la Commission de la Constitution, Comptes rendus analytiques, [Paris], Imprimerie de l'Assemblée nationale constituante, 1946 (ANC-2, SCC), séance du 24 juillet 1946, Première annexe, p. 195.

¹⁷ Documents de l'Assemblée nationale constituante élue le 2 juin 1946, Annexe n. II-350, Rapport fait au nom de la Commission de la Constitution [] par M. Coste-Floret, rapporteur général, p. 298.

l'Algérie qui ont été liées par le destin de l'histoire et qui sont liées par la géographie, doit reprendre en forgeant une destinée commune ».¹⁸

Voilà le thème de l'Algérie française, qui sera défendu par la France jusqu'en 1962.

D'autres attaques sont portées par Edouard Herriot, qui affirme le 27 août 1946 que le projet constitutionnel élaboré par la Commission de la Constitution a oublié les droits de la France, qui risquerait même de devenir « la colonie de ses anciennes colonies ».¹⁹ Pour éviter la réalisation d'un tel cauchemar, Herriot demande l'intervention du gouvernement qui, selon lui, a tout à fait le droit de se prononcer sur cette partie de la Constitution. En dehors de l'Assemblée, une critique très sévère de l'idée d'Union qui se dégage des travaux de la Commission est exprimée le même jour par Charles de Gaulle qui, à partir du discours de Bayeux du 16 juin 1946, joue à nouveau - après avoir démissionné de la présidence du gouvernement provisoire en janvier de la même année - un rôle de premier plan dans le débat politique. De Gaulle rappelle que la France n'est « une grande puissance » que si elle reste unie aux pays d'outre-mer, qu'elle a « ouverts à la civilisation ». Il faut donc que la Constitution affirme et impose leur solidarité avec la France, selon un plan « nouveau, mais précis ».²⁰

Le gouvernement tripartite (MRP, socialistes et communistes) présidé par le républicain populaire Georges Bidault s'inquiétait déjà beaucoup de l'orientation qui avait prévalu au sein de la Commission constitutionnelle, et après ces interventions il décide d'agir, en élaborant un projet d'articles sur l'Union française qu'il présente à la Commission constitutionnelle le 11 septembre 1946. Il faut remarquer qu'il s'agit d'une procédure tout à fait anormale pour des travaux constitutants : c'est en effet à l'Assemblée qu'il revient d'élaborer la Constitution; mais en ce cas, c'est le gouvernement qui prend l'initiative et qui

¹⁸ Annales de l'Assemblée nationale constituante élue le 2 juin 1946 (ANC-2), Débats, 3^e séance du 22 août 1946, p. 3258.

¹⁹ ANC-2, Débats, 2^e séance du 27 août 1946, p. 3334.

²⁰ C. De GAULLE, *Discours et messages*, vol. 2, *Dans l'attente (Février 1946-Avril 1958)*, Paris, Plon, 1970, pp. 18-19.

menace même de poser la question de confiance si ses positions sur l'Union française ne sont pas adoptées. Le projet du gouvernement est centré bien évidemment sur la réaffirmation claire de l'hégémonie française, ce qui se traduit par un système de gestion des territoires coloniaux à nouveau basé sur un contrôle vertical et sur une structure de gouvernement central au sein de laquelle les marges d'action des composantes d'outre-mer sont bien limitées.²¹

La Commission constitutionnelle de l'Assemblée accepte de redéfinir le titre sur l'Union française à partir du texte du gouvernement, ce qui provoque une protestation des représentants des peuples colonisés, qui abandonnent les travaux de la Commission. Il s'ensuit une négociation qui finalement conduit à éliminer les aspects les plus évidemment en contradiction avec le principe d'égalité. Par exemple, on confirme l'attribution à tous les ressortissants des territoires du statut de citoyen, qui avait été proclamé par la première Assemblée constituante. Suite à ces concessions, la majorité des députés d'outre-mer approuve le 29 septembre 1946 le projet de Constitution.²² Ce choix n'est pas partagé par les députés algériens conduits par Ferhat Abbas ni par les députés Malgaches: ces deux composantes optent pour l'abstention, estimant que le texte final est trop en deçà des attentes des peuples dont ils sont l'expression.

En effet, si, d'une part, on proclame dans le texte constitutionnel que « l'égalité des droits et des devoirs, sans distinction de race ni de religion », est la base sur laquelle l'Union est fondée, de l'autre on prévoit un système de gouvernement qui est à nouveau axé sur l'hégémonie française. Les organes centraux de l'Union sont la présidence, exercée par le président de la République française, le Haut-Conseil, auquel participent seulement le gouvernement français et les gouvernements des colonies qui auraient le statut d'état associé (Maroc, Tunisie et pays d'Indochine),²³ et l'Assemblée de l'Union, qui est composée pour moitié de représentants de la France

²¹ ANC-2, SCC, Deuxième séance du 11 septembre 1946, pp. 477-505.

²² Constitution de 1946, Quatrième République, <https://www.conseil-constitutionnel.fr/les-constitutions-dans-l-histoire/constitution-de-1946-ive-republique>.

²³ P. LAMPUÉ, *Le Haut-Conseil de l'Union française. Sa Constitution et son oeuvre* [...], Paris, Librairie générale de droit et de jurisprudence, 1960.

métropolitaine et pour l'autre moitié de membres choisis dans tous les territoires d'outre-mer.²⁴ Mais, en fait, tant le Haut-Conseil que l'Assemblée n'ont que des fonctions consultatives : les décisions relatives à l'Union sont en réalité prises par le gouvernement et le Parlement national. L'hégémonie de la France est également assurée au niveau local, où le chef de l'administration est le représentant du gouvernement.

La structure institutionnelle de l'Union française²⁵ est par conséquent axée sur la prééminence de la France et cela explique la déclaration de vote très polémique de Ferhat Abbas au moment de l'approbation du texte de la Constitution : « Le texte du Gouvernement a abouti à ceci : il a codifié un néo-colonialisme aussi funeste et aussi dangereux que son parrain, le régime colonial d'hier ».²⁶ Ferhat Abbas accuse le projet de ne pas reconnaître « le droit imprescriptible des peuples colonisés » et exprime la volonté de combattre une colonisation qui reste fondée sur la conquête et l'oppression :

« Pour nous, la colonisation basée sur la conquête, l'annexion et la domination est mauvaise. Elle est un phénomène du passé. Il faut qu'elle disparaisse et elle disparaîtra. Si, par hasard, elle entendait survivre, nous sommes fermement décidés à la combattre jusqu'au jour où elle disparaîtra de la surface du globe ».²⁷

Ces mots préfigurent l'aggravation future des conflits pour l'Algérie, étant donné la vision impériale persistante selon laquelle ce territoire, en revanche, n'est qu'un morceau de France lancé au-delà de la Méditerranée.

La Constitution de la Quatrième République,²⁸ qui le 13 octobre 1946 passe l'épreuve référendaire quoiqu'avec un résultat peu enthousiasmant, consacre à l'Union française, comme on l'a dit, les trois derniers alinéas du

²⁴ P. LAMPUÉ, *Les attributions de l'Assemblée de l'Union française*, in AA.VV., *L'évolution du droit public. Études offertes à Achille Mestre*, Paris, Sirey, 1956, pp. 359-382.

²⁵ F. BORELLA, *L'évolution politique et juridique de l'Union française depuis 1946*, Paris, Librairie générale de droit et de jurisprudence, 1958.

²⁶ ANC-2, Débats, 2^e séance du 28 septembre 1946, p. 4230.

²⁷ *Ibidem*, p. 4232.

²⁸ E. CARTIER and M. VERPEAUX (eds.), *La Constitution du 27 octobre 1946. Nouveaux regards sur les mythes d'une Constitution 'mal aimée'*, Paris, Mare & Martin, 2017.

préambule et le titre VIII composé de 23 articles - le plus long de tout le texte -, à son tour divisé en trois sections. Les principes proclamés dans le préambule expriment l'intention d'ouvrir une nouvelle voie dans les relations avec l'outre-mer : l'Union sera « composée de nations et de peuples qui mettent en commun ou coordonnent leurs ressources et leurs efforts pour développer leurs civilisations respectives, accroître leur bien-être et assurer leur sécurité ». Mais la tâche de la France est décrite dans des termes qui témoignent d'un mélange d'ouverture sur l'avenir et de paternalisme à l'ancienne. D'une part, en effet, il est affirmé que la France, « écartant tout système de colonisation fondé sur l'arbitraire », garantit à tous l'égalité d'accès aux fonctions publiques et l'exercice des droits proclamés ou confirmés (dans le cas de la déclaration de 1789) dans le préambule lui-même ; d'autre part, en envisageant une voie d'émancipation, on proclame génériquement qu'elle se propose de conduire les peuples pris en charge vers la liberté de s'administrer et de gérer démocratiquement leurs propres affaires, et que ce faisant elle reste « fidèle à sa mission traditionnelle » : une affirmation visant à établir clairement une continuité avec l'œuvre coloniale de la Troisième République.

Avec la structure institutionnelle consacrée dans la Constitution de la Quatrième république, les partisans d'une Union française qui privilégie nettement les droits de la France espèrent avoir donné vie à une construction solide et pérenne.²⁹ Au lieu de cela, les éléments de désintégration se manifesteront précocement, surtout pour les deux pôles de l'Union : le pôle le plus autonome constitué par les États associés (en 1954 on verra l'indépendance de l'Indochine, après la défaite de Dien Bien Phu face à l'armée de Ho Chi Minh ; en 1956 l'indépendance de la Tunisie et du Maroc, qui n'avaient même pas accepté de participer à la vie institutionnelle de l'Union), et le pôle le plus intégré à la France, c'est-à-dire l'Algérie. En 1954, la défense à outrance de « l'Algérie française » entraîne le déclenchement de la guerre³⁰ qui quatre ans plus tard provoquera l'effondrement de la Quatrième République.³¹

²⁹ D.B. MARSHALL, *The French Colonial Myth and Constitution-Making in the Fourth Republic*, New Haven-London, Yale University Press, 1973.

³⁰ S. THENAULT, *Histoire de la guerre d'indépendance algérienne*, Paris, Flammarion, 2005 ; B. STORA, *La guerre d'Algérie*, Bologna, Il Mulino, 2009.

³¹ J. RAFLIK, *La République moderne. La IVe République 1946-1958*, Paris, Seuil, 2018.

En conclusion, l'Union française créée en 1946 aurait trouvé une raison d'être plus forte si elle avait été conçue dans une perspective transitoire, comme un moyen de gérer l'inévitable processus de décolonisation. Les représentants des colonisés avaient en effet proposé un cadre moins rigide, qui favoriserait l'émancipation progressive des peuples. Et ils se sont battus pour l'application effective des principes de liberté et d'égalité. Mais le retour de la mentalité impériale, dans la seconde Assemblée constituante, avait placé trop d'obstacles sur cette voie. La constitutionnalisation n'avait donc pas effacé de nombreuses caractéristiques traditionnelles du colonialisme. Et comme l'on verra au cours des années suivantes, ce colonialisme constitutionnalisé ne pourra pas se maintenir longtemps.

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History of autonomy in the Habsburg monarchy. The National Department of the Diet of Galicia in comparison to other national departments of the monarchy

MARIAN MAŁECKI

Between 1772 and 1795, Poland, formerly known as the Polish-Lithuanian Commonwealth (referring to the Union of Poland and Lithuania from 1569), due to numerous failures of national uprisings, missed political opportunities (such as the Constitution of 3 May 1791, for which Poland fought an unsuccessful war against Russia) and general internal weakness (especially caused by the magnate oligarchy), was seized by three neighbouring states: Russia, Prussia and Austria. Each of these kingdoms had been pursuing imperial aspirations for years, but in the end, only the Habsburg Monarchy granted the inhabitants of the former Republic (the so-called Kingdom of Galicia and Lodomeria) adequate autonomy. This autonomy¹ consisted in the transfer of some state competencies to the so-called National Diet (Polish Sejm) and its executive bodies. The most important of these were: the National Department and the National School Board.

In the following article, I wish to pay special attention to the executive body of the National Diet, that is the National Department of the Diet of Galicia, to which I have previously devoted a separate publication².

¹ Especially in the 19th century the Austrian monarchy experienced many crises, caused not only by losses on the battlefields, but also by independence movements which erupted within the empire, hence it was eventually forced to grant autonomy to the so-called "Habsburg crown countries". Its beginnings were connected with the release of the so-called "October Diploma" (1860), which, as a legal act by the Polish Count Agenor Gołuchowski, was approved by Emperor Franz Joseph I. It granted autonomy to the "Crown Lands", including Galicia, which formed part of the former southern lands of the Polish Noble Republic, seized by Austria as a result of the partitions of Poland in the 18th century.

² M. MAŁECKI, *Wydział Krajowy sejmu galicyjskiego. Geneza, struktura i zakres kompetencji, następstwo prawne* (The National Department of the Diet of Galicia. Genesis, Structure and Scope of Powers, Legal Succession), Cracow 2014.



[At the top: The post-Jesuit Church in Lviv - the place where the feudal homage was paid by the Galician States - present state (photo M. Malecki)]



[One of the achievements of the Spring of Nations was the abolition of serfdom and the enfranchisement of peasants (photo M. Malecki)]

Similarly to other political institutions functioning in the Polish lands and incorporated by their neighbours at the end of the 18th century, the National Department of the Diet of Galicia (Landesausschuss des Galizischer Landtag) has attracted almost no research interest so far. What we do know about the institutions of the aforementioned Galician autonomy comes primarily from the studies: of Stanisław Grodziski and his work on the Diet of Galicia, Waldemar Łazuga – on Kazimierz Badeni's Austrian-Polish government in 1895-1897, Wojciech Maria Bartel – on the Galician School Board, Józef Buszko – on the highest government institutions of the Austro-Hungarian Empire and their Polish members, and Szymon Dajczak – on the Ministry for Galicia³.

Research on the history of the National Department is of great importance for two reasons. Foremost, they shed light on the revival and development of institutions of government at a time when there was no sovereign Polish state. Furthermore, they allow us to acknowledge the achievements of generations of Poles who took advantage of the constitutional reforms in the Austrian Empire to extend and secure their rights by the time independence was regained, which occurred between 1918 and 1922.

One should, however, start with the National Diet, as the National Department, as I mentioned, was its executive body. It was created as part of the autonomy granted to the countries of the Habsburg Monarchy in 1861, and the first sessions of the Assembly were held not in a separate parliamentary building, but at the Stanisław Skarbek Theatre in Lviv on 15 April 1861 – as recorded in the stenographic document – at 12.30 p.m., when 129 Members gathered in the Assembly hall⁴.

³ S. GRODZISKI, *Sejm Krajowy Galicyjski* (Diet of Galicia), Cracow 2018, part I - II, W. Łazuga *Rządy polskie w Galicji. Gabinet Kazimierza Badeniego 1895-1897* (The Polish Government in Galicia. Cabinet of Kazimierz Badeni 1895-1897); W. M. BARTEL *Galicyjska Rada Szkolna Krajowa – czasy, instytucja, ludzie* (Galician National School Board – Times, Institution, People), [in:] "Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Prawnicze", 1980, vol. 86; J. BUSZKO, *Polacy w parlamencie wiedeńskim 1848-1918* (Polish Members of the Vienna Parliament 1848-1918), Warsaw 1996; D. SZYM CZAK, *Galicyjska ambasada w Wiedniu. Dzieje ministerstwa dla Galicji 1871-1918* (The Galician Embassy in Vienna. History of the Ministry for Galicia 1871-1918), Poznań 2013.

⁴ *Sprawozdania Stenograficzne Sejmu Krajowego Królestwa Galicji i Lodomerii* (Stenographic Reports of the National Diet of Galicia and Lodomeria), 1st Term, 1st Session, 1st Meeting of 15 April 1861, p. 1.

The National Department was an institution that could be used to introduce Polish national culture into the social life of Galicia, although its original purpose was to function only as an instrument of regional policy, especially in the field of agriculture. The Department however had far greater ambitions, above all political ones, which is reflected in the research I carried out over many years at the State Archive in Lviv (Ukraine).



[The building of the National Department, formerly also the Galician National Diet, located in the former Skarbek's theater(photo M. Malecki)]



[The new building of the Galician Sejm - now I. Franko University (photo M. Malecki)]



[The interiors of the national parliament]

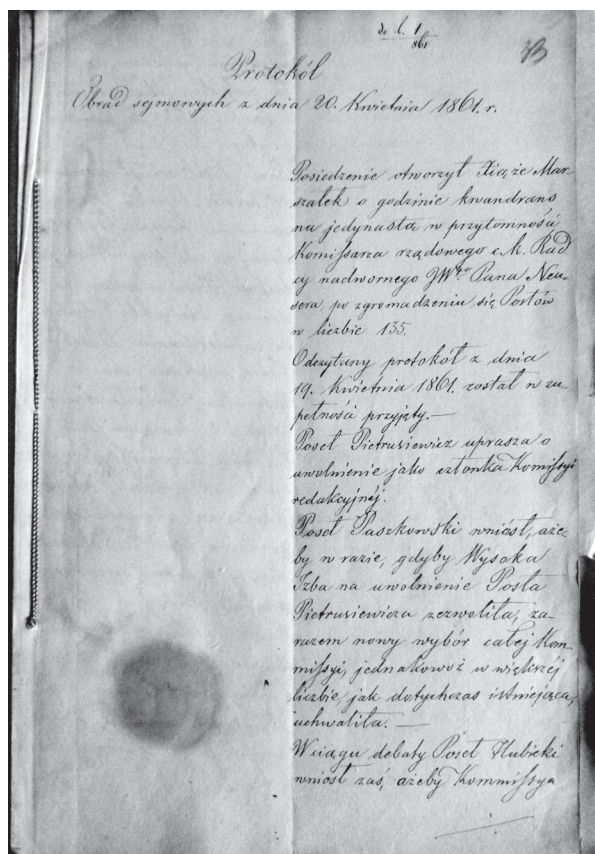
It follows that Galicia built its governmental institutions and constitutional order drawing on its own historical traditions, rather than adopting or imitating solutions from other provinces of the Austrian Empire – although it did try to benefit from them (at least in part), which is discussed below. The conclusion reinforces the thesis that the so-called autonomy of Galicia, as a system of government that existed in no other part of stateless Poland was a purely local idea although of Austrian provenance. It was this very observation that led public opinion in the three partitioned territories to call Galicia the Polish Piedmont. Regardless, of to what extent this analogy describes the Galician constitutional order, it must be admitted that the political freedom Galicia enjoyed was envied by Polish people living under Russian or Prussian rule.

Although the lack of much interest in the constitutional and legal foundations of the National Department may be puzzling, it is not without reason. The first and fundamental one was the separation of the archives of the National Diet of Galicia and the National Department after World War II. The records of the Assembly, especially its legal documents, were brought to Poland so they could be compiled and consequently published. However, as their editor Stanisław Grodziski noted, the sources for the history of the National Department were unavailable for researchers of the communist era. They remained in Lviv, but the complexity of Soviet archival procedures made access to them very difficult or even impossible.



[Round Seal of the Galician National Diet (photo M. Malecki)]

[At the bottom: Manuscript of the first session of the National Sejm]





[Speaker of the Sejm used his own seal]

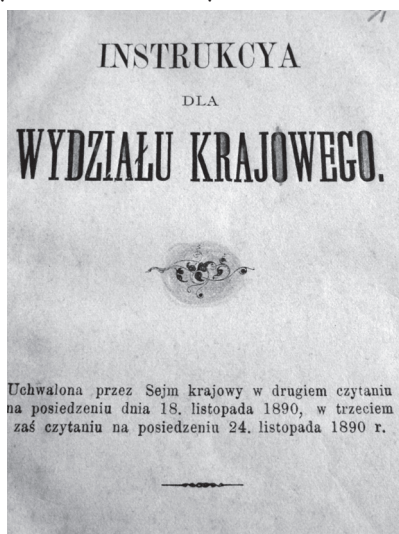
The National Department of Galicia was structured into departments, or bureaus, which in some ways resembled modern ministries, except that their types were more varied, shaped by circumstances and practical needs rather than an abstract scheme. That is why they had no names, only numbers from 1 to 6. Thus:

- Department I dealt with urban affairs, national culture and defence;
- Department II – budget, vocational education and mining;
- Department III – country culture, that is to say: agriculture, forestry and fisheries;
- Department IV – nobility registers and civil registration (adoption of a new name), land roads, waterways and railways;
- Department V – public health;
- Department VI – a kind of *opera omnium* – covered matters of parliamentary procedure as well as public safety and relief.

The seat of both the department and the assembly was located in Lviv – initially in the aforementioned Stanisław Skarbek Theatre, and later in a separate building shared for some time with the assembly (today the University of Lviv). The theatre was abandoned for prestige reasons as the place where plays were performed was not in line with the dignity of the parliamentary institution. The new location of the assembly was to

reconcile the Poles and the Ruthenians (as the Ukrainians were called) for centuries, which was to be proved by the common national allegories and the language of drawing up legal acts – Polish and Ruthenian (Ukrainian), though it did not always work out that way.

In Galicia, Cracow played a key role in the process, with many initiatives aimed at reviving Polish culture and national pride. Those activities were part of the turbulent character of the 19th century – an era of national awakening in the history of many European nations, such as the Greeks, victorious in their independence aspirations, but not excluding the Poles. It is worth noting that



[The Instruction National Department of the Diet of Galicia (photo M. Malecki)]

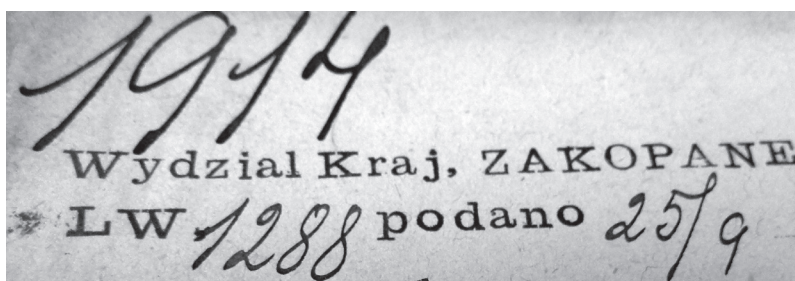


[Round Seal of the Galician National Diet (photo M. Malecki)]

all events of any significance to the national revival organized in Cracow were inspired, organized and financed by the National Department. At this time, many of the inhabitants of Cracow moved permanently to Lviv, which was a natural place for a successful parliamentary or clerical career. Cracow played the role of the capital of Galicia only for a short time, in 1917, when members of the National Department stayed there, forced by the situation of World War I on their way back to Lviv.



[The building of the temporary seat of the National Department (during World War I)]



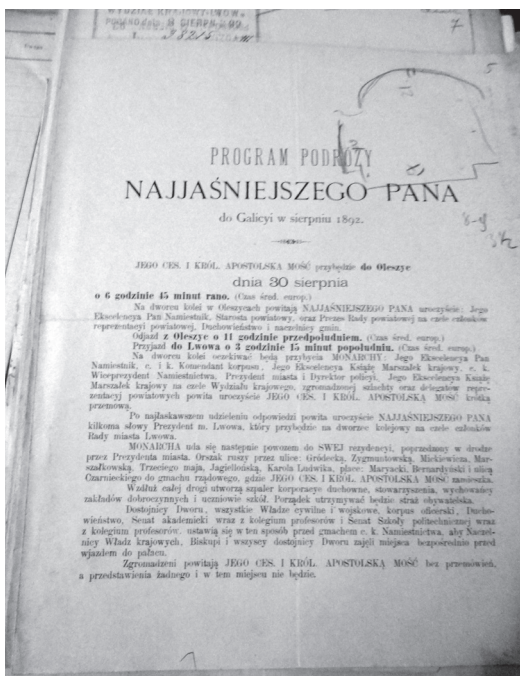
[Stamp of the National Department during its stay in Zakopane (1914 - State Archive in Lviv, photo M. Małecki)]

The National Department, due to World War I outbreak – like many other state institutions, including the governorates – left Lviv in 1914 upon the news of Russian troops heading to the city, and then stayed in other Galician cities in search of a suitable temporary headquarters. After several attempts to settle: in the health resort of Krynica, in the Tatra resort of Zakopane, and for a short time even in Vienna, both the National Department and the Austrian representative in Galicia – the Governor and his associates settled in Biała, a small town at the border of Galicia and the Duchy of Cieszyn, where they continued their activities until 1917. It was in Biała where: the officials assessed the war damage, attended a Mass for the soul of the late Emperor Franz Joseph I, followed the news from the eastern front with growing anxiety, and then rejoiced at the victory of the Austro-Hungarian and German armies in the Battle of Gorlice in May 1915.

As years passed, more and more stirring news arrived at Biała, proving that the issue of Polish statehood had assumed unprecedented importance. Among others from neighbouring Pszczyna, where in October 1916, officials signed a document putting the Polish question on the international arena. That opened the door to the creation of the “Kingdom of Poland”, a quasi-state established by Germany under the so-called *Act of 5 November 1916*, issued during the Pszczyna Conference, to move from autonomy to independence.

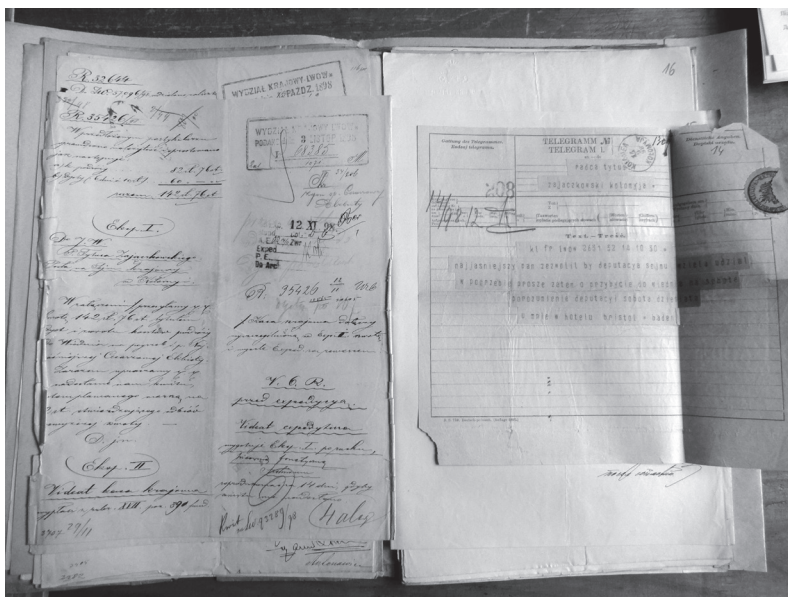
At that time, the National Department operated consequently on behalf of the National Diet whose last session occurred in 1914 and never convened again. The Department served as the executive body of the assembly and represented it up to 1922. Then it was transformed into the Provisional Local Government Department – an institution, as its name suggests, of a temporary character – that was dissolved in 1926 after complete unification of the Polish administration.

The National Department was not constituted until the sixth session of the Diet, i.e. 23 April 1861. It consisted of 6 members (since 1918 of 8) headed by the Marshal of the National Diet of Galicia (all were elected for a 6-year term). The members had deputies and administrative matters were handled by the department's registry office. The lowest in the hierarchy were the employees of the service staff, who carried out assigned tasks, maintained order and also played the role of messengers. On the

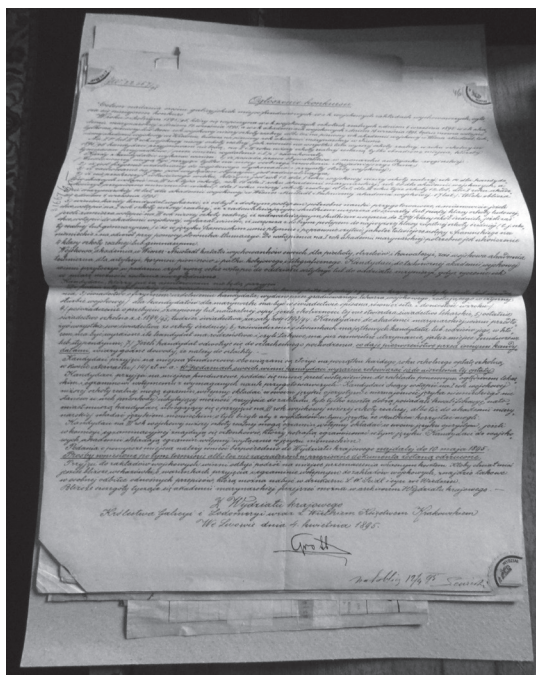


[On the top: Example of commune letters sent to the National Department]

[Program of the journey of Franz Joseph I to Galicia in August 1892]



[On the top: Invitation to the National Department and deputies of the National Diet to attend the funeral of the wife of Fr Joseph I]



[Example of cooperation between the National Department and the military]

ethnic level, Poles dominated while the Ruthenians could initially introduce only one member of the assembly and his deputy (since 1914, two). The Marshal had two deputies at his disposal, one of whom was a Pole and the other a Ruthenian. The National Department was growing all the time and by the time World War I broke out, it comprised 907 people, plus service staff (91 people) and the staff of all the national establishments (1,522 people). The Department also included conductors, drainage and irrigation supervisors and trackmen in the number of 373 people. Thus, at the end of its existence, the National Department together with the staff of the domestic plants consisted of 2893 employees.

On the grounds of administration, the Department belonged to the two-tier system. In practice, it meant that the primary state system (government) was of an autocratic nature, consisting of an individual – an official (nominee); while the other system was autonomous and of collegial nature, exercised by civic factors – consisted of people elected by the community. The state administration was composed of a minister, governor and starost, while the local administration was composed of the National Department, county and municipal councils.

The Marshal of the Diet was elected by the Emperor while the deputy was chosen by the Marshal himself. If a member of the Department was absent, his position was filled by his deputy. Three of the six members of the National Department were directly elected by the Diet, while the others were chosen within the existing curial system. To organise the work of the Department, to maintain its administrative structures, and to distribute its competencies, there was a legal act called the *Instruction for the National Department of the Kingdom of Galicia and Lodomeria* that served as a kind of "constitution" for the departmental authorities.

While researching the origins of this particular legal act, I came across a *Report on Instructions for National Departments Adopted in Other Countries*⁵ in the Lviv Archives.

The National Department, while writing its own statute, took into account the solutions adopted by other departments in the countries of the Habsburg Monarchy. The source research carried out in those other

⁵ Central State Historical Archives of Ukraine in Lviv (Tsentral'nyy Derzhavnyy Istorychnyy Arkhiv Ukrayiny, U M. L'vovi) – further TsDIAL of Ukraine, file 165, item 1, no. 2, pp. 20–28.

countries was directed at finding common solutions, also for Galicia. The institution of executive bodies of the national assemblies in the form of national departments was a novelty for the whole Habsburg Monarchy at that time. Later – after a close study of the statutes of these bodies – they were not examined again.

The National Department of Galicia did not reach all the national statutes of the Cisleithania. Nonetheless, those found were the subject of a thorough legal analysis. The Department examined the “National Instructions” for Lower Austria, Moravia, Styria, Salzburg, Bukovina and Carinthia, compared the existing regulations with its own project and evaluated them from a substantive point of view. Other Instructions were known to Galician officials, but these were not taken into consideration. This was the case with Bohemia, Upper Austria and Silesia, which, according to the officials, were either not well known or (...) *did not add much to the matter*⁶. The only information provided was that (...) *in Silesia and Upper Austria, Instructions were adopted in 1861*⁷.

The volume of the examined Instructions was as follows: for Galicia – 86 articles, Lower Austria – 36 articles, Moravia – 41 articles, Styria – 41 articles and Bukovina – 43 articles (Instructions for Salzburg, Carinthia, Silesia, Upper Austria and Bohemia were omitted)⁸. The above data clearly indicates that the Instruction for the National Department of Galicia was the most comprehensive.

Among the analysed Instructions, the one that attracted the most attention was the one from Lower Austria, also called the *Vienna Instruction* as it referred to the capital of the Habsburg monarchy. To the surprise of the Galician officials, the Instruction contained many borrowings taken directly from the *National Statute*, and that these were supposed to constitute (...) *almost half of this slim Instruction*⁹. In my opinion, the reason was the simple reference to the statutes as already enacted (and therefore safe from the point of view of their procedure and legislation) and the limitation in the extension of the powers of the Lower Austrian National

⁶ Ibidem, p. 21 and MAŁECKI (2014), p. 117.

⁷ TsDIAL of Ukraine, file 165, ibidem 1, no. 2, p. 21.

⁸ MAŁECKI (2014), p. 117.

⁹ TsDIAL of Ukraine, p. 28.

Department to necessary legislative cosmetics. The difference consisted, among other things, in the fact that the *Vienna Instruction* took out – as a separate subject of legislation – the provision concerning the official relations of the people forming the department there. A separate piece of legislation, the so-called *official pragmatics*, was issued for them. This should not come as a surprise to anyone, as the extensive state administration had its traditions in the Enlightenment bureaucracy of the Habsburg Monarchy. This administration also functioned better on a day-to-day basis.

These changes however were different in Galicia. It was decided that the local departmental administration could be regulated in a single *Act of Instruction for the National Department of Galicia and Lodomeria*. Thus, Galicia regulated – quite unfortunately – the rules not only for clerks but also for the other clerical staff, including the departmental servants. This lack of precision in such an important legislative act was detrimental to the quality of the enacted law. It was noted that the *Vienna Instruction* did not extend the powers of the local department, but merely repeated the relevant articles of the *National Statute* (art. 18, 19, 20, 21 and 22), adding only to art. 26 the remark that (-) *the reports of the National Department had to be submitted immediately at the beginning of the parliamentary session, as did the execution of the budget and the accounts for the previous year*¹⁰.

Another peculiarity of Lower Austria – according to the Galician reporters – was a procedure of transferring rights to set dues for hospitals and "other establishments" to the departmental authorities. In the National Department of Galicia, it was exactly the other way around: such matters were under the exclusive control of the parliament, and the national budget had to allocate specific funds. The National Department possessed the legislative privilege in this matter, which was often used.

¹⁰ TsDIAL of Ukraine, p. 20. As noted in the report, the other remarks on budgetary matters (...) are as exact as our draft and differ in that they presume the use of sums enacted for one category to cover the expenses of another category. There is no fixed sum for expenses not provided for in general, but it is stipulated that the Department is to demand later the approval of the Diet for such expenses as for loans allocated to communes – ibidem. Thus, the point was to generate the necessary sums of money for unforeseen but necessary expenses. They could be extracted from other sources of the current budget provided that they were approved by the Diet at its next session (i.e. this was a fiscal correction).

Galician officials were also surprised by the lack of detailed regulation of internal relations between the Department and the National Diet. According to art. 12 of the *National Instruction of Galicia*, (-) *Resolutions of the Diet are carried out by the National Department in the manner indicated by the Diet*. The *Vienna Instruction*, however, completely ignored this problem. National matters were covered by a member of one of six departments, who was allowed to speak at every stage of the matter under debate and was also obliged to clarify any doubtful issues before the National Diet. *Vienna Instruction* on the other hand – as Galician officials emphasized – never referred to such matter¹¹.

As regards the internal relations of the National Department, the *Vienna Instruction* stated that (-) *all officials and servants paid from the national fund or other funds administered by the national representation are subject to the department, that the department gives them instructions, the outlines of which the Diet approves, and that the department swears them in*¹². Thus, according to the *Vienna Instruction*, even the oaths of office for national officials and servants were determined by the Department and not the National Diet. The Viennese National Department also had the right to conduct disciplinary investigations. However, the *Report* draws attention to the greatly enlarged area of legal sanctions for official misconduct on the part of the authorities of the National Department of Galicia. The latter had the right, at first, to a verbal warning, used as a punishment for *disorder and minor failures of insubordination*, issued by the Marshal of the Diet, by the Head of the Department or by the head of a subsidiary division in respect of officials subordinate to him; further, to a written warning; and if this also failed, the Head of the Department or subsidiary division was obliged to refer the matter to the Department as a whole or the Marshal himself. The Department and the Marshal of the Diet could impose a third disciplinary measure, i.e. *an admonition in the presence of the entire Department*. As a further consequence, the culprit could be deprived of his salary "for a fixed period", or even expelled from service. In this last

¹¹ MAŁECKI, (2014) p. 119. Upon the closure of the Diet session, the Director of the Parliamentary Office of the National Department of Galicia collected protocols of the Diet sessions from the Diet secretaries according to the order laid down in the Correspondence Register, while the *Vienna Instruction* did not deal with such matters at all.

¹² TsDIAL of Ukraine, p.21.

situation, a meticulous investigation and conviction were required to be carried out beforehand. The investigation was conducted by a jury (two of its members were chosen by the Marshal, and included, somewhat ex officio, the Faculty Counsellor). If employee misconduct fell under the criminal jurisdiction, the investigation was carried out by the court, and the duty to report a suspected offence fell on the department's officials. The *Instruction of Galicia*, unlike the one of Lower Austria, also regulated in detail cases of dismissal from service (e.g. for a crime, a qualified offence: for-profit, violating public morality or recognition of an official as a *wastrel* by the court). Apprentices (who were not yet officials) could be removed from the National Department without investigation. The *Vienna Instruction* referred only to the suspension of an official by the department - the rest had to be agreed to by the National Diet. The *Instruction of Galicia* was therefore much more detailed on this matter¹³.

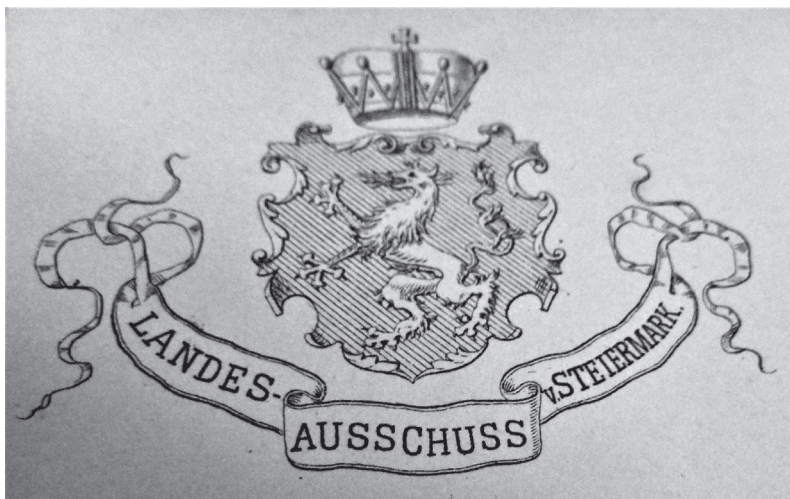
All in all, it should be stressed that despite the clear desire to use Lower Austrian solutions, eventually – due to the laconic nature of the *Vienna Instruction* – the idea was abandoned. This was because key issues such as the internal organisation or distribution of authority between the Department and the Diet were missing.

Many hopes were placed on the *Moravian Instruction*, which was only slightly more extended than the Lower Austrian one. In the end, the *Report* emphasized not only its lack of detail but also its poor regulation of such issues as the staffing of public posts, the rights and duties of servants and the affairs of clerical staff¹⁴. Here, too, the respective regulations of

¹³ The differences also related to many detailed issues – the *Vienna Instruction* omitted provisions regarding the head of the office, as well as the cash register and bookkeeping. The duties of department members and their deputies were also omitted, as well as their salaries, per diems and holidays – MAŁECKI, (2014), p. 122. The presumption of official competences belonged here to the Diet, not to the Department ('The *Report* emphasised that *the national department is responsible to the Diet for its official acts, and the Diet has the right to change or abolish departmental resolutions, as long as these do not concern departmental matters delegated by statute or by law, provided that already acquired rights are not affected thereby*. For a resolution to be valid – according to the *Viennese Instruction* – the consent of 4 members of the department was needed, with the proviso that resolutions were passed by a simple majority of votes and in the case of an equal distribution of votes the Marshal's vote was decisive. Department reports, on the other hand, were handled in more detail than in the *Galician Instruction*, and were scrupulously presented to the public by being published in the *Official Gazette* – paradoxically, the *Vienna Instruction* did not know the rules of departmental meetings, but only used parliamentary rules – MAŁECKI (2014), p. 123.

¹⁴ Such matters are governed by a document called the Staff Regulations – TsDIAL of Ukraine, p.23.

the *National Statute* that already existed were used. It highlighted the efforts to record the national property and maintain its main inventory. The property matters which the Moravian Department administered were to be submitted by way of a report to the National Diet at the beginning of each parliamentary session. As the Galician rapporteurs pointed out, efforts were therefore made to ensure that the respective National Department managed property without delegating any major executive functions to it¹⁵. The clerical staff was subordinate to the department, and unlike the Vienna Department, its officials took their oaths before the departmental authorities, not the Diet. Positions were filled – as in Galicia – based on competition, except where the position was to be filled through promotion. The *Moravian Instruction* also required clerical staff to have appropriate qualifications, and the departmental authorities could transfer clerks to another post temporarily or permanently, suspend or discharge them from service, regulate advances on payments, etc.



[Official emblem of the Styrian National Department (Lviv State Archive, photo M. Malecki)]

¹⁵ As it was written in the instruction *the budget of the department should be strictly adhered to and any exceeding of the budget had to be justified before the parliament*. Moreover, the Department even controlled the municipal budget, which made it a clumsy tool in the hands of the Diet. In case of granting a loan to a district, *due to an urgent need*, the Department had to justify this subvention before the Diet. The national treasury was also fully controlled by the Department.

The *Styrian Instruction* was more interesting and innovative compared to the earlier Instructions. Here, in addition to the proper departmental regulations, separate directives for officials and departmental servants were adopted. The Galician reporters pointed out that the *Styrian Instruction* borrowed heavily from the *National Statute*. The role and tasks of the Department were defined in Art. 1 of the *Instruction*, according to which *the National Department is the administrative and executive organ of national representation*¹⁶.

An innovation – unknown to the original draft of the Instructions of the National Department of Galicia – was the possibility of petitioning the Emperor to convene an extraordinary assembly, which was to take place (-) *in urgent and important cases*¹⁷. Therefore, it can be assumed that the Styrian Department had somewhat broader powers than the Viennese Department – Art. 10 says that it (-) *deputizes for the national representation in all legal matters*¹⁸ and the lack of definition of "legal matters" was in favour of the powers of the Styrian Department. It was also responsible for the budget, including its preparation for the assembly¹⁹. It exercised control over national funds²⁰. Similarly to the draft of the *Galician Instruction*, it regulated matters of the subordination of officials to departmental authorities²¹.

An innovative move was the permission to create – without consulting the National Parliament – new foundations. The Department could also change the regulations concerning foundations or the domestics fund²². Disciplinary proceedings were no different – government regulations were to be obeyed while the sentence of expelling an official from service was submitted to the Diet for approval²³.

¹⁶ MAŁECKI, (2014), p. 126.

¹⁷ Said in Art. 9 of *Styrian Instruction* – cf. - TsDIAL of Ukraine, p. 25.

¹⁸ TsDIAL of Ukraine, p. 25.

¹⁹ This was regulated by Art. 19 of the *Styrian Instruction* - ibidem. The instruction demanded budgetary discipline on the part of the department's members, and furthermore that "(-) *no budget heading may be used for other purposes without a meeting of the Diet, and only 3000 should be allocated for expenses not provided for, and this should be justified at a meeting of the Diet*. For "(-) larger" projects, a tender procedure was also prepared. Cf. Art. 20, 21 of the *Styrian Instruction*.

²⁰ Art. 17, 18 of the *Instruction* – TsDIAL of Ukraine, p. 25.

²¹ Cf. Articles 11, 13, 14, 15 and 23 – ibidem. All officials appointed by the Diet, paid from national funds, were subordinate to the Department, and each official had his own instructions to follow.

²² Regulated by Art. 18 – TsDIAL of Ukraine, p. 25.

²³ Cf. Art. 28, *Styrian Instruction* – TsDIAL of Ukraine, p. 25, p. 26.

The Department made its own Rules, approved only by the Diet.²⁴

The other regulations were of secondary importance as they referred to detailed issues, which, however, were not regulated in the draft of the *Galician Instruction*.

All in all, the scope of competencies of the Styrian Department was much wider than that of the other previously mentioned departments, especially the Vienna Department. The possibility to request the emperor to convene a parliament was a factor that strengthened the Department's work and improved the functioning of the country.

Another Instruction examined by the Galician National Department concerned Bukovina, which had once been politically connected with Galicia. Like the other Instructions, the *Bukovina Instruction* was largely based on the *National Statute*. The *Report* omits the similarities, focusing only on the differences, which involved the following issues:

- Firstly, the *Bukovina Instruction* provided for reports on the implementation of the Diet's directions – including the management of national property and establishments²⁵ – to be given at each opening of the Diet session;

- Secondly, an auction procedure was introduced for transactions exceeding 200 florins, as well as the necessity to carry out the obligatory military supply (so-called *liwerunek*) also through an auction²⁶.

- Thirdly, the possibility of promoting officials without competition was also introduced²⁷. The work of the Department was assigned to its members without reference to the Parliament, and each meeting of the Department required a detailed report.

Article 24 was particularly important as it stated that (-) *the Department is accountable to the Diet for its actions, and in cases that are not assigned to the Department by statute or law, the Diet has the right to amend or abolish the decisions of the Department, provided that the rights already acquired are not violated*²⁸.

²⁴ Cf. Art. 34, 35, *Styrian Instruction* – TsDIAL of Ukraine, p. 26.

²⁵ Cf. Art. 2, 7, *Bukovina Instruction* – TsDIAL of Ukraine, p. 27.

²⁶ Cf. Art. 11, *Bukovina Instruction* – TsDIAL of Ukraine, p. 27.

²⁷ Cf. Art. 12, *Bukovina Instruction* – TsDIAL of Ukraine, p. 27.

²⁸ TsDIAL of Ukraine, p. 27..

Little attention has been paid to the *Salzburg Instruction*, quite unjustly, as it was the most comprehensive. The reason for this lack of deeper study was the structure, which differed from other Instructions and began with provisions relating to state officials.

The *Instruction* outlined in detail the qualifications of an official on taking up a post. Unlike the *Styrian Instruction*, it was evident that the issue of filling departmental positions was subordinated exclusively to the Diet (all positions, even national servants required the approval of the Diet)²⁹.



[Coat of arms of the Bukovina National Department (Lviv State Archive, photo M. Malecki)]

The report on the *Salzburg Instruction* was limited to listing the most important case titles, which was supposed to prove that the officials writing the report were familiar with it. However, the manuscript of this document makes no mention of the possibility of using it to create other Instructions³⁰.

²⁹ On this cf. Articles 3, 4, 5, 6, 7, 8, 9, 10, 11 and especially 12 and 13 of the *Salzburg Instruction*. As for the provisions concerning salaries, remuneration and advances, these were regulated by Art. 15 to 18, oaths of office by Art. 24, the boarding of officials by Art. 25, resignation from office by Art. 26 and 27, while general duties were dealt with by Art. 28 to 38, 43 and 44, more specific matters by Art. 39 to 42, leave 45 to 51, and disciplinary proceedings 52 to 65, *ibid.* The Galician Department, however, did not see fit to look in detail at the operation of the department.

³⁰ The *Salzburg Instruction* was far too detailed with regard to the sub-registry journal, it provided for a separate regulation of the assignment of clerks in a department (Art. 68 to 81,

On a similar note, the report of the Galician Department dealt with the *Instruction of the Carinthian Department*, which was somewhat similar to the Salzburg one. The local parliament adopted a departmental *Instruction* in 1861 and – as in the case of the Salzburg National Department – regulated its detailed instructions separately, though this occurred later in 1863³¹.

The latter document dealt with the following issues:

- instructions for the departmental office, for charity institutions, for the national pledge office and detailed instructions for all its officers, and the national construction office;
- regulations for the accounting department, departmental servants, regulations for pensions and disciplinary proceedings³².

At this point, the *Report* of the National Department of Galicia concluded its analysis of the individual documents which characterized the activities of the Departments in other states of the Austrian monarchy. Also, the *Instructions* for Silesia and Upper Austria were mentioned in the *Report*, however, the note was limited only to the fact that the instructions for these two states were adopted in 1861.

As far as Bohemia is concerned, a *Provisional Instruction* was adopted in 1861 and amended in 1863, emphasizing that the changes introduced were not published in the Diet's reports³³. However, according to another manuscript – the *Reports on the Activities of the National Department for 1863* – it seemed that the activity of the National Department of Bohemia was known to its Galician counterpart. Regarding the Silesian National Department with its capital in Opava, the only statement noted was that (-) *the local Diet had resolved that stenographic minutes should be published in both the Czech and Polish languages*³⁴.

82 to 89), Art. 104 to 118 dealt with dispatching, furthermore the *Salzburg Instruction* touched upon matters of registry (Art. 104 to 118), bookkeeping and cash register with the additional indication that it was to be arranged on the governmental model (Art. 133), additionally, in the manuscript of the report there is a note on administrative expenses (Art. 134, 135, 136) and the departmental inventory (Art. 137).

³¹ TsDIAL of Ukraine, p. 28.

³² TsDIAL of Ukraine, p. 28. Information on this subject was collected from the files of the parliamentary reports of the Diet of Carinthia.

³³ TsDIAL of Ukraine, p. 28.

³⁴ Cf. *Gazeta Lwowska* (The Lviv Gazette), no 96/1961, p. 2. The issue also includes information about other national departments.

The Galician Department analysed and collated all the above-mentioned Instructions but did not apply them in its own project. And there were reasons for that:

- Firstly, the National Statute imposed a similarity of solutions in the various Crown countries. Given its almost constitutional character, it could not be changed, but only supplemented;
- Galicia had already acquired considerable experience in the field, and in fact, the only thing that was required was to confirm the solutions that had previously been adopted³⁵.

Concluding the presentation of the *Report*, one can get an impression of the right direction for Galician officials, who saw in the activities of the National Department their own path of regional development. The fact that it was followed by national inclinations cannot surprise anyone, as the 19th century provided a natural ground for such a course. The fact that Galician officials took the trouble to compile similar acts from other Crown states proves their professionalism, although they did not avoid certain mistakes in creating their regulations.

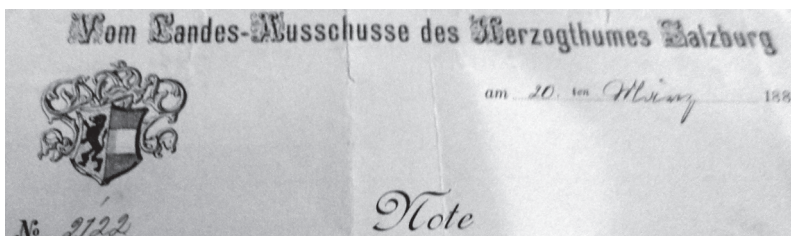
This also raises the question of whether the *Galician Instruction* was important for the Monarchy as a whole. Albeit no separate research has been carried out on this topic, and in particular, no specific investigation has been carried out in other countries with similar administrative bodies, a trace of the greater importance of the Galician Department has survived in the archives of Lviv.

During the visit of the Swedish-Norwegian delegation in Vienna in 1904, the invited party asked the Viennese Court for access to information on autonomy, the system of government, and even the publication of the minutes of the Sejm sessions. Viennese authorities requested the National Department in Lviv, through its governor, to prepare

³⁵ This is clearly demonstrated by both the layout and the content of the report presented. It was prepared, especially the first part, very thoroughly, and the manuscript was supplemented with additional notes, which testifies to the constantly expanding knowledge of the members of the department about the instructions of other departments. The *Vienna Instruction*, that is, the instruction of the Crown State which hosted the headquarters of the entire monarchy, did not bring anything innovative in comparison to the Galician project, which was clearly emphasized in the report. The others did not contribute all the more – hence the Galician department followed its own legislative path. The analysis of the above instructions tends to emphasize the distinctiveness of the Galician draft, which is also evidenced by its volume.

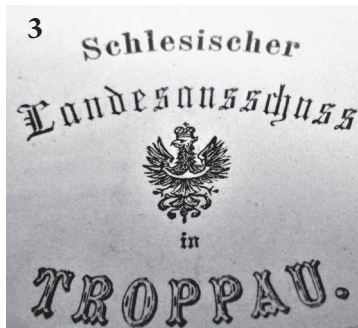
appropriate information, especially regarding the last matter which was based on the sent questionnaire³⁶.

History has shown that the autonomy granted by Franz Joseph I was a good innovative solution of the time. National assemblies and their departments creating quasi-governmental functions contributed to an increase in the wealth of the "countries of the Austro-Hungarian crown", their higher level of civilization, and consequently led – or at least some of them – to their independence in 1918. It is worth remembering when writing about "the empire on which the sun never sets". However, this is a topic for a separate study.



[Coat of arms of the Salzburg National Department (Lviv State Archive, photo M. Malecki)]

³⁶ Cf. Letter from the Governor of Galicia to the National Department dated January 1, 1905.; TsDIAL of Ukraine, file 165, item 1, no 647, p.10. The Swedish government was primarily interested in how the oral proceedings of autonomous bodies, such as the National Diet and the National Department, were published. The questionnaire included questions about the form of publication, the level of details, the possibility of summarizing the course of discussion - e.g. by omitting less important speeches, presenting information to the daily press, the manner of presenting speeches by "main speakers" such as ministers, the Marshal, the Governor, the Registrar, or a member of the Department. Another issue was the timing of the announcement of speeches after they had been delivered, possible authorization by the speaker, the timing of authorization, the issuance of possible orders by the National Department or the Diet to accelerate authorization, the determination of whether the Department had a separate printing (proofreading) division and whether it had regulations, and finally whether the sale of printed Reports was profitable and what was more profitable, single sales or subscription sales. The remaining issues related to strictly technical matters such as: the number of stenographers in the Diet, their training, the efficiency of their work, defining the very duties and control bodies of the stenographers, answering the question of whether one writer or several were present at the stenographing, how long one writer or a group of writers without rest spent on stenographing, how much time the reviser spent on correcting the stenographs, etc.



1. [Coat of arms of the Tirol National Department (Lviv State Archive, photo M. Małecki)]

2. [Coat of Arms of the Czech National Department (Lviv State Archive, photo M. Małecki)]

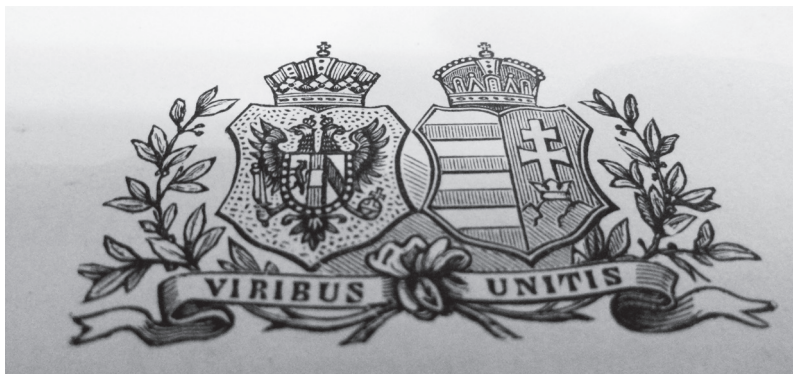
3. [Coat of arms of the Silesian National Department (Lviv State Archive, photo M. Małecki)]

4. [Coat of arms of the Moravian National Department (Lviv State Archive, photo M. Małecki)]

5. [Coat of arms of the Krajina National Department (Lviv State Archive, photo M. Małecki)]

[In front: A table showing the composition of the national departments in the various states of Cis-leithania and their respective offices – sources: S. Starzyński, Kodeks prawa politycznego czyli austriackie ustawy konstytucyjne 1848-1903 (Code of Political Laws or Austrian Constitutional Laws 1848-1903), Lviv 1903, p. 959; S. Grodziski, Sejm krajowy..., vol. 1, p. 113; M. Małecki, Wydział Krajowy..., pp. 157 - 159 (own elaboration)]

Name of the executive body of the National Diet	Number of members	Headquarters	Manner of election
Bukovina Department	4	Chernivtsi	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Dalmatia	4	Zadar	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Gorizia and Gradžica	4	Gorizia	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Istria	4	Poreč	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Carinthia	4	Klagenfurt	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Kraina	4	Lublana	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Salzburg	4	Salzburg - called Solnograd in Galicia	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Vorarlberg	4	Bregenz	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Austrian Silesia	4	Opava	1 elected by deputies from the courts of larger country estates, 1 by deputies from cities, 1 by deputies from rural municipalities, 1 from the Diet
The National Department of Moravia	6	Brno	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of Upper Austria	6	Linz	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of Lower Austria	6	Vienna	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of Styria	6	Graz	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of Tyrol	6	Innsbruck	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of Trieste	6	Trieste	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members
The National Department of the Kingdom of Bohemia	8	Prague	2 members from the chamber of larger landed estates, 2 deputies from cities, 2 deputies from rural communities, 2 from the Diet
The National Department of Galicia and Lodomeria, including the Grand Duchy of Cracow	6, since 1918, 8	Lviv, between 1914 and 1917 also: Krynica, Nowy Sącz, Zakopane, Biała, Cracow	1 deputy elected by the court of great estates, 1 by the court of cities, industrial and trade chambers, 1 by the court of village communities, further 3 deputies were elected by the Diet from among its members



[Common Coats of Arms of Austria and Hungary (photo M. Malecki)]

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Government, Representation and the Privy Council in Pre-modern Scotland

ALASTAIR J. MANN

In 2020 the universities of Stirling and Dundee in Scotland were the recipients of a Leverhulme Trust Research Project Grant to study the Scottish Privy Council in the period 1689 to 1708. The project aims to explore the records of this period with a view to creating a wide range of published outputs in social, economic, and political spheres and also to transcribe and display in an online platform the main records of the Council for use by historians and the general public in an important initiative in digital humanities. This article will review the significance of the Scottish Privy Council as an executive authority, consider certain unique and universal qualities within a wider European context, and also outline the main aims of the project, which is due to conclude, in spite of the simultaneous international pandemic, in 2024.

THE PROJECT

The Leverhulme Trust funded Scottish Privy Council Project (SPCP), a collaboration between the universities of Stirling and Dundee which commenced in 2020, is already shedding new light on an important national institution. In some ways the Scottish Privy Council is a unique body given its place in the pre-modern history of Scotland and how it contrasts with many similar institutions across the Europe of the sixteenth and seventeenth centuries. These factors, as well as matters of serendipity as we shall see, explain why such a significant research grant was awarded to the project, after many years of discussion and planning, and why efforts have been made to assemble a strong team of researchers and experts in institutional and governmental history. Therefore, this author (principal investigator, University of Stirling), along with the University of Dundee's Dr Alan MacDonald (co-investigator) and Dr Allan Kennedy (project manager), have been joined by research fellows Dr Laura Doak (Dundee) and Dr Clare Loughlin

(Stirling) and PhD students Robbie Tree (Stirling) and Susanne Weston (Dundee). All are involved in intensive research into the history of the council, as well as playing key roles in delivering the digital humanities aspects of the SPCP.¹

The history of the Scottish Privy Council, in spite of its visible existence for at least 200 years before its abolition in 1708, is sometimes difficult to trace, the origins of the institution problematic in terms of surviving and coherent records, even though some foundational studies have appeared (McNeil 1960; Chalmers 1982; Godfrey 2001 and 2020; Goodare 2004; Rayner 2014; Blakeway 2016; Kennedy 2020). Ironically, at a time when the surviving record is at its most expansive, the last two decades following the Revolution of 1689 have also seen a muted response by historiography caused by a lack of easily accessible published, printed or online, source material on the Council. Even many of the most respected historians of Scotland and the British Isles have been less than energetic in exploring the large Council manuscript volumes and miscellaneous papers during what was after all an extraordinary period of economic, social and political upheaval. The mission of the SPCP is to find some solutions to these shortcomings.

PRIVY COUNCILS OLD AND 'NEW'

Throughout history and throughout the globe kings, queens and emperors have gathered around themselves retinues of followers and advisers. Within these extended groups some key individuals were chosen as the vehicles for effective government, the chief priests, senior justices, trusted captains, and competent administrators of the realm. So it was that in premodern Western Christendom the foundations for councils were laid. How did Scotland experience such developments leading to the emergence of its own Privy Council and do these relate in any way to modern government?

Today the still existing Privy Council of the United Kingdom, first constituted in 1708, may seem like an ancient institution of limited

¹ The project website is <https://privycouncil.stir.ac.uk/>

significance. Even to those who are aware of it, it will be assumed to hold meetings with the monarch to agree minor ceremonial issues; harmless ‘secrets’. The Scottish Privy Council was sometimes called the “secret council” by contemporaries in the sixteenth and seventeenth centuries, a label also used to indicate an inner council within the larger council itself, just as King Philip II of Spain in the 1580s and 1590s had his secretive *junta de la noche* and wider *junta grande* (Gunn 2011, 119)² However, in spite of the apparent opacity of its deliberations, and relative insignificance compared to the Westminster Parliament where important and more transparent decisions are made, the Privy Council of the UK still has extensive and quite surprising prerogative powers (Rogers 2015, 225-311).³ It retains a judicial remit for crown dependencies like the Isle of Man, Jersey and Guernsey, and hears judicial appeals, mostly related to the death penalty, from those Commonwealth countries who have not abandoned a connection to the British constitution, even though such arrangements are a throwback to the British Empire. In spite of many Commonwealth countries developing their own appeal courts since the late 1940s, those continuing to look to the Privy Council number 30 and include Jamaica, Grenada, Gibraltar and Mauritius. One of its committees even oversees amendments to the statutes of the four ancient universities of Scotland, those of St Andrews, Glasgow, Aberdeen and Edinburgh. The UK Council has of course various Scottish members, including First Ministers past and present that head the devolved government of Scotland since the new Scottish Parliament first sat in 1999. Scotland’s Privy Council in the premodern period was appointed by royal commission at the start of a new reign and at various moments in-between when the monarch desired to appoint a new team (Goodare 2004, 128-48). Nowadays a new monarch does not automatically produce new councillors and individuals are usually appointed for life using the label ‘right honourable’, unless persuaded to stand down or removed due to some scandal, such as in the case of John Profumo over the notorious Profumo

² Chalmers makes a distinction between the ‘daily council’ and a larger and more variably sized ‘secret council’ in his study of the king’s council in Scotland from 1460 to 1513 (Chalmers 1982, 16-103).

³ See also <https://privycouncil.independent.gov.uk>

affair in the early 1960s. Profumo was the Secretary of State for War in Harold Macmillan's Conservative government and had an extramarital affair with a certain Christine Keeler, a 19-year-old model. Profumo was found by police to have lied about the affair to the House of Commons while a security breach seemed possible as it transpired that Keeler simultaneously had a relationship with a Soviet naval attaché. The scandal helped bring about Macmillan's resignation in 1963 and electoral defeat for the Conservatives the following year (Heffer, 2017). Such cases are rare, however. In fact, there are in 2022 a remarkable 700 privy councillors of political, judicial, ecclesiastical and civil servant status. In pre-modern Scotland a commission would rarely stretch to over 35 strong, although it did reach 50 in the 1660s, with meetings often consisting of perhaps a dozen members, nine being the quorum. Today the Lord President of the Council, as of February 2022 the Conservative MP Mark Spencer, chairs meetings of the UK Council with generally half a dozen members present, who always meet at the discretion of the government of the day. However, the accession Council, which gathers on the death of a monarch, consists of all members and by tradition meets at St James's Palace in London. In theory all, though of course a selection from the 700, will assemble to witness the proclamation of succession for the new monarch, King Charles III, when he succeeds Queen Elizabeth II.

Privy councils became an important institutional feature in the development of premodern monarchy, government and administration throughout Europe. The English Privy Council, which of course also ceased to exist in 1708, traced its roots back to Norman times and so too does the Scottish equivalent. This was a process away from having a small coterie of clergymen and clerks who could read and write and administer to a more formalised bureaucratic machine. This bureaucracy, with its associated pensions and privileges, was an opportunity for individual preferment and crown patronage as the monarch expanded his or her *curia regis* of key advisors. These bureaucratic trends are reflected in the condition of the records of Council business. While from the middle of the fifteenth century Council records survive in fragmentary form as *Acta Dominorum Concilii*, from the creation in the 1530s of the College of Justice (known more commonly as the Court of Session, Scotland's highest civil court), which took over most of the judicial functions, we see

the appearance of distinct registers of the Privy Council which run from 1545 to its abolition in 1708, although those records extant before 1545 are very significant (Blakeway 2016).

In Scotland the architecture of central administration was transformed in two main phases, although the relatively decentralised nature of society compared to England and the peripatetic behaviour of Scottish monarchy meant that a specifically nodal bureaucracy took longer to develop (Mann 2018). The first phase stemmed from a period of Anglo-Normanisation in the twelfth and thirteenth centuries, when the posts of sheriff and justiciar appeared but more significantly chancellor (chief minister) c.1123, clerk register (keeper of the records) 1280s and then later secretary of state (chief clerk) 1360s. A second phase of more centralizing administrative reform occurred in the Renaissance period of the fifteenth and sixteenth centuries, as new institutions took hold populated by increasing numbers of educated laymen. This is reflected in the establishment of courts of justice; merchant guilds in urban centres, ecclesiastical, baronial and in particular royal burghs; a greater representative engagement, both in a cultural sense and in actuality, by individual members of parliament and their respective estates in the Scottish Parliament; and by the growing band of professional administrators, coming together to coalesce into a more formal council. The copying of administrative ideas from England and Continental Europe was evident but also by necessity some political heavyweights were co-opted. Treasurer (finance minister) 1420s, comptroller (administrator of the royal household) also 1420s, lord advocate (chief prosecutor) 1470s and the lord president of the court of session (head of the judiciary) 1530s, appear in this phase. In effect these were the officers of state who sat in the Scottish Parliament, as well as the core of those commissioned to the Privy Council. In the late mediaeval period, some of these individuals were recruited from the clergy but there was a move away from clerical appointees to such posts by the late sixteenth century, although in the reign of Charles I (1625-41) the archbishops of St Andrews and Glasgow were joined on the privy council by various bishops, and from the monarchical Restoration in 1660 under Charles II these two returned to be joined by a third cleric from 1678 to 1687 - John Paterson (1632-1708), bishop of Galloway, then of Edinburgh and finally himself archbishop of Glasgow.

Paterson was an unusual case. When Bishop of Galloway he was allowed to reside in Edinburgh for want of appropriate accommodation in his own diocese and, being at hand, became one of the most regular Council attendees, chairing various subcommittees and particularly meetings of the Council's Committee of Public Affairs as it investigated cases of religious nonconformity and the activities of the radical wing of the Covenanting movement (Clarke 2004). Essentially episcopal clergy moved in and out of Privy Council membership as they moved in and out of the Scottish Parliament, until finally at the Revolution of 1688/9 they exited both completely. Meanwhile, some noble and honorific appointees without particular professional and administrative skills continued to be appointed to the council, although it should be remembered that such elites were supported by their own secretariats. It always remained important to keep political membership adequately strong and as inclusive as necessity allowed. One of the most significant political errors in Scotland's Restoration period was the failure to keep the most senior Scottish noble, William Douglas, 3rd Duke of Hamilton (1635-94), sufficiently within the Council. Doing so may have prevented his leadership of political opposition, a key factor in the move towards party politics as it gathered pace towards that Anglo-Scottish political crisis that culminated in the parliamentary Union with England in 1707. Those political, social and administrative changes that enhanced the evolution of nodal councils clearly also impacted on the parliaments of Europe, although some territorial entities developed councils but not representative assemblies, such as the duchy of Milan through its permanent privy council, or *Consiglio Segrato*, in the fourteenth and fifteenth centuries (Gentile 2018, 69-84).

'UNIQUENESS' OF THE SCOTTISH COUNCIL

Renaissance ideas that encouraged as opportunities arose for individuals from aristocrats to the professional 'middling sort' to engage and represent - a manifestation of civic virtue as the Scottish political writer and parliamentarian Andrew Fletcher of Saltoun (1653- 1716) reflected on in his *An Account of a Conversation Concerning a Right Regulation of Governments* of 1703 - resulted in both monarchs and elites accepting the need for an executive body (Robertson 1997, 175-215). The catalyst

for these opportunities came from a combination of economic and institutional development, such as the expansion in the numbers of burghs and markets from the fourteenth to seventeenth centuries, along with the proliferation of administrative record keeping. In the case of the Privy Council, however, the general acceptance of the authority of the body was vitally important. It is reasonable to assume that this acceptance stemmed in part from Scotland's response to the beliefs of the Conciliar Movement of the fifteenth century, which inspired the Scottish historian and philosopher John Mair (1496-1550) to conclude that a council of cardinals should be the supreme authority over the Church of Rome. In his *In Mattheum ad litteram expositio* (1518) he concludes that "[a council] duly convened and representing the universal church, is superior to the pope", the issues being, what is to be done with a wayward pope and how do we define what is meant by 'the church' (Burns 1996, 52). The great western Schism in the Church of 1378-1417, which created first two and then three competing popes, led to the holding of three general councils of Pisa (1409), Constance (1414-18), and Basle (1431-49), and subsequent gatherings into the sixteenth century, with the purpose of healing division. In what may seem a typical break with England, Scotland supported the claims of the Avignon papacy while England preferred Rome, and Scotland's academics and writers, including Mair and his predecessor John Ireland (c.1440-95), drank in the ecclesiology of the university of Paris, where both studied and taught, that favoured the conciliarist side (Burns 1996, 32-3, 47-53). While the papacy eventually took back control, and although some princes such as Charles V, the Holy Roman Emperor, had a vested interest in having common cause with those opposing rule by 'king-in-committee', ideas about relying on a group of councillors continued to thrive in the secular world and sustained the legitimacy of such institutions, notwithstanding the Protestant Reformation in the likes of Scotland. As Wim Blockmans states after Otto Hintze "the ecclesiastical model of conciliar representation was easily transferred to secular circumstances" (Blockmans 1998, 30). And put simply, as George Buchanan (1506-82) noted in his influential political tract *De Jure regni apud Scotos Dialogus* (1579) "As a general rule, a multitude of people is a better judge of all affairs than an individual. Individuals have certain portions of virtue which, when brought together form a

single outstanding virtue” (Mason and Smith, 2004, 57). Buchanan was Scotland’s greatest writer of the premodern period, and an outstanding Latinist, yet he was no democrat, and by ‘the people’ he did not of course mean the entire population but the commercial, landed, clerical and academic elite. What underpinned his views of parliamentary sovereignty applied in small scale to the Privy Council as an executive. Those who gathered in Council took decisions while the wider populace accepted them. The fact that the body could convene as a court obviously added to its position of authority.

After King James VI of Scotland became King James I of England, and the Union of the Crowns was joined in 1603, many politicians and political writers, including Andrew Fletcher, came to condemn this Union of two parliaments under one king. Even those who opposed the parliamentary union of 1707 were unhappy with the *status quo* and looked to find some way to take the constitutional settlement back to a ‘golden age’ before 1603. However, in one respect Scotland’s political classes could not complain. Scotland’s monarch moved to London but its Privy Council remained in Edinburgh. While Scottish business was carried out in England’s capital with those Scots who happened to be present, sometimes with key English ministers present, and also a ‘Scottish council’ was briefly convened from 1661, there was no settled attempt to set up a Scottish privy council in London. As the Restoration settlements were being established in England and Scotland from 1660, a standing committee was set up in London to advise the king on Scottish affairs. This came into being in February 1661. This ‘council’ consisted of whichever Scottish privy councillors were present plus six Englishmen, including the two English secretaries of state and the English Chancellor the Earl of Clarendon (1609-74) who supported the formation of this body. It would be an exaggeration to say that this represented English domination, and mostly the Scots outnumbered the English at these meetings, and it should not be forgotten that since 1603, Scots, generally also six in number, were commissioned to the English Privy Council. In fact, this Scottish London council was abandoned in 1663, a victim of the political eclipse of John Middleton, Earl of Middleton (c.1608-74), Charles II’s High Commissioner based mostly in Scotland, who had suggested the committee to continue his bitter feud with John Maitland, earl and

later duke of Lauderdale (1616-82), Scotland's Secretary of State, based in London. Lauderdale won this rivalry and the specific committee was abandoned (Paterson 2003, 133-68).

Given the more common arrangements found in European composite monarchies it is remarkable that the Scottish Privy Council was maintained in Edinburgh. More usually in such cases a viceroy would be sent north to act as the Westminster government's representative in Scotland and Scotland's representative at Westminster. The Spanish situation offers such an illustration. Catalonia had a viceroy located in Barcelona who was kept separate from the decision-making Council of Aragon in Madrid. A provincial governor, in the French manner, might also have been a possibility, acting as a 'petty king' in the name of the actual monarch. But as Goodare says, "Scotland's government by a unitary King-and-council prevented this", or at least made such a proposal anathema to the political community and parliament of Scotland (Goodare 2004, 141-3). Various factors before and after 1603 account for the Privy Council remaining in Scotland. These include, the very fact that James VI was Scottish and had enough confidence in the political class; that his failed attempt at a full union between England and Scotland in 1604-6 necessitated falling back on existing structures; thirdly, arrangements such as those made in 1589 whereby the Privy Council governed Scotland while the king was in Denmark agreeing his marriage to Princess Anna, pointed to future possibilities; and finally, the flexibility of business in London, where occasional Scottish matters could be considered in and around the English council, diluted ideas of having a strong and permanent Scottish Council based in the English capital. While this enabled the Council in Edinburgh to carry on its duties until 1708, this constitutional arrangement also gave considerable power to the Scottish Secretary in London, where he was the key conduit between council and monarch, a set up that had risks as well as advantages for Scottish affairs.

SELF-INTEREST AND INSTITUTIONAL DEMISE

Ultimately, the Scottish Privy Council ended with a whimper not a bang, a victim of party politics in Scotland with the excuse of the Council's failure to deal adequately with known plans for a Jacobite invasion,

which eventually emerged in the form of a brief insurrection in support of an aborted French landing in March 1708 (Riley 1964, 87-102). In fact, opposition politicians in Scotland had pressed for the demise of the Council before this date as they viewed the body as a vehicle for the ruling Court party under James Douglas, 2nd duke of Queensberry (1662-1711), particularly when it came to the management of elections. The *Squadron Volante*, a third party in Scotland at the Union that was neither of the Court or of the Country and led by John Hay, the 2nd marquis of Tweeddale (1645-1713), believed that closer union with England would bring the end of the Queensberry ministry in Scotland, better secure both the Protestant succession and Scotland from the threat of Jacobitism, and also keep their party relevant. Action was required swiftly and before the general election of 1708 for which Queensberry could manage affairs so as to deliver new MPs who would be sympathetic to retaining the *status quo*. Court attempts to tidy-up the Treaty of Union quickly turned to much more radical proposals that threatened defeat for the Westminster administration under Sidney Godolphin (1645-1712), lord high treasurer under Queen Anne. The position of the Council was weak in these circumstances. Unlike Scotland's other legal, educational and religious institutions preserved by the clauses of the Treaty of Union, the Council was affirmed in vague terms under article 19 of the Treaty –

...after the union the queen's majesty and her royal successors may continue a privy council in Scotland, for preserving of public peace and order, until the parliament of Great Britain shall think fit to alter it, or establish any other effectual method for that end.⁴

And so, aware of the pressures of Westminster parliamentary arithmetic and needing votes to continue the war effort during the War of the Spanish Succession (1701–14), an unwillingly Godolphin conceded the abolition of the Scottish Council on 1 May 1708, precisely twelve months since the commencement of the parliamentary Union. Last minute efforts by the Court failed in delaying the abolition until after the election in July that year. The bill therefore became law in February and the Privy Council of Great Britain was created which technically ended

⁴ RPS, 1706/10/257

the English Council as well, although for the remainder of the century the 'new' body had very few Scottish members. Ironically, the lack of a central executive authority in Edinburgh, with access to local intelligence and the power to take swift action, merely encouraged Jacobitism, that movement to restore the Catholic line of the Stuart monarchy that brought about the famous rebellions of 1715 and 1745. Many who had voted for abolition conceded this point after the 1715 and the *Squadron* had acted out of self-interest not in the interests of security. In another twist, one the greatest opponents of abolition, fearing that the bill's provisions to introduce reformed justices of the peace to Scotland would infringe on the privileges of traditional heritable jurisdictions including his own, was John Campbell, 2nd duke of Argyll, the political and military force behind the countering of the Jacobite rebellion of 1715.

BUSINESS AND SIGNIFICANCE

How do we assess the significance of the Scottish Privy Council? The Scottish Parliament (the legislature) met for periods of a month or perhaps three months or more, and in some years not at all, whereas the Council (the executive) convened on a daily and weekly basis, making it able to deal with long term policy matters but also immediate issues: it behaved somewhat like a modern-day cabinet, and its records are the nearest we have to cabinet papers from the premodern period in Scotland. The competencies of the Council were very wide and suggest a significant role in social, economic, religious and political spheres. In terms of research a rich mixture of themes is on offer through these categories, as is evident from the circumstances and events in the period of the Scottish Privy Council Project, from the Revolution of 1689 to 1708. It is an extraordinary period of social history and policy, for all of Scottish society but also for the individual, in areas such as the poor law, family, personal conduct, marriage, leisure, rights and freedoms and social welfare. In domestic and international economic policy, in the context of the prevailing belief in mercantilism, that is using tariffs to maximize exports and minimize imports, we see the granting of monopolies and patents, the imposition of price controls, and import and export duties, and the levying of taxation, as well as responding to the creation in 1695 and

subsequent near collapse of the Bank of Scotland, and the failed Darien scheme of 1698-1700, that final attempt to cure Scotland's economic woes by a costly and crippling plan to set up a trading colony at the Isthmus of Panama. In the same period politics and religion intersected each other and research themes include political management of elections and in the Scottish Parliament, the ebb and flow of Anglo-Scottish relations and national security; and in religion the reestablishment of Presbyterianism in 1690, and attempts by the crown to promote toleration of Episcopalians, while monitoring the activities of Jesuits and Catholic cells. The Council's relation to other national institutions – Parliament of course, but also the General Assembly of the Church of Scotland, the 'parliament' of the Scottish church established after the Scottish Reformation in 1560 and, after being dormant for a number of years reintroduced in 1690, and also presbyteries, urban councils and law courts, must be contextualised. The activities of the Parliament and Council were interwoven with the former devolving to the Council full authority over some matters, while the Council had responsibility to ensure that acts of parliament were adhered to on the ground.

This wide range of Council business is best illustrated by examples from the period in question. The Council considered appeals for help from individuals and groups. For example, two weeks after the Battle of Killiecrankie in late July 1689, at which the Jacobites were victorious but lost their commander John Graham, Viscount Dundee, seven widows, along with a badly wounded English soldier, petitioned the Council for assistance. The women were widows of English soldiers who had died as part of Colonel Hastings regiment which fought with the Williamite General Hugh MacKay against Dundee. They requested a fund to allow them and their children to return to England, and in the meantime money to maintain themselves "in their present starving condition". The Council instructed the receiver of His Majesty's crown rents and foreign excise to make a small payment to each to ease their circumstances. Additional groups of widows appealed in this manner after the battle and assisting other widows, especially of clergy, was regularly considered. Also, in a telling contrast, at the same session of the Council that relieved the English widows, the Viscountess of Dundee was granted protection for her family home and estate at Dudhope in Dundee following damage done

by government troops in the aftermath of the battle (*RPCS* 1933, 3, 14, 42).⁵ On a much larger scale, and after a special committee of the Council reviewed the position from February 1693, a “proclamation anent beggars” was issued the following August, instructing all beggars to return to their own parishes and that heritors (landowners) be stented, that is taxed, to help the genuine poor. Existing measures to help the poor were restated. As years of national famine set in for the remainder of the 1690s, the so-called ‘seven ill years’ and the greatest national demographic disaster since the Black Death in the fourteenth century, councillors regularly concerned themselves with attempts to help a struggling population. In June 1699 matters were so serious that a “Proclamation for allowing the free transport of victual from shire to shire and the importation of foreign victual free of custom” was agreed and disseminated by the Council.⁶

Foreign policy and external affairs were also engaged with in differing scale. In April 1697 the Scottish community in Königsberg in Prussia, modern day Kaliningrad, petitioned the General Assembly, who in turn appealed to the Privy Council, to be allowed to begin a public and voluntary collection in the parishes of Scotland to help them build a new church, permission for which had been given by the Duke of Brandenburg. This was duly granted by the Council. However, of much greater significance was the decision the Council made at the end of May 1702, between the death of King William in February and the summoning of a session of the Scottish Parliament in June, to declare war against France and Spain, and to take an unwilling Scotland into the recently begun War of the Spanish Succession.⁷ For many parliamentarians the Council had gone too far. Combined with the sense of grievance at English opposition to the Darien scheme, this led to anti-government electoral successes in the general election of 1702/3, creating a minority government, and helped build up resentment in the Scottish Parliament which culminated in an Act anent peace and War of 1703 (*Brown* 2005).⁸ This affirmed the

⁵ NRS, PC1.45, 199

⁶ NRS, PC1.48, 605, 641-2; PC1.49, 122-23; PC1.51, 578-80

⁷ NRS, PC.1.52, 395-97

⁸ *RPS*, 1703/5/193

parliament's right to assent to such action, and ultimately paved the way to the Anglo-Scottish political crisis leading to the political union with England. Faced with an increasingly unmanageable Edinburgh parliament this union was of course seen by Westminster as a solution to the 'Scottish problem' (Macinnes 2007; Whatley 2006).

DIGITAL SOLUTIONS

The SPCP has a second objective beyond researching the business of the Council, creating an online resource for students, researchers and the public. The relevant website is due to be launched in the summer of 2024. That leads us to consider the nature of the record with which the project needs to deal. Council business sessions and the subsequent manuscript registers held in the National Records of Scotland (NRS) in Edinburgh are in two series – Acta volumes, recording public business, such as law and order and public policy, and Decreta volumes, recording private business, ranging from financial assistance to widows, as we have noted, to the granting of commercial rights. The handling of book publishing illustrates clearly the two types of business – censorship being public and recorded in Acta, and copyright grants for printed books being private and recorded in Decreta (Mann 2000, 95-124; 163-191); such as, respectively, the arrest, imprisonment and banishment in 1700 of the printer James Watson, the younger, and author Hugh Paterson for producing provocative pro-Darien and pseudo-Jacobite material that conflated a range of political grievances, and the copyrights granted to the grammarian James Kirkwood in 1695 to publish his *Rhetoricae compendium* and his *Grammar*.⁹ However, there are times when public matters appear in the Decreta registers and private in the Acta and this shows the importance of interrogating both sets of records before coming to any conclusions.

While the research agenda of the project is set from 1689 and the political revolution that year, the detailed examination and editing of these manuscript records will span the years 1692 to 1708. Why the start date? This arises from pure serendipity. Between 1877 and 1970 printed

⁹NRS, PC. 1, 52, 114-17; PC2. 26, 47v

volumes of the Council registers were published, merging the public and private material held in the NRS. However, no published editions exist for the years 1692 to 1708. Also serendipitous is that in the 1960s typescripts were made of the public registers and kept at the NRS with a view to printed publication covering from 1692 to 1708, an outcome prevented by lack of available funds to complete the series. This is one of several junctures where the online resource *The Records of the Parliaments of Scotland to 1707* (RPS - <https://rps.ac.uk/>) will be used as a project template. The *Records of the Parliaments of Scotland* (RPS), one of the most important online resources in the study of premodern Scottish history and an exemplar for digital humanities, was introduced at the 53rd congress of the International Commission for the History of Representative and Parliamentary Institutions held at Barcelona in 2003, and at which the methodologies of accumulating this online resource were outlined in detail (Mann et al, 2005; Marsden 2019). Using then RPS as a methodological mould, where the nineteenth century printed volumes of *The Acts of the Parliaments of Scotland* were scanned using optical character recognition (OCR) to create a master record, OCR scanning has been undertaken of these Privy Council transcripts to accelerate markedly the process of text capture. This way a foundation text has been created for the greater part of the record. Manuscript material not available in typescript form will be interpreted and transcribed from document images acquired from the NRS or other archives. Even though the 1960s may seem recent enough, some of the editorial amendments made in the typed transcription do not respect the original text in a manner that adheres to current editing standards and will be reversed before this first stage of the editing process is completed.

Editing the master text will not be easy and there is much to agree upon before the process is too far underway. This second stage of the editing process involves the ‘marking-up’ of the master text to form a new edition, and again following RPS, this stage will involve the removal of all abbreviations, the insertion of modern punctuation, the adding of editorial commentary where necessary, including using footnotes to explain editorial points, and where appropriate, the comparisons between multiple sources. The insertion of modern punctuation will result in a more readable and accessible version of the Council record. To aid this process

further, the new edition will contain a new referencing system used for citation purposes. One of the most significant features of *RPS* is the creation of its parallel modernised translation of the parliamentary record, so this will be introduced for the new Privy Council edition—naturally increasing accessibility and readability to students, academics, and the general public. The translation is necessitated by the problems arising from searching a digital database with no standard spelling, orthographical precision being a product of the eighteenth century. In effect, the translation will provide a detailed, standardised index of the entire database enabling an almost infinite number of search terms by computer. Therefore, the other core aim of this project, to create a free-to-access online edition covering these years, will be achieved and at the same time enable the project team to explore various elements of policy and action by the Council in the reigns of William and Mary (1689-1702) and Queen Anne (1702-14).

REPRESENTATION?

Clearly, the Scottish Privy Council was hardly a representative body in modern democratic terms, but could it be seen as having representing qualities for the period in question, or even in relation to the more geographically wide and numerical strong Scottish Parliament? We could of course ask the same for the current UK Privy Council made up as it is of largely the unelected or once-elected great and good. Considering pre-modern institutional representation merely in terms of parliament has been rightly challenged (Blockmans 1998, 29-64). The convention was that Scotland's chancellor who presided over the Council, James Ogilvy, 1st Earl of Seafield and 4th Earl of Findlater (1664-1730), being the last chancellor of Scotland (1705-8), although increasingly from 1620s a deputy presided under the title Lord President of the Council, the last being James Graham, 1st Duke and 4th Marquess of Montrose (1682-1742) (1706-7). The fact that these were nobles seems unpromising in representative terms. However, the full Privy Council contained non-noble as well as noble individuals, with some councillors from towns representing trade, commerce and urban life, and always the provost of Edinburgh; some clergy, as we have seen, in the shape of the archbishops of

St Andrews and Glasgow, and various bishops, particularly in the reign of Charles I, before clergy were excluded after the revolution of 1689, in line with the separation of spheres between the civil and ecclesiastical authorities insisted upon by Presbyterians; and some councillors from the shires, often with legal training, along with senior army officers. All were part of a mixed attendance, even though the number that attended regular meetings could be small. Almost all were also members of parliament with the concerns of course which that status afforded. While members of the Privy Council were unified in the sense of crown loyalty, they clearly expressed political and social priorities within their individual classes, as nobles, as barons, as clergy, as merchants, as military men and as lawyers. All of these were men, of course, as well as owners of land and property, some greater than others, and as landowners as well as fathers and sons, were concerned to preserve those aspects of hereditary right and the maintenance of their social status in society, as well as exploring the prospects for advancement. The interests of individuals coexisted with those of interest groups. Occasionally the Council even disagreed with or prevaricated over royal instructions, such as not enforcing obedience to the agenda of Charles I over liturgical and religious policy, or in the avoidance of severe punishments for some deviants, such as Jacobite sympathisers in the final months of the Council's existence. Some even resigned or refused to attend out of protest. Those who were officers of state and were dismissed for a political misdemeanor found themselves thrown off the council. This occurred in 1686 when Sir George Mackenzie of Rosehaugh (1636-91), lord advocate, refused to accept James VII's plans to repeal the penal laws against Scottish Catholics and was dismissed (Mann 2014, 178; Lauder 1848, 2, 723). In June 1702 when the clerk register Charles Douglas, 2nd earl of Selkirk (1662-1739), walked out with 70 other members of the Scottish Parliament in support of the protest led by James Douglas, 4th duke for Hamilton (1658-1712), that the first session of parliament under the new Queen Anne was unconstitutionally convened, he too was soon replaced and lost his seat on the Council (Szechi 1995, 12-14).¹⁰ However, it is from the wide scope of the

¹⁰ *RPS*, 1702/6/3.

business of the Privy Council that we get a true sense of how the body responded to the needs of the people as well as the desires of their prince.

CONCLUSION

It is our fervent hope that a fulsome analysis of the work and business of the Scottish Privy Council will emerge from the research agendas of the SPCP team above. As a group our objective is to improve our understanding of the Council but also to better enable researchers that follow on after us. The lack of printed volumes of the Privy Council record has had a weakening impact on the quality of historical research on the last two decades of the Council's existence, and this is not merely a problem for students. The absence of an accessible published record has demonstrably retarded research into this period, to the extent that some major studies have barely looked at the record. This project should make more of us aware of these relatively untapped secrets.

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Political Institutions and Theater in Nineteenth-Century Italy

MARIA TERESA ANTONIA MORELLI

Italian theater in the nineteenth century represents a living force in both the Risorgimento and the unification process. It is a valuable source to reconstruct and reflect on the state-building process. The nineteenth-century theater - which is a place of consensus building and a means of political opposition - reveals itself to today's scholar as an extraordinary and original instrument of political communication and a place that symbolizes the division between social classes. The state intervenes to influence theatrical performances mainly through two instruments: legislative measures and censorship. Specifically, the censorship aims to protect relations with foreign states above all, primarily France and the Holy See. Both prose and lyric theater affect the parliamentary debates, in particular as to the subsidies from the state. The Italian theater, as a mirror of political and institutional life, in the aftermath of the Unification of Italy denounces political degeneration in line with the emergence of forms of anti-parliamentarianism. Many plays have the merit of bringing the public closer to a model of parliamentary life, for positive or negative aspects. Relevant issues of national life are brought onto the scene by theatrical authors who are elected to Parliament in the aftermath of Italian unification, such as, for example, Ferdinando Martini and Vittorio Bersezio.

THE THEATRICAL REPRESENTATION: A SOURCE FOR POLITICAL HISTORY

In the decades preceding and following the unification of Italy, Italian theater plays a social and political role of great importance not only related to the figures of the great actors, but also to the diffusion and vitality of theatrical venues in the country. Theatrical places increasingly become meeting spaces and places of social life and entertainment; they represent important spaces of political activism and cultural unification (Trezzini, 1991).

Theatrical works stage the main issues debated in nineteenth-century Italy and pour them out on the general public (Cortella, 1889, 116). The theater expresses the new climate pervaded by national spirit and by political and social demands. This atmosphere finds in the audience a consonance of feelings to the point that, beyond the intention of the author or the actors, the audience (Sanguanini, 1989) bursts into applause and is exalted at the simple hearing of the fight against oppressors. With the unification of Italy, the theater occupies a central place in national culture, becoming a meeting place «for artists, politicians, economic operators, that is, those who are making the new nation» (D'Amico, 1980, 53).

The theatrical production in the first half of the nineteenth century plays a decisive role in the propagation of unitary ideas and patriotic sentiments (Morelli, 2012). It makes the reader and scholar of our times understand the extent of the commitment that theatrical authors and actors have lavished in this direction and also allows us to reconstruct feelings, attitudes, customs and ideologies. Theatrical authors are an integral part of that circle of intellectuals who propose solutions to the problem of Italian independence. They are intellectuals imbued with philosophical ideas and political ideals, in close contact with the culture of the time and of the past, from which they draw ideas and political principles that they elaborate and interpret in such a way as to be more accessible to a wide audience.

During the Risorgimento, many plays by famous authors of the past are interpreted with a clear patriotic spirit oriented towards the awakening of national sentiments and the rejection of illiberal political systems (Doglio, 1972). The most famous anti-tyrannical texts by Vittorio Alfieri¹ are represented in all Italian theaters, such as *La Congiura de' Pazzi*, *Bruto secondo*, *Virginia*, *Oreste* (Alfieri, 1836), plays composed between 1776 and 1786. At the same time, new patriotic texts see the light and, among these, we remember: *Bianca Cappello* by Giuseppe Rovani²

¹ Vittorio Alfieri (Asti, 1749 - Florence, 1803) is the most represented author during the Jacobin three-year period. Napoleon himself attends on 22 September 1796 – on the fifth anniversary of the founding of the French Republic – the replica of *Virginia* at the Teatro Pariottico in Milan, which is performed in 1799 together with *Bruto* for the patriots of the Neapolitan Republic at the Teatro del Fondo in Naples.

² Giuseppe Rovani (Milan, 1818 - 1874), novelist and dramatic author, participated in the insurrection of 1848 and lived in exile for some years. He is considered the forerunner of the Milanese *scapigliati*.

(Nardi, 1924), *Masaniello* by Giuseppe Sabbatini³, *Pietro Micca* by Vittorio Bersezio⁴ (Mattalia, 1911) and also texts by less known authors such as *Il trionfo del popolo bolognese nell'otto agosto 1848* by mazzinian Agamennone Zappoli⁵ (Calore, 2003).

Angelo Brofferio, dramatic author and member of the Subalpine Parliament for the Left, recalls that during the performance of Silvio Pellico's⁶ opera *Francesca da Rimini*⁷, the audience is agitated, souls are inflamed with the desire for freedom and independence of Italy (Brofferio, 1859) in particular when listening to these words: «For whom was my sword stained with massacres? / For the foreigner. And perhaps I have no homeland / To whom the citizens' blood is sacred? / For you, for you who have brave citizens, / Italy of mine, I will fight» (act I, scene V)⁸.

The theater, during the uprisings, exerts a continuous action of national propaganda; actors such as Ernesto Rossi⁹ (Rossi, 1887), Gustavo Modena¹⁰ (Modena, 1836) and Tommaso Salvini¹¹ (Salvini, 1895)

³ Giuseppe Sabbatini (1809 - 1870) wrote numerous historical and social works. His *Masaniello* was represented in Piedmont in 1848 for the benefit of volunteers who joined Carlo Alberto's service for the war of Independence.

⁴ Vittorio Bersezio (Peveragno, Cuneo, 1828 - Turin, 1900), playwright, theater critic, publicist and Member of Parliament. He intervenes in the War of Independence of 1848 and takes an active part in militant political journalism.

⁵ Agamennone Zappoli (Bologna, 1810 - Nervi, 1853), actor, author and theatrical censor. Graduated in law, he was denied the practice of law because of his liberal ideas. Mazzinian activist, sentenced to long years of exile from the papal government. He was on the front line during the revolutionary uprisings of 1848, he participated in the Bologna insurrection against the Austrians on August 8, 1848.

⁶ Silvio Pellico (Saluzzo, Cuneo, 1789-Turin, 1854), editor and collaborator of the Milanese Romantic journal "Il Conciliatore". In 1820, the Austrians arrested him and served nine years in the Spielberg prison in Moravia for conspiracy.

⁷ *Francesca da Rimini*, performed for the first time at the Teatro Re in Milan on the evening of 18 August 1815.

⁸ [«Per chi di stragi si macchiò il mio brando? / Per lo straniero. E non ho patria forse / Cui sacro sia de' cittadini il sangue? / Per te, per te che cittadini hai prodi, / Italia mia, combatterò»].

⁹ Ernesto Rossi (Livorno, 1827 - Pescara, 1896) in 1848, he took part in the Five Days of Milan. A profound scholar of Shakespearean theater, he brings the Italian public closer to the tragedies of the English playwright.

¹⁰ Gustavo Modena (Venice, 1803 - Turin, 1861), a republican and revolutionary spirit, enlisted with the patriots in Ancona in the army of General Sercognani and after the failure of the riots, he joined Mazzini and the *Giovine Italia* in Marseille.

¹¹ Tommaso Salvini (Milan, 1829 - Florence, 1915), in 1843 joined with his father Giuseppe in the famous theater company of Gustavo Modena. The teachings of Gustavo Modena have a decisive importance in the artistic training of the young Salvini. In 1849 Tommaso Salvini fought as a volunteer in the National Guard in defense of the Roman Republic.

take an active part in the uprisings of the Risorgimento. The friendship between Gustavo Modena and Giuseppe Mazzini also produces important effects on the actor's artistic choices. Mazzini offers indeed Gustavo Modena a new ideological perspective that helps him to see theater as the place of the people's civil elevation.

Gustavo Modena, after the armistice of Villafranca (July 1859), attributing to Cavour the responsibility for the French betrayal and the failure to liberate Italy, wrote the single act *Il Falò e le frittelle*, published in Milan in the newspaper "La Libertà" in 1860, in which Cavour is represented as a cook who, by mixing very different ingredients, creates a harmful mess, preparing the fritters of the annexation to Piedmont. In this satirical dialogue Modena is inspired by the cantos XXI and XXII of Dante's *Inferno*, in particular verses I, 18; VI, 63; XVIII, 58-61.

Cavour is defined as «the Machiavello of the fritters» (Meldolesi, 1971, 108), that is of the annexation, responsible for preparing a large bonfire with the books of Dante, Cattaneo, Mazzini, Muratori (Modena, 1860, 12).

Luigi Suñer's¹² comedy (Costetti, 1888) *I legittimisti in Italia*¹³ intervenes on contingent political events, emphasizing the themes of freedom and nationality. The play is set in 1859, after the armistice of Villafranca and the peace of Zurich, which saw the annexation of Lombardia, Emilia and Toscana to the kingdom of Sardinia. Luigi Suñer manages to summarize all the expectations of salvation that the achievement of national unity promises; the unity of the homeland is presented as the panacea for all evils. A duty every Italian has to fulfill is therefore to facilitate the unification process. Presenting the comedy night by night to an ever-changing audience favours the widespread penetration of political concepts and sentiments; the author's pedagogical intent is evident.

The three-act farce by Ferdinando Martini *L'elezione di un deputato*¹⁴ (Martini, 1875) focuses on the political theme, which emphasizes

¹² Luigi Suñer (Cuba, 1832 - Florence, 1909) studied Law in Pisa and then in Siena; in 1859, he fought in the Second War of Independence. In his comedies, he often deals with the theme of political and social corruption.

¹³ *I Legittimisti in Italia*, a prose comedy in five acts, staged at the Teatro della Regia Scuola di Declamazione in Florence on the evening of July 22, 1861.

¹⁴ *Elezione di un deputato*, comedy staged on the evening of 18 December 1866 at the Niccolini Theater in Florence by the Bellotti Bon company.

the importance of exercising one's right to vote but, at the same time, highlights how electoral promises, in the aftermath of the elections, are promptly disregarded.

In 1884, after a few decades of unitary parliamentary experience, Giuseppe Protomastro¹⁵ (Giusto, 1893) wrote a comedy in four acts entitled *Le vicende dell'onorevole Febus* (Protomastro, 1884). The references to the parliamentary world are numerous and the comedy has the merit of representing a model of parliamentary life in both its positive and negative aspects to a large audience, which is supposed to be not yet politically prepared. The topic concerns the machinations of an aspiring Member of Parliament, Pasquale Febus, who, in the name of democratic principles and through the purchase of votes and a convenient electoral law, manages to be elected.

In 1884 also Giuseppe Giacosa¹⁶ (Alonge, 1998), with *L'onorevole Ercole Malladri*¹⁷ (Nardi, 1948), brings on the scene a deputy, Ercole Malladri duke of Serrarsa, an unpleasant and cynical character, who participates in public life only to satisfy his personal interests. Questionable from a point of view both private and public, devoid of political ideas and culture, hypocritical and liar, ready for every base action in order to be elected to Parliament.

Giacosa's theater portrays a society that already shows symptoms of decadence (Della Peruta, 1999). After the first years of hope, parliamentary life shows its dark sides. From the 1880s onwards - and the theater clearly reflects this - the evils of a country devoid of political traditions begin to be identified and denounced, namely parliamentary degeneration, political patronage and the mafia (Turiello, 1882). The contemporary Italian political debate focuses on the degeneration of the parliamentary system (De Mattei, 1982) grappling with the complex issue of

¹⁵ Giuseppe Protomastro (Trani, 1857 - 1918), a successful practicing lawyer, soon preferred literature to the codes and oratory. He is the author of numerous social novels that receive great acclaim. Some of his works are translated into German.

¹⁶ Giuseppe Giacosa (Colleretto Parella, Turin, 1847 - 1906), lawyer, playwright and librettist, collaborates with various newspapers. He directs the acting school of the Academy of Amateur Drama in Milan and teaches dramatic literature and acting at the Conservatory of the same city.

¹⁷ The comedy in four acts *L'onorevole Ercole Malladri* is performed at the Carignano Theater in Turin on the evening of 20 October 1884, first actress Eleonora Duse.

electoral reform, with the organization of the Socialist Party and the recurring political, financial and administrative scandals. Between the end of the nineteenth century and the beginning of the twentieth century, therefore, the term parliamentarism, as evidenced by Maria Sofia Corciulo, indicates the degeneration «of the legal system established by the post-unitary constitutional regime» (Corciulo, 1999, 357).

Between the end of the nineteenth century and the early years of the following century, there are numerous theatrical works that recover the Risorgimento tradition with a celebratory spirit. This trend includes the historical drama *I fratelli Bandiera*, written by Carlo Bertolazzi¹⁸ and Raffaello Barbiera¹⁹; a patriotic drama that portrays events, characters and historical details, written on the occasion of the fiftieth anniversary of the liberation of Venice from Austrian rule. The work is dedicated to Attilio and Emilio Bandiera, two Italian patriots protagonists of the Risorgimento, shot in the Vallone di Rovito, near Cosenza, on 25 July 1844, following the sentence of the court-martial of the Kingdom of the Two Sicilies, after a failed attempt to raise the Calabrian people against the reign of Ferdinando II, in the perspective of an Italian national unification.

Also worthy of mention is the comedy by Carlo Collodi²⁰ - pseudonym of Carlo Lorenzini - *Gli estremi si toccano* (1861), a political and social satire in which the author criticizes conservatives and opportunists (Marcheschi, 1990, 5-54). Collodi portrays the Florentine community - which represents the whole of Italian society - denouncing the «the transformistic way, in which the bourgeois and aristocratic classes linked to old centers of power were about to reconcile themselves in a corrupt and abject way» (Marcheschi, 1995, XLIV).

Collodi believes in a unified, free and independent Italy under the leadership of Vittorio Emanuele II and does not share the logic of

¹⁸ Carlo Bertolazzi (Rivolta d'Adda, Milan, 1870 - Milan, 1916), from an affluent family, is an officer of the Alpine troops, in the last years of his life he practiced the profession of notary. He collaborates with various newspapers dealing with dramatic criticism.

¹⁹ Raffaello Barbiera (Venice, 1851 - Milan, 1934), writer, dramatic critic, journalist. In many of his writings he evokes figures of the Risorgimento, but there are also numerous references to the theatrical activity of the time with news about actors, musicians, singers.

²⁰ Carlo Collodi (Florence, 1826 - 1890), collaborates with various newspapers; in 1848 he took part in the First War of Independence, in 1849 he was appointed first class officer by the Tuscan provisional government. In 1874 he was appointed first class secretary in the Prefecture of Florence.

political compromise. All of Collodi's works, literary and theatrical, have an evident character of political and social commitment and a strong pedagogical intent, in the belief that a profound and rapid progress of the social, cultural, political and economic structures of Italy can improve its conditions.

During the decisive years of the Risorgimento and in the first two decades following the unification, the theatrical works of Paolo Ferrari²¹ (Castrucci, 1898) occupy a prominent place, reflecting the evolving political climate. The comedy *Il duello*²² has the merit of intervening in a rather heated debate at the time, bringing to the attention of the public a consolidated practice - the duel - which now shows its full anachronism. In 1856 the performance, at the Carignano Theater in Turin, of his comedy *La satira e Parini* received the official commendation of Cavour. Subsequently, Cavour himself suggests Paolo Ferrari that he insert a positive French character in the comedy *Prosa*²³, in order to arouse a pro-French attitude in the public at a decisive moment, when Cavour is preparing to consolidate an alliance with Napoleone III. As Benedetto Croce points out, the idea of the political and civil mission of the theater pushes Paolo Ferrari to strengthen, through his works, the national character and to «spread the culture and spirit of duty and sacrifice» (Croce, 1915, 333).

Paolo Ferrari, which is the voice of the Historical Right, reconciled conservatism with the patriotic and liberal ideas as a different way of continuing the same battle. In fact, once the political unity for which Ferrari had fought so much has been achieved, it is necessary to build, in his opinion, a cultural unity, which can also be brought about through the theater.

He does not denounce the ambiguous relationships existing between the government's policy and the interests of the most influential social

²¹ Paolo Ferrari (Modena, 1822 - Milan, 1889), a fervent patriot, took part in the liberal movement of his city. In 1858 he was head of the Modenese Committee of the National Society, drafting the proclamation *Ai popoli dell'Emilia* (15 July 1859) for the annexation to Piedmont. Minister Mamiani confers on him the chair of History at the Scientific-Literary Academy of Milan in 1861.

²² *Il duello*, a comedy staged in 1868 at the Niccolini Theater in Florence by the Alamanno Morelli Company.

²³ *Prosa*, a comedy in five acts, staged at the Teatro Re in Milan in 1858.

classes such as the aristocracy and the upper middle class. This explains his great initial success, but when the negative aspects of the bourgeois world are becoming more and more evident, his compositions arouse less enthusiasm.

The extreme moral rigour that characterizes his works appears increasingly distant from a society overwhelmed by business and malpractice, which therefore welcomes Ferrari's comedies as a cover for its own hypocrisy, rather than for models of behaviour put forth by the author (Monti, 1978, 98).

NAPOLÉONIC INFLUENCE AND THE BIRTH OF A FORM OF STATE THEATER: THE ROYAL SARDINIAN COMPANY

The French Revolution brought about profound changes in the panorama of nineteenth-century Italian theater, in its repertoire and in its organization. Following the victories of Napoleon, the Imperial Theater Regulations also came into force in Italy (8 June 1806), which provides for the establishment of permanent drama companies subsidized by the state (Lecomte, 1912). The Imperial Theater Regulations is the first provision that raises the problem of the stability of companies in the Napoleonic era. In 1807 in Milan, capital of the Napoleonic kingdom, the viceroy of the kingdom of Italy Eugène de Beauharnais established the Company of ordinary Italian comedians of S.M.I.R. - on the model of the *Comédie Française* - whose direction is entrusted to the comedian Salvatore Fabbrichesi, in charge of staging, in Milan and in the other cities of the kingdom, a repertoire of texts approved by a government commission. Following the French example (Granata, 2008), theaters are considered suitable places for the dissemination of new political and social ideas.

The major theatrical centers remain concentrated in the regions of northern Italy: Turin, Milan, Florence, Venice. In the South, there are very few theaters and wealthy families attend the prestigious theaters of Naples and Palermo. In particular, Naples, which in the first half of the nineteenth century could count on a theater for every twenty-six thousand inhabitants, second only to Milan for the density of theatrical venues, maintains its primacy thanks to some important families of actors.

However, there is no lack of southern authors, who express themselves outside the south; this is the case of Francesco Saverio Salfi²⁴ (Ferrari, 2009), who proposes theater as an instrument of education to republican ideas (De Sanctis, 1970), author of the *Norme per un teatro nazionale*, an instrument of his struggle for a new theater.

Clear patriotic intentions are shown in the first half of the nineteenth century (Meriggi, 2002), in the repertoire of the Royal Sardinian Company which, created by Vittorio Emanuele I with a decree issued on 28 June 1820, stages, among the numerous works, *Il poeta e la ballerina* by Paolo Giacometti²⁵ (Resarco, 1882) and *La provincia e la capitale* by Cesare Della Valle²⁶ (Della Valle, 1856).

The Royal Sardinian Company is the first example of a permanent theater with national aspirations (Costetti, 1893). The task of forming and directing the Company is entrusted to the Turin manager Gaetano Bazzi. The most important artists of the time perform there, including Francesco Augusto Bon, Domenico Righetti, Gaetano Bazzi, Adelaide Ristori, Carlotta Marchionni, Amalia Bettini, Antonietta Robotti, Luigi Vestri, Luigi Bellotti Bon, Ernesto Rossi. The Royal Sardinian Company began its activity on the evening of April 29, 1821 at the Carignano Theater in Turin with *Altrabiliare* by the playwright Alberto Nota, former secretary of Carlo Alberto. Until 1843-1844, under the moderate and conservative government of Carlo Alberto, the Royal Sardinian Company played the role of national education that, in central Italy, was carried out by the "Antologia", the magazine of literature, history,

²⁴ Francesco Saverio Salfi (Cosenza, 1759 - Paris, 1832), politician, publicist and playwright. Leader of the Italian Jacobin theater. The play *Francesca da Rimini*, written during his exile in Paris, which highlights the themes of political ambition, exile, love for the homeland and for freedom. It is a tragedy steeped in strong civil and political sentiments.

²⁵ Paolo Giacometti (Novi Ligure, 1816 - Guazzolo, Mantua, 1882), son of Senator Francesco Maria, abandoned his law studies when his father died. In 1840 he worked with the Woller-Giardini-Bellati company, later with the Domeniconi company and in 1848 he was called as a poet of the Royal Sardinian Company. Author of historical dramas and socially committed, in 1860 he also wrote a *Cantico per la Sicilia* of patriotic inspiration, dedicated to Giuseppe Garibaldi.

²⁶ Cesare Della Valle (Naples, 1777 - 1860), dramatic author and librettist. A member of the Pontanian Academy, he studied philosophy and economics. Member of the Royal Superintendence of theaters and in charge of the Teatro dei Fiorentini, where the Fabbrichesi Company represents his tragedies with great success.

sciences and arts, born in Florence in 1821 thanks to Giovan Pietro Vieusseux (Doglio, 1969).

The Royal Sardinian Company manifests a great openness towards all those works with a political significance and a distinctly libertarian spirit such as, for example, *Congiura de' Pazzi*, *Bruto secondo*, *Virginia* by Vittorio Alfieri (De Luca, 2017). To those works is attributed the value of a national claim, in line with the policy adopted by Piedmont to carry out the design of Italian unification.

The Royal Sardinian Company receives a royal dowry of 50,000 lire per year (Sanguinetti, 1963) but its existence is not easy, despite some of the greatest actors of the first half of the nineteenth century play there. The Company's difficulties began with a government provision dated December 10, 1831 signed by Carlo Alberto who took over the regency in the name of Carlo Felice who is far from Turin, while Vittorio Emanuele I was forced to abdicate and leave the capital.

The dowry to the Royal Sardinian Company is reduced to 30,000 lire per year and the law states a series of obligations that the Company must fulfill towards the state (Livio, 1989). The agreement between the Kingdom of Sardinia and the Theater Company was renewed in 1844 and then in 1847. The end of the Royal Sardinian Company was decreed by the Subalpine Parliament in the sessions of 13 and 27 March 1852 (Subalpine Parliament Acts, 1852), when the suspension of his subsidy becomes the subject of parliamentary debate. The discussion in Parliament between the positions in favor of financing the Theater Company by Angelo Brofferio and Carlo Demaria and the opposing positions of Lorenzo Valerio, Claudio Bastian and Amedeo Ravina who ask for the suspension of the subsidy, considering theater an entertainment, a luxury (Monaco, 1968).

The Royal Sardinian Company ceases its activity in 1855, after having triumphed in numerous tours in France, Belgium, Germany and after having staged many foreign operas and about six hundred Italian operas. In reality, the Company should no longer be called Royal Sardinian because a law (pushed further by Cavour, then Minister of Finance), passed in March 1852 by the Piedmontese Parliament, had suspended all subsidies for dramatic art; the Royal Sardinian Company, however, will continue to use this name until 1855.

OPERA PRODUCTION: MUSIC AND THE IDEA OF A NATION

From the point of view of political expression, nineteenth-century musical theater enhances the themes of community and homeland, incorporates the idea of the social pact and, at the same time, presents itself as an instrument of political opposition. Through these peculiarities it contributes, in the first half of the century, to refine popular sensibility by penetrating the consciousness of ever larger sections of the population and conveying messages of a patriotic and national nature. A clear perception of the great communicative potential of opera theater is felt by Giuseppe Mazzini who in the book *Filosofia della musica*, published in installments on the literary sheet "L'Italiano" in 1836, considers melodrama more communicative and easier to understand than the instrumental language or the great tragedy. Mazzini argues that music, due to its ability to drag crowds and ignite them, represents a valid tool for the circulation of the idea of a homeland and for the purposes of civil education for the people (Monterosso, 1948).

Even more than prose theater, it is musical theater that brings together heterogeneous audiences, united by the same love for music that also overcomes the difficulties caused by the lack of a common language. In fact, the structure of the opera libretto is clear, the plot is simple and the musical language is universal, so the viewer can understand it according to their own cultural capacity. The melodrama also has a greater circulation on the national territory as minor companies in arenas or public gardens perform it; it is told by storytellers or played by bands, translated into prose and told by the puppet theater.

The characteristics of the opera make it possible to express and circulate - in a metaphorical form and with recourse to melody - concepts that, expressed differently, would be subjected to heavy scrutiny by censorship. There is a continuous and important reference to the question of Italian nationality: for example, in the choir of Giuseppe Verdi's²⁷ *Nabucco*, the emotion of the exiles who remember their homeland emerges

²⁷ Giuseppe Verdi (Roncole, Busseto, 1813 - Milan, 1901), the greatest Italian opera composer of the nineteenth century, one of the most celebrated of all time. In his works he expresses a great capacity for psychological introspection. Politically committed to the national cause, he accepts Cavour's invitation to stand for the Italian Parliament and in 1861 is elected for the liberal-moderates.

and the Italian public interprets these emotions as an invitation to rescue: «Go, thought, on golden wings; / Go, and rest on the slopes, on the hills, / Where tepid and soft / the sweet breezes scent our native land! [...] Oh, my homeland, so beautiful and lost!» (act III, scene IV)²⁸.

Giuseppe Verdi grasps the need for freedom and translates it into music. He is able to musically express political themes both at an orchestral and vocal level, through a voice like the baritone, which becomes the political voice par excellence (Sorba, 2001).

The patriotic climate and the aspiration to independence is very much felt in 1849, the year in which Giuseppe Verdi's four-act opera *La battaglia di Legnano* is performed, inspired by the war between the communes which formed the Lombard League and the Emperor Frederick I Barbarossa, which culminated in the battle of 29 May 1176. The work was performed for the first time in Rome in 1849 with a triumphal outcome. The contrast between the Milanese duke Rolando and the Veronese warrior Arrigo, on the one hand, and the invader Barbarossa, on the other, which took place in 1176, seems to photograph the contemporary situation. The representation of this work arouses great patriotic manifestations: «the ladies from the boxes waved tricolor handkerchiefs; from all the audience shouted: 'Long live Italy'; every time the authors came to the scene it was a delirium: the Lombard and the Neapolitan united together in a single triumph, in the Eternal City, Italian» (Viviani, 1969, 479).

The choir expresses the sense of the homeland through the reference to the voluntary conception of the pact: «Long live Italy! A sacred pact / binds all of her sons. / It has, at last, made from many / a single heroic people!» (act I, scene I)²⁹.

The pact is a sacred act that unites all the sons of Italy, transforming a divided people that has no name into a host of heroic fighters.

Melodrama is an art released from time, which does not need the mediation of reality to achieve its goals (Cassi Ramelli, 1973), it can awaken

²⁸ [«Va, pensiero, sull'ali dorate; / Va, ti posa sui clivi, sui colli, / Ove olezzano tepide e molli / L'aure dolci del suolo natal! [...] Oh, mia patria sì bella e perduta!»].

²⁹ [«Viva Italia! sacro un patto / Tutti stringe i figli suoi. / Esso alfin di tanti ha fatto / Un sol popolo d'eroi!»].

the world of emotions regardless of spatial and temporal differences or differences of class and culture; it has a much broader and more effective capacity for penetration than other theatrical forms. In the first half of the nineteenth century, Italian opera developed the choral dimension that Mazzini had already identified as an indispensable means for a moral and national declination of the opera (Sorba, 2002).

The enhancement of the choir, in fact, makes the listener a participant in the conflict of passions and brings him closer to the action represented. National-patriotic melodramas familiarize men and women of the first half of the nineteenth century with the modern, politicized idea of nation (Russi, 2000) and carry out an important work of de-provincialization of Italian culture. The theater becomes the thermometer of political effervescence in the country and every allusion to the idea of a homeland that can be seen in the operas, given their capacity for emotional dragging, becomes an occasion for political demonstration.

Music publishing is also thriving. From the analysis of the musical periodicals and from the examination of the histories of the individual theaters, there is a notable increase in the number of opera seasons, which in the period 1825-1846 rose from 128 to 270 per year, further increasing from 388 to 798 productions per year (Conati 1989, 13-21). A widespread organization allows, for example, a highly successful opera such as *Il Trovatore*³⁰ by Giuseppe Verdi to be represented in twenty-seven Italian cities in the first twelve months (Bianconi, 1993, 36).

Among the newspapers that welcome the musical topic, the political-humorous newspapers deserve to be mentioned. Using political satire, they present opera librettos in parodied form to tell the story of local political administrations (Brindisino, 1985, 19-25).

In the early years of the twentieth century, times and themes change. With Ottorino Respighi³¹, Ildebrando Pizzetti³², Gian Francesco

³⁰ *Il Trovatore*, drama in four parts, music by Giuseppe Verdi, libretto by Salvatore Cammarano, performed in Rome at the Apollo Theater on 19 January 1853.

³¹ Ottorino Respighi (Bologna, 1879 - Rome, 1936), composer, musicologist, conductor. Member of the Royal Academy of Italy.

³² Ildebrando Pizzetti (Parma, 1880 - Rome, 1968), composer, musicologist and musical critic. His collaboration with Gabriele D'Annunzio is important.

Malipiero³³, Alfredo Casella³⁴ the work no longer tends to express society, but rather represents the result of the experiments of individual composers (Cannito, 1995). While in the first part of the nineteenth century, Italian opera enjoys the Government's favour on a financial and normative level, after the unification a rather lively discussion breaks out on the timeliness of an intervention by the political authority in the entertainment sector.

The debate is heated between those who deem it necessary to have a policy of safeguarding such an important cultural heritage as that of music and those who, on the other hand, fear the interference of the state, which can endanger the freedom of art by severely limiting it.

After the unification of Italy, the prevailing political orientation is in favor of canceling the subsidies that the theater had enjoyed in the past, giving the municipalities the power to provide for them (ACS, 1863-1864, b. 12). The Minister of the Interior Ubaldino Peruzzi is in favour of the decentralization of powers and the consequent transfer of power into the hands of individual municipalities (Volpi, 1962), to ensure more effective management of theaters. Above all, the financial problems led to the elimination of funding for theaters from the budget of the Ministry of the Interior. Therefore, the fortune of melodrama changes in the second half of the nineteenth century (Alonge, 2002), so much to speak of an "after Verdi" era, which, in the context of musical historiography, corresponds to the "after Risorgimento".

THE ROLE OF THE GOVERNMENT

The world of entertainment is torn between the desire for financial aid and the strong need for freedom. In 1862, the parliamentary budget committee discussed the possibility of canceling the expenditure for the maintenance of some theaters and the debate was quite animated. The

³³ Gian Francesco Malipiero (Venice, 1882 - Treviso, 1973), composer, son of musicians. Since 1936, teacher at the University of Padua, where he directs the Cesare Pollini Conservatory.

³⁴ Alfredo Casella (Turin, 1883 - Rome, 1947), composer, pianist, conductor; piano teacher at the Santa Cecilia Conservatory in Rome.

parliamentary commission is composed of deputies Pietro Torrigiani, Giuseppe Torelli, Celestino Bianchi, Mauro Macchi, Biagio Miraglia and senators Gustavo Ponza di San Martino and Carlo Taverna, president of Milan's Conservatory. Among others, Pasquale Stanislao Mancini intervenes, defending the high educational value of theater as a «means of national education and culture» (AAPP, 1863, 6192).

The debate is also heated outside Parliament, involving numerous intellectuals: «different points of view clashed, the advocates of the 'patron' state, those for whom excessive state interference in artistic affairs tasted of ancien régime, those who wished that free initiative would flourish, and finally those who favored 'decentralization' saw the most suitable interlocutors in the municipalities» (Piazzoni, 2001, 58).

Consequently, the grant for theatrical productions – the so-called “dowry” – is removed from the ordinary budget of the Ministry of the Interior and is included in the extraordinary budget. In particular, the government wants to abolish the “dowry” to opera houses because it considers opera an opportunity for recreation for the wealthy classes. The government, therefore, does not consider it appropriate to burden the entire nation with a grant that mainly benefits the elite.

Despite the awareness that the theater plays an important pedagogical function, the government seems disinterested in implementing a policy of support for entertainment, renounces to support a fundamental sector in political communication, favoring, among the possible factors of cultural elevation, the school and the army.

In 1862 the hypothesis put forward by the budget commission was to transfer the ownership of the theaters to the respective municipalities (Colombo, 2010), favoring the decentralization of state functions and prerogatives. During the parliamentary debate of 10 April 1863, numerous voices were raised against state funding, including those of Antonio Gallenga, Giuseppe Saracco, Francesco Raffaele Curzio, Filippo Mellana and Cesare Valerio. Pasquale Stanislao Mancini (AAPP, 1863, 6192) expresses himself in favor of the theaters, as already mentioned before. A few years later, in 1867, the Chamber approved - with 172 votes in favor and 90 against - the sale of the state-owned theaters to the municipalities.

The government, in various ways, tends to condition or regulate theatrical performances; this intervention is carried out above all

through two instruments: legislative measures and censorship. Such works with a political subject, concerning either Garibaldi (ACS, 1863, b. 13) or the king, alluding to military news, or causing offense to the armed forces, are mainly subject to censorship review. Works that speak of banditry (ACS, 1863, b. 15) or that refer to conflicts between social classes and clashes between parties are prohibited (ACS, 1863, b. 14). Censorship is very careful to prohibit the staging of texts that risk endangering the alliance with France. In particular, the intention is to protect relations with the Holy See.

In 1888 the Prime Minister and Minister of the Interior Francesco Crispi (Bonini, 1997), a great supporter of preventive censorship entrusted to the prefects (Tosatti, 1990) and an advocate of a strengthening of their role, brought to Parliament a bill on public security that also concerns theatrical censorship, intending to strengthen the provisions in force, from a legal point of view, as these are set only by decree (AAPP, 1888, 5128). The provisions on theatrical censorship, launched during the Crispi government (Scichilone, 2012), remain valid until the end of the 1920s.

THE THEATRICAL SPACE AS A SOCIAL METAPHOR

The closed space of the stage recalls, in literature as in nineteenth-century prints, the image of the living room; the open space of the stalls, on the other hand, evokes the image of the square and its social heterogeneity. The two spaces also express a clear gender division; in fact, the theatrical stalls, which symbolize the square, are an exclusively male place, while women frequent the theatrical stage, a symbol of the living room. Stendhal, Balzac, Lady Morgan, in their works describe in detail the dynamics that take place inside the boxes where the ladies, protected from the shadows and curtains, use the boxes as real private living rooms (Lady Morgan, 1821). In the Verdi Theater in Trieste, for example, the rules for the assignment of boxes even provides for a preference for married men, since the stalls are «a place suitable for bachelors and completely inadequate for ladies who do not have a dubious reputation» (Sorba, 2001, 118-119). The boxes are used by aristocrats as small stages to show off their elegance and lounges in

which to meet, receive and converse; the theater therefore expresses the division between social classes (Pietrini, 2004).

The stages of theaters are real lounges where friendships are cultivated, gossip is made, businessmen meet. At the Teatro alla Scala in Milan «until just before 1830 they were also equipped with curtains that could be closed to separate the stage from the hall [...] to make the intimacy of the living room more complete» (Rosselli, 1992, 64).

The theater represents a place of socialization, which during the theatrical seasons even replaces the lounges (Berchet, 1971); it is also an important mean of communication as it is often used as a real political arena. This is the case, for example, with Gioberti's propaganda tour, which finds «its main logistical reference in theatrical spaces» (Sorba, 2001, 218). In Calabria, in the city of Cosenza, on 28 February 1848, the representation of Verdi's *Ernani* provokes a passionate demonstration in which many young people adorned with tricolor ribbons throw in the air a police ordinance that prohibits requests for replicas, whistles, and applause in the theater. At the San Carlo Theater in Naples, in 1848, during the representation of the *Poliuto*³⁵ (Rostagno, 2011, 51-65) by Gaetano Donizetti³⁶, some spectators throw cards from the stage that reproduce the portrait of Garibaldi, and many students seated in the stalls interrupt frequently the show asking for the performance of Garibaldi's hymn. The Public Security Authority orders the suspension of the performance and arrests the students who leave the theater singing Garibaldi's hymn (AAPP, 1862, 4744-4745).

The theatrical performances are often a pretext because «in the boxes of the theater intentions and hopes of liberation were exchanged» and to save appearances «we played cards or dominoes [...] conspired

³⁵ *Poliuto*, opera in three acts, was to be performed in 1838 at the Teatro San Carlo, but it was suppressed by Bourbon censorship. Ferdinand II of Bourbon himself intervenes and although the work was already being rehearsed it was canceled from the theatrical season. Revised and corrected, *Poliuto* made its debut at the Théâtre de l'Opéra in Paris on 10 April 1840, in the French version with the title *Les Martyrs*. After Donizetti's death, the opera was performed in Italian at the San Carlo Theater in Naples on 30 November 1848.

³⁶ Gaetano Donizetti (Bergamo, 1797-1848), is one of the most famous opera composers of the nineteenth century. His extraordinary compositional skills are recognized throughout Europe. His works are widely re-proposed in the second half of the twentieth century also thanks to exceptional interpretations such as those of Maria Callas and Luciano Pavarotti.

between applause, laughter and frivolous chatter. In this way the theater favored secret conferences right under the eyes of the police, who could hardly suspect anything» (Monterosso, 1948, 38). Furthermore, people can enter the theater to access the foyer, the conversation rooms or the café, even without attending the shows.

The Italian theater is part of the type of structures typical of theatrical architecture that were particularly widespread in Italy between the eighteenth and nineteenth centuries (Tamburini, 1984). The characteristics of the Italian theater are to be seen mainly in the horse-shoe-shaped hall; in the elimination of the tiers in favor of the construction of boxes separated from each other and divided by orders; in the greater depth of the scene. The purpose is to highlight the management team of the company; therefore, the hall generally has a horseshoe, bell or rectangular shape, while the sides are occupied by boxes arranged hierarchically from two to six rows. In this way, it is possible «to combine well-defined property rights with maximum performance. A family [...] should not only have its own space to sit in, but had to show that it did: it had to be able to see the other families and be seen in turn while remaining secluded» (Rosselli, 1992, 64).

In its different forms, from semi-elliptical to horseshoe or bell shaped, the room is similar to a cylinder closed by the arch and curtain, so the boxes are not functional for seeing the scene, but for looking at each other; they become small rooms, sometimes with an anteroom, which can be closed from the view of the room with a curtain (Cruciani, 1992). With its division into boxes, the Italian theater emblematically represents the social structure of Italy. In the audience the people gather³⁷, while the boxes are rented annually to the aristocrats who can also use them to receive guests and manage their social life as in a public parlour.

At the Royal Theater in Turin and at the San Carlo Theater in Naples, both annexed to the royal palace, the question of which families should have the possibility to rent a stage becomes a matter of state. In Turin,

³⁷ In the theater stalls, more modestly furnished, those who do not stand sit on either mobile benches or unnumbered wooden benches. The numbering of the seats begins to spread between the end of the eighteenth century and the beginning of the nineteenth century.

after the fall of Napoleon in 1815, King Victor Emmanuel I personally takes care to assign the first three orders of the boxes to the aristocracy (Meldolesi, Taviani, 1991).

In the last years of the nineteenth century, Richard Wagner's work in Germany marked the beginning of an important renewal in theatre. Expression of a class community that transfers the same conventions that govern social relationships to the theater, the structure of the theatrical building is transformed by the Wagnerian innovation of the unification of the public in a single order of seats. In place of the horseshoe-shaped stalls, the wedge of the classical cavea rises again, crowned at the top by a gallery, while the development of the stage takes over to the detriment of the orchestra (Pagliano, 2002).

In conclusion, therefore, it can be said that theater creates a form of political communication which is immediate through dialogue and whose contents are easy to memorize. In particular, the Italian theater of the nineteenth century, compared to novel and other literary expressions, has a greater communicative capacity and allows to reach, in its various forms, a more varied and vast audience. As a consequence, it represents a testimony and a reflection of the most important political-institutional issues that characterized the birth of what Luciano Russi defines as a *difficult nation* (Russi, 1984).

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Greek intellectuals, Europeanization and constitutional evolution in post-war Greece (1952-1975)

ANTIGONI-DESPOINA POIMENIDOU

Since the establishment of the modern Greek state, the European influence on a constitutional level, largely due to the Greek intellectuals, is notable. In the twentieth century, the new generation of liberal intellectuals, including Panagiotis Kanellopoulos, Konstantinos Tsatsos and Giorgos Theotokas, regarded further constitutional reform as necessary for Greece's development and Europeanization. The Civil War of the 1940s and the prevalence of old political parties ultimately led to the excessively conservative Constitution of 1952 that caused a deviation of Greece from contemporary European constitutional evolution. Indeed, Greek intellectuals, including constitutional experts, warned against it. In 1963, Tsatsos, member of Karamanlis' ERE, prepared a proposal for a constitutional revision, known as "Deep Incision", aiming to strengthen the executive and deal with the institutional effects of the Civil War. Tsatsos had studied Western European constitutional trends, but the effort led nowhere because of the adverse reaction of the opposition and the Palace. The major constitutional evolution took place only in 1975. A product of the cooperation of Tsatsos-Karamanlis, the new Constitution was a conscious effort to follow European institutional developments, as it was thought to be an integral part of Greece's Europeanization.

BOURGEOIS INTELLECTUALS, GREECE'S EUROPEANIZATION AND THE NEED FOR CONSTITUTIONAL REVISIONS

The question of Greek identity and the place of the country in the world experienced a turning point in the 20th century and, more precisely, in the interwar period. Two main factors contributed to this shift in thinking; on the one hand the defeat of Greece against the Turkey of Kemal and the expulsion of the Greeks from the eastern coast of the Aegean Sea in 1922; on the other hand, the evolution of radical liberalism in Greece. (Poimenidou, 2014, 106)

Under these circumstances, a new generation of radical liberal intellectuals emerged. This group – the so called “bourgeois” – even if it was far from being homogenous, as within it we find representatives who are politically integrated from the Centre to the wider Right, it represented a common request: a much-needed change that required the modernization of the country following the norms and values of the West. The three personalities that represent the core of the group were Yorgos Theotokas, Panagiotis Kanellopoulos and Konstantinos Tsatsos. Composed of philosophers, professors and politicians, this group presented a variety of intellectual figures, which gave it a specific characteristic. Its ability to influence both inside and outside the country, due to the political activity of its members, contributed to the recognition of Greece as a substantial part of Europe. From the very beginning, they approached the question of Europe from a broader perspective, in which culture and its value figured prominently. For this group of intellectuals, Europe was not just an option, it was also the only orientation for Greece. (Poimenidou, 2020, 43) It is also important to underline that these intellectuals did not get familiarized with Europe through Greece. On the contrary, we can argue the reverse, that is, they got familiarized with Greece through Europe. Being members of the bourgeoisie, they had been brought up in a European environment.

It is obvious that my education was not Greek, but cosmopolitan. [...] I learned the stories of the Greek traditions and the words, phrases and proverbs associated with them when I was an adult. By contrast, the myths and customs of Western Europe were very familiar to me. With German songs I could understand Christmas, my toys came from France and my clothes from England. [...] Thanks to political chauvinism, I felt Greek. [...] I was like a corresponding member of the society of the West. (Tsatsos, 2000, 64–65)

Yorgos Theotokas had studied in Paris, whereas Kanellopoulos and Tsatsos were representing the Heidelberg School of Thought in Greece.¹ Despite their diversity in terms of political orientation, these intellectuals

¹ Kanellopoulos and Tsatsos had also been professors at the university of Athens, having the opportunity to influence a generation that later on, would be part of the political scene and in key-positions regarding Greece's European integration. (Poimenidou, 2020)

believed deeply in a special relationship between Greece and Europe insofar as, thanks to Europe, democratic values could be defended and promoted in Greece.² Theotokas wrote: “we cannot separate our destiny from the destiny of Europe”. (Theotokas, 1996, 341)

The same intellectuals, since the 1930s, showed an interest in regards to the constitutional organization of the country, and participated in the public debates through the publication of articles and essays. The 1930s was a period of crisis, with the changes of the governments and the military interventions being numerous.³ Therefore, this decade offered the necessary basis for the search for a much-needed change. They had already established a reformist discourse, that set as a precondition the overcoming of the dipole Venizelism-anti-Venizelism, which had prevailed in the first quarter of the century. More specifically, they had worked on the idea of a complete constitutional reform: Panagiotis Kanellopoulos, as leader of the National Unity Party, George Theotokas as the theoretician behind Georgios Papandreou’s Democratic Socialist Party and its rather radical proposition of introducing the Presidential System in Greece (Kourkouvelas, 2013, 80-86), and during the occupation, Konstantinos Tsatsos, as founder of the Socialist Union, an organization with a strong reformist and anti-monarchist character (Koumas, 2010). The Socialist Union envisioned the formation of a solidly structured regime, in the form of Republic:

The Greek nation has a valuable status and historical mission to fulfill. (...) It has the historical record of claiming autonomous political status. For historical reasons, for reasons of moral order and for political reasons the Greek nations need to be formed in a democratic state, where intellectual and political freedom will be secured. (Tsatsos, Archive, B. 49/2)

The main goal behind Tsatsos’ philosophy was for the country to obtain governmental stability and follow the European norms.⁴ Therefore, a

² Their philosophical approach was similar, in particular regarding the purpose of Europe, the purpose of Greece and the special bond between the two. (POIMENIDOU, 2020, 43-50)

³ The National Schism that tormented Greece since 1915 (MAVROGORDATOS, 2015), led to the Restoration of the monarchy in 1935 and the dictatorship of Ioannis Metaxas a year later.

⁴ Since the establishment of the modern Greek state, the European influence on a constitutional level, largely due to the Greek intellectuals, is notable. For example, in 1921,

close cooperation between the government and the head of state, that is the President of the Republic, was necessary.

It could be argued that this group of intellectuals represented the moderate forces who desired radical reforms and were determined to act within a national and democratic framework.

CONSTITUTIONAL REVISIONS, THE SPECIFICITY OF POST-WAR GREECE AND THE ROLE OF INTELLECTUALS

The end of the Second World War marked a new era. The multi-centered international system was replaced by a bipolar one. Post-war Europe, after having lost its leading role, needed to adapt to this new balance. The war had also highlighted the need of strengthening the rule of law, and therefore, the need of constitutional revisions. It is characteristic that during this time, two major developments marked the European constitutional law: the recognition of the binding nature of the Constitution as a legal text, and the significant shift to human rights. On an international level, this could be seen as a response of the liberal democracies to the atrocities of Nazism and Fascism, accompanied by the adoption of the Universal Declaration of Human Rights in 1948 and in Western Europe in particular, the signing of the ECHR (European Convention of Human Rights) in 1950. Moreover, the rising Western model of governance, primarily in the interventionist state which aimed to plan development with rational interventions in the free economy. (Alivizatos, 2011, 453) Even Western European countries where there was a strong communist movement, such as France and Italy, in the early post-war era adapted to the new tendencies, by forming large coalitions with the participation of all anti-fascist forces, and therefore avoiding the civil war and drafting new Constitutions as well as new development programs with a modern orientation. Presented as historically a new departure,

Alexandros Svolos, an important figure among Greek constitutional lawyers, enthusiastically commented on the Weimar Constitution (1919). He had noted that it was beyond its time and the American and European Constitutions. As a matter of fact, largely thanks to the intellectuals who were part of the 30-member committee, its influence was manifested in the Greek Constitution of 1927, being the first Constitution in Greece to establish elected Head of state and social rights. (ALIVIZATOS, 2011, 450-451)

they manifested the shift towards the much-needed “new spirit”. (Conway, 2002, 63) Parliamentary democracy had become the standard model of political organization. (Conway, 2002, 59)

On the other hand, post-war Greece presented a vastly different evolution. Greece’s orientation within the new bipolar system was not a question easily answered. According to the Churchill-Stalin “Percentages Agreement”, signed in October 1944, Greece was to be part of the ‘Western’ sphere of influence. (Resis, 1978) However, the country’s orientation was not taken for granted within the borders. The popularity, the communist forces had gained after the role they played in the resistance during the war, led to claims concerning the national governance. The distance in the views of the communist left and the non-communist forces was manifested since the first attempts to reach a compromise on the formation of an all-party government. The situation culminated in the December 1944 battle of Athens (Nikolakopoulos, 2003), the first manifestation of the new post-war international balance, as the poet and diplomat, Yorgos Seferis, aptly observed. (Seferis, 1979) The Civil war, that followed, provoked the domination of extreme anti-communist views. (Nikolakopoulos, 2003) It was a huge setback that created not only material damage, but also political changes, a severe internal security policy and great mistrust in public opinion. (Iatrides, 1995, 1-30) The old parties of the National Schism⁵ reappeared in a dominant way: the liberal party, around its traditional anti-monarchist discourse; the people’s party, which had been split into five factions after 1936 (four of which were republican), was reunited in late January 1945 – following the events of December 1944, incorporating ardent supporters of the monarchy. In a moment of extreme uncertainty and internal and external insecurity, the people, who were looking for survival, turned to the old patronage networks of the old parties. (Tzermias, 1991, 89-109) Thus,

⁵ National Schism is the splitting of society, political order, governing and military powers Greece experienced during the period of the First World war. While king Constantine I opted for neutrality, Eleftherios Venizelos opted for alliance with the Entente, believing this choice would ensure the country’s interests. Despite Venizelos’ prevalence, the results were deep-rooted in the society and influenced the balance and evolution of the Greek political scene for many decades. (GOUNARIS & CHRISTOPOULOS, 2019; MAVROGORDATOS, 2015).

their approach to reality was no longer up to date. This meant that they were unable to adapt to the new political and economic data of the Marshall Plan, the basis of the economic revival of Western Europe. All this clearly shows how complex the situation in Greece remained until the early 1950s.⁶

The 1952 Constitution

The Civil War had led the country to an impasse. Faced with the threat of Communist victory, the blindly anti-communist forces first fought against this threat, such as the IDEA⁷, which correlatively weakened the forces of moderation and reform. This can explain why most of the anti-communist politicians showed an attitude of absolute opposition to communism. Konstantinos Karamanlis, for example, used the term "communist danger" in his writings, pointing out that "the vote of the Greek people reflected their anxiety and fear for the future". (Svolopoulos, 1997 (5), 44) Greece would be the first European country of the West to open a *stricto sensu* concentration camp in Makronisos. (Alivizatos, 2011, 343) The Communist Party with the so-called Third Resolution (1.509/1947) became illegal. The consequences of the Civil war were severe. Therefore, Greece was removed from the reform trajectory that the rest of post-war Europe had entered and this was heavily manifested in the constitutional evolution of the country.

Despite the high expectations for a substantial institutional reform after such a long and multifaceted ordeal of the country, the first post-war Constitution was a disappointment. Having been called "obsolete from birth" (Dagoglou, 1966), the 1952 Constitution was an immediate

⁶ The "conservative" solution that prevailed in Greece should not be studied without taking into consideration American attempts to "restore" the great political parties of the past. The situation inside Greece after the World War was difficult because of the destabilization of the political scene. Moreover, the certainty both of the Americans and of a large part of the Greek politicians that there was the danger of communist domination in Greece, led them to seek such a solution. (STEFANIDIS, 1999, 138).

⁷ The Holy Liaison of Greek Officers, better known by the acronym IDEA in Greek, was a secret organization of Greek Army officers who became involved in the country's political affairs, especially after the liberation and the ensuing civil war, in order to deal with "any threatening threat". It was created by pro-royal officers, whose positions were not far from those of the dictatorial regime of Metaxas. (LINARDATOS, 1977; VEREMIS, 2000)

result of the circumstances in Greece, and had two major weaknesses: on the one hand, it was ultra-conservative and on the other hand, it was accompanied by a "parasyntagma"⁸, namely the maintenance of a security apparatus that targeted the Communists and created an extremely tense situation. (Alivizatos, 1986, 203-277 & 525-600) This Constitution interrupted the movement towards the incorporation of state interventionism which had already been noted in the institutional framework of the country since 1911. Moreover, it was the result of the defensive psychosis of the "urban" system, making it move in the opposite direction from both Greek tradition and the international trend of the time. (Hatzivassiliou, 2010, 253-254)

In fact, the Constitution was drafted by the Parliament of 1946, that is, the Parliament of the Civil War, and was approved by the Parliament of 1951.⁹ It was therefore designed by a parliament dominated by the old political forces. Therefore, it was bound by the 1946 referendum on the form of government as a Constitutional Monarchy. The innovations were very limited – the most remarkable one being the fact that for the first time in modern Greek history the right to vote was extended to women. In general, however, Greece was "led backwards". For the first time, the country could be declared under siege from not only external but also internal dangers, while with regard to individual rights, there was a repetition of many provisions of the 1911 Constitution but much stricter. For the first time, the purpose of education was defined as the need for the young students, the citizens of tomorrow, to develop the national ideology. There were also important limitations when it came to the freedom of the press, as well as the right to strike. In practice, there was a degradation of the role of the Parliament. (Alivizatos, 2011, 366-372) The 1952 Constitution failed to provide for the new institutional needs of the post-war era, and in particular for the manifestation of state intervention in the economy, a direction towards which all Western countries were moving. (Vlahopoulos, 2018, 199-213; Hatzivassiliou, 2018, 214-247)

⁸ Acts not in accordance with the Constitution (Syntagma) but tolerated due to the circumstances.

⁹ On an interesting note, the 1952 Constitution has been characterized a Constitution of the Right that was voted by the Center. (ALIVIZATOS, 2011, 366).

In other words, it defended an institutional and social status quo, but it did not facilitate its radical reform. (Hatzivassiliou, 2010, 254)

For the intellectuals, on which we have focused in this article, the need for a new Constitution was imperative. Kanellopoulos had written in 1948 that a new Constitution could lead to the “salvation of the nation”. (Kanellopoulos, 2002) However, despite their presence in the political scene, and, even more, the involvement of some in the proceedings, they did not have the opportunity to have their radical point of views, already expressed in the 1930s, put in practice. Konstantinos Tsatsos was a member of the Constitutional Committee of the Parliament but could hardly influence the result. He believed that the only way Greece could obtain a secure future was the existence of a strong government:

The question of the regime, after the formal declarations of the leader of the Liberals, is a closed affair. It is only communists and cryptocommunists who ask this question today. There are, however, other difficulties that will arise from the political point of view: the formation of a strong government, something absolutely necessary for the reconstruction of the country. (Tsatsos, Archive, B. 51/1)

In May and June 1948, he wrote numerous articles mainly to highlight the need for strengthening the executive power and simplifying the work of the Parliament, as well as the need for establishment of regime defense procedures – that is, a step much closer to the tendencies in Western Europe. (Tsatsos, Archive, B. 54/4) Nevertheless, he defended its necessity due to Greece’s peculiar circumstances. In 1951, in a lecture he prepared for the Americans, he emphasized that freedom equaled, more than anything, responsibility, and thus, the existing restrictions in the freedom of the press should be seen under this light. According to Tsatsos, the problematic provisions were numerous, making the need for improvement required. (Tsatsos, Archive, B. 54/4)

From the point of view of these intellectuals, the excessive conservatism of the Constitution would not achieve its main purpose, that is the fight and the prevalence against communism. On the contrary, the only result would be the further deviation of the country from the European standards of governance, which, for them, was of great importance since

Greece was considered, as it was underlined above, an integral part of Europe, and its future could only be linked to that of the rest of the Western European countries.

The 1963 "Deep Incision"

On the other hand, alongside with the adoption of the Constitution, for the first time in the post-war era, Greece experienced a relative political stability. The prevalence of a new Right, first with Alexandros Papagos and later with Konstantinos Karamanlis, allowed the country to pursue the place it claimed as part of the West. (Stefanidis, 2007) After joining NATO in 1952, Greece's priority, on a level of foreign policy, was to open its horizons towards Europe so that there could be a limitation in its dependence on the USA. Since 1953, Greece sought to tighten the relations with the Western European countries, such as France and West Germany. (Svolopoulos, 2001, 117), by signing bilateral agreements of both economic and cultural nature. (Pelt, 2006, 80-81) Since 1953, Greece gradually became one of the fastest growing countries in the world (Kazakos, 2001, 191), which was fundamental for achieving the main goal: the Europeanization of the country and the approach with the EEC. The European path was chosen for political reasons. Democratic stability, defense of the country and economic growth were the three basic axes on which Greece's European policy was to be built. (Botsiou, 2002, 147-148) On July 9, 1961, the agreement of association of Greece with the EEC was signed and, on November 1, 1962, it entered into force. The association marked the first step towards its European integration. The object of the agreement was to ensure "the constant improvement of the living conditions" of all the contracting parties, to promote the harmonious expansion of their trade, to reduce the gap between the economy of Greece and that of the Member States of the EEC, and to facilitate the subsequent accession of Greece to the EEC. (Botsiou, 1998) Participation in Europe was viewed as a factor of strengthening the international position of the country. (Botsiou, 2002, 151-153) The Karamanlis government's choice of Europe owed a great deal to the rise alongside it, in positions of responsibility, of the young generation of intellectuals who had placed the need for Europeanization at the center of their concerns:

Tsatsos as Minister of Presidency and Kanellopoulos as Vice-President of the Government. Concerning the association of the country with the EEC, Theotokas, although a supporter of the Centre, was in favor of the European choice, as it was a path that went beyond political orientation. According to Theotokas: “Europe cannot be seen only as a geographical and economic unit. It is, first of all, a unity of spirit and culture.” (Theotokas, Archive, B. - political essays)

However, the fact that this upward trend was not accompanied by the required institutional framework, made it precarious. The goals of the Greek government since 1961 – economic stability, faster growth and fairer distribution of the national income, as well as educational reform with an emphasis on the technical education –, in particular after the signing of the Association Agreement with the EEC the same year, set as a prerequisite the revision of the Constitution. During his campaign speech, in October 1961, Karamanlis had called the 1952 Constitution obsolete and an obstacle to the country’s progress. (Svolopoulos, 1997 (5), 184-192)

Theotokas viewed a turn to a true democratic state as mandatory for the future:

The Greek Democracy existed before the existence of the Greek State. Such was its destination in the minds of the people who fought to make it. (...) We must therefore consolidate the Democracy in Greece, remove the elements, that are not intended for its climate, and the dangers that threaten it, so that we can address the great problems. (...) Let us help consolidate a truly democratic regime, make Greece a State of law, for [the citizens] to gain an awareness of dignity and human rights. (Theotokas, 1996, 1046-1048)

The key officials of the Karamanlis government, including Kanellopoulos and Tsatsos, constantly reiterated that Greece needed a few years to reach a level at which growth would be more stable and self-sustaining. The revision of 1963, better known as “Deep Incision” – borrowing Panagiotis Kanellopoulos’ phrase from 1949 – was moving within this logic. For Tsatsos, the revision was necessary because of the new reality that had been formed in the last decade:

The enormous social progress on the one hand and the new economic conditions created after the war on the other, and beyond that, the internationalization of economic life forced the development of state activity in the social and economic sector and added new cases of state intervention for beneficial regulation of relations or protection of the weak. It therefore became necessary to expand and expand state powers and to operate the state machine rapidly so that it could respond to its rapidly expanding activity. (Tsatsos, Archive, B. 76/3)

According to him, the development and economic growth, achieved in the previous years, could only be established by adopting a constitution that ensured the necessary provisions, following the European norms. Comparing Greece to the other Western European countries, he acknowledged the vast difference on a constitutional level and how this difference hindered Greece from fully transforming into a European country. (Tsatsos, Archive, B. 76/3)

Taking this into account, it is no coincidence that the revision of 1963, which was prepared by Tsatsos, sought to strengthen those provisions that had been viewed as the most problematic concerning the economic development. Priority was given to the executive power by introducing the possibility of issuing legislative decrees and legislative acts for dealing with emergencies, the limitation of the parliamentary immunity, and the possibility of reorganizing the public administration. In the field of social rights, it introduced state protection for marriage, family, work and economic activity, while, in addition, the development of education, science and art was expanded. Finally, regarding the "defense" of the regime, the prohibition of the abuse of individual rights to the detriment of the democratic regime, the establishment of the Supreme Court and its ability to outlaw parties aimed at overthrowing the regime were defined. (Hatzivassiliou, 2010, 388-390)

While preparing the revision proposal, as it appears through a series of notes, Tsatsos studied the current provisions of other European countries, in particular those of France. (Tsatsos, Archive, B. 76/2) His goal was the completion of the transition from underdevelopment to development within the framework of a genuine democratic system of governance, and the country's participation in Europe. (Tsatsos, Archive, B.

76/3) The “Deep Incision”, in many aspects, reflected a major political choice, which, in its basic parameters, had been formed much earlier and its modernizing dimension was a conscious effort to adapt to the rest of Europe. (Hatzivassiliou, 2010, 393) Taking Tsatsos’ handwritten notes on the Socialist Union’s ideological orientation into consideration, it is evident that the basis behind the idea of the “Deep Incision” had already been formed in the early 1940s. (Tsatsos, Archive, B.49/2)

However, the attempt remained unsuccessful, as the reactions from both the political world and the Crown, whose privileges were effectively threatened, were intense. Furthermore, the change within the Greek society precisely because of the development taken place in the previous years caused less and less tolerance of the wider Right and its rhetoric, with the centre of gravity gradually shifting towards the Centre and Georgios Papandreou’s “Relentless Struggle”. (Nikolakopoulos, 2001, 293-300) The political crisis and its result – the 7-year dictatorship – ultimately caused an abrupt pause at the social and political development of the country.

The Constitution of 1975

The fall of the Greek Junta in 1974 and the return of Karamanlis from Paris, marked a new era. The transition to democracy was difficult and complicated. It required delicate decisions and the contribution of all democratic forces. (Filandros, 2008, 294-316) From the first days after the end of the dictatorship, the Greek government proceeded to adopt measures that restored the democratic regularity. On August 1 of the same year, the government published the Constitutive Act by which the 1952 Constitution came back into force. Even if it was an “emergency solution” (*To Vima*, August 2, 1974), since some laws of this constitution were outdated and did not cover the needs of the time, it was a significant decision in regards to the restoration of democracy. In the first week of August, the protection of human rights and judicial independence were back in force, as the new Minister of Justice declared:

The contemporary state must ensure the exercise of political and personal rights and create conditions for equal participation for all Greeks in political, economic and social life. [...] Respect for the Constitution and the laws,

fidelity to the fatherland and to national unity are the supreme duty of all Greeks, for whose patriotism this restoration of the Constitution has taken place. (Svolopoulos, 1997 (8), 58)

However, post-dictatorial democratic Greece, contrary to other examples, dared to confront her authoritarian past, as Nikos Alivizatos has highlighted. (Alivizatos, 2011, 496). Not only were there sanctions on persons of the dictatorial regime, but what is more, the Communist party was recognized as a legal party – a decisive move that proved the determination to overcome the difficulties of the past. (Vlahopoulos, 2018, 303-315)

It was mandatory for Greece to be once again aligned with the European norms and principles. The consolidation of democracy, a distancing from the political tensions of the past and the modernization were the three political pillars of the Greek governments. Decisions were made quickly, illustrating the will to move beyond the difficulties and mistakes of the past, and to show the important advances for a stable future; a requirement that urged the constitutional revision. The political methodology followed did not comply with the formal provisions for a revision, as it was completed by one revisory Parliament and voted in a very short time: the plenary debate began in April and ended with its vote on June the 7th 1975. (Alivizatos, 2011, 499-500)

For Tsatsos, who was the chairman of the Constitutional Committee, the constitutional reform was his main field of activity in the first months of 1975. It was a major condition for the continuation of the country's upward course, as had been emphasized since 1963 and the failed attempt of the "Deep Incision". The main principle was the Constitution to guarantee balance in the sphere of public life and to establish permanent institutions unaffected by persons. It was also necessary for the new Statutory Charter of Greece not to be an indiscriminate and mechanistic transfer of foreign standards but to be adapted to the Greek conditions: The final result was characterized as a true "Greek Constitution". (Svolopoulos, 1997 (8), 441-444) In his parliamentary speech on June 7, 1975, Konstantinos Tsatsos stated that this Constitution "originated from the Greek spirit, was built according to the Greek measure and is dedicated to the Greek nation." (Svolopoulos, 1997 (8), 441-444) He believed that without the

clarification and consolidation of the national position of Greece and the promotion of the "Greek Idea" in a transnational context, the desired institutional reform and development would not be achieved. (Hatzivassiliou, 2018, 327-348) However, with the situation still being sensitive, the dialogue was not sober. The controversy was intense. The enlarged role of the President of the Republic was summed up in his ability to dissolve the Parliament, provided that its composition was not in line with the sentiment of the people, in his desire to dismiss the government after a relevant opinion of the Council of the Republic, an advisory body, which for many reminded the old crown council, and lastly, in his possibility of calling a referendum in case of crucial national issues. (Alivizatos, 2011, 505-506) These expanded powers were seen by the opposition as means that were enabling him to turn from "regulator" to "authoritarian" of the regime, and therefore, there was a strong belief, that the new democratic regime would be inherently distorted. (Anagnostou, 2004, 71-116) For Karamanlis and Tsatsos, the main duo behind the new Constitution, however, these powers concerned the process with which the policy was formed. It is characteristic that regarding the balance of powers, as appeared in the Greek Constitution, it was placed it between the French and the German Constitution. (Alivizatos, 2011, 504)

The main priority was the smooth functioning of the regime: in the past, the conflict between the head of state and the elected prime minister had been a critical point, necessitating the emergence of a head of state, now in the form of the President of the Republic, who would take on the role of a symbol of unity, and not the role of a divisive factor. (Hatzivassiliou, 2010) The democratic and liberal character of the new Constitution, as well as its crucial role in the modernization of the public life testify to the disposition for modernization according to the western norms, without this meaning an indiscriminate transfer of foreign standards. On the contrary, it could be described as a conscious effort to follow European institutional developments, including the level of human rights, on which Greece had shown a dismal record during the 1967-74 military dictatorship. (Vlahopoulos, 2018, 316-326)

The historical specificity of Greece, due to the Civil war, caused the deviation of the country from the Western European norm concerning

its constitutional evolution. The 1952 Constitution was a constitution of its time. It was characterized by excessive conservatism, to the extent that many legal scholars characterized it as obsolete since its birth and considered the need for immediate reforms urgent. Nevertheless, it must be acknowledged that thanks to this constitution, Greece made great strides towards economic development and sought, under its auspices, to find the lost normalcy. However, the revisions, the intellectuals as well as the politicians of the radical current sought to implement, would remain unsuccessful for the next decade. It would need the fall of the dictatorship in 1974 to make real progress. The 1975 Constitution marked the end of a long journey to the creative renewal of the public life, as, with its adoption, Greece carried out – with a 30-year delay – the "constitutional revolution", that other European countries had made immediately after the end of the Second World War. It was a constitution that tried to overcome old weaknesses, combining the Greek parliamentary tradition with the latest conquests of the European constitutional culture. Upholding European standards was a major priority for the people who drafted the Constitution, seeing it as an integral part of Greece's Europeanization.

The role of these intellectuals in the constitutional evolution of post-war Greece is undoubtedly important, as some of them largely shaped it. The influence of the New Deal was undeniable. Theotokas, in his *Essay for America*, written after his journey in the USA between August 1952 and February 1953, considered it responsible for wanting to give back to the doctrine of equality its primary place in the hierarchy of values of democracy. (Theotokas, 2001 (1954), 91) The New Deal, however, required strong executive power. Interestingly this was the priority that these intellectuals sought in their proposed constitutional revisions, as there was no such provision in any of the Greek interwar constitutions. By studying their writings, one can detect numerous mentions of the importance of the executive power, like, for example, in Tsatsos' handwritten notes on the ideological orientation of the Socialist Union. Furthermore, it is also evident in the provisions that they attempted to revise in the years that followed the Second World war, like in the case of the failed 1963 revision. According to their point of view, a constitution, that offered the necessary provisions concerning the institutions, was essential so that post-war Greece would be able to achieve its most important goal – its Europeanization.

However, was this the only way for the success of the Europeanization efforts? There is no doubt that a constitution that followed the norms of the time would contribute to achieving this goal. The author though considers that another factor should be taken into consideration. The Europeanization of the country after the war required economic development and political normalcy, the latter missing until the fall of the Greek junta in 1974. Nevertheless, from 1952 up until the early 1960s, during a time that the country experienced a relative only normalcy, the economic development was rapid and extensive, and contributed to the achievement of the first step towards Greece's European integration – the association with the EEC. The second step towards Greece's European integration – the accession to the EEC, in 1979 –, took place once again during a period of normalcy. In the first case, the Constitution in force, was the ultra-conservative one of 1952 while in the latter case, the 1975 Constitution which marked a new era. The differences between the two constitutions are extensive, however, the end result is similar. Taking this example into account, one could argue that Europeanization could be, to a certain extent, successful, even with a problematic Constitution, such as the 1952 one. What was imperative was the adaptation to the new status of the country as an associate-state of the EEC, which required a successful 1963 revision and the abolition of the “parallel state”, and, even more, the correct implement of the constitution – another factor that was missing until 1974. From the above, it appears that both political normalcy and correct implement of the constitution were two equally important factors for Greece's successful Europeanization. Therefore, one could argue that this “obsession”, these intellectuals showed in regards to the institutions and the executive power, was not so necessary, since, in spite of their importance, they were not the only missing piece for Greece's complete transformation into a true European country of the West.

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Representative assemblies and executive institutions in Transylvania in the aftermath of the First World War (late 1918 to mid-1920)*

JUDIT PÁL, VLAD POPOVICI

The dissolution of the Habsburg monarchy during the last months of the year 1918 generated a vacuum of authority, in which various ad hoc institutions, created or convened mainly based on ethnic criteria (guards, councils, assemblies), attempted to establish themselves as representatives and leaders of different ethnic groups, as well as claiming executive powers over the territories inhabited by the latter. Given their ethnic character, geographical overlapping and national rivalry became inherent, while their ad hoc nature dissolved the traditional borders between the legislative and executive powerholders. Our paper focuses on the evolution of these institutions in the territory of Transylvania, where they functioned, in various forms, between October 1918 and April 1920, with particular regard to their degree of representativeness, their self-assumed legislative and executive attributions, and their relationships with the Hungarian and Romanian states.

THE END OF THE WAR AND THE DISSOLUTION OF CENTRAL AUTHORITY IN HUNGARY

The war intensified both centrifugal and centripetal forces in the Austro-Hungarian monarchy. It was not only the “national question” that constituted a problem, but also the differences between the army and the civilian authorities, as well as those between the two halves of the monarchy. The Hungarian parliament functioned – admittedly with

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interruptions – during the First World War: there were 34 plenary sessions in 1915, 85 in 1916, 70 in 1917, and 67 in 1918 (Cieger 2021, 423). The Hungarian Prime Minister, István Tisza, who was at the head of the government from June 1913 to June 1917, placed great emphasis on respecting parliamentary forms, with the aim of counteracting military interference in the country's internal politics and preventing, as far as possible, atrocities against nationalities (Vermes 2001, 261–269). Hungary did not, therefore, “militarize” the administration, as in Cisleithania, but neither could Tisza totally curb the army's influence (Vermes 2001, 276; Deak 2015, 261–274; Hasiba 1991, 19–21). After the outbreak of the war, there was a period of calm in the Budapest parliament, one of “national unity”, and a mutual tolerance between the ruling party and the opposition, which ended, however, in April 1915, when the debate on the extension of the right to vote resumed.

In Hungary, the censitary franchise was regulated by a law dating back to the time of the 1848 revolution, which remained in force, with some amendments, until the eve of the war (Szabó 2008, 131–141). The Liberal Party (“Szabadelvű Párt”), which had been in power from 1875 to 1905, had perpetuated the old franchise, fearing the political ascent of the nationalities and of the socialist and radical movements, as well as political destabilization caused by the independentist opposition, whose proclaimed aim was to shift the dualist system toward a more independent Hungary. However, given the social changes in Hungary at the turn of the century, and the example provided by the political democratization in Cisleithania, universal male franchise, or at least the extension of the right to vote, became the object of increasingly vocal demands by all political forces in opposition. While the Social Democratic Party, the Radical Bourgeois party and most of the nationalities' parties called for universal suffrage, the independentist opposition would have been content with a gradual widening of the franchise. During the political crisis of 1905–06, the government led by Géza Fejérváry, who was appointed by Francis Joseph despite the fact that the independentist opposition won the parliamentary elections, drafted a bill introducing universal male suffrage. However, the project was soon abandoned, as a result of the independentist opposition coming into power following the elections of 1906. During the

new parliamentary cycle (1906–10), Interior Minister Gyula Andrássy Jr. (the son of Hungary's first Prime Minister after the Austro-Hungarian Compromise and later Foreign Minister of the monarchy), drafted another bill, aiming at plural voting, but it too failed to pass. (For the development of the electoral system, see Révész 2000. For a brief summary of the evolution of the right to vote, see Pál 2018a, 25–30.)

Just before the outbreak of the First World War, a new electoral law was passed (Law no. XIV of 1913), which retained censitary suffrage and only slightly broadened the right to vote, but it never came into force because of the outbreak of the war. Similarly, the general elections due to take place in 1915 were also postponed until after the conflict, so the parliament elected in 1910 was active until the autumn of 1918. During the war, only by-elections were held in constituencies where MPs died or resigned. In 1915 the opposition proposed another bill, stipulating that those who had performed military service at the front during the war should enjoy franchise, but the governmental majority voted against it (Vermes 2001, 359–361).

Nevertheless, the requests for universal suffrage increased, becoming the main political weapon of the opposition. The change came after the death of Francis Joseph. The new monarch, Carl I/IV, presented Prime Minister Tisza with a dilemma when he asked (in his letter of April 28, 1917) for the right to vote to be extended. Tisza declared that the introduction of universal suffrage in Hungary was “a national catastrophe” (Hajdu and Pollmann 2014, 150). He was convinced that radical democratization was dangerous, and that the introduction of reforms should wait until the end of the war. However, his position came under an increasing number of fierce political attacks from various opponents, and after losing the support of the monarch, it could no longer be maintained (Vermes 2001, 422–425).

Before his dismissal, Tisza called for a postponement of parliament in April 1917, which resulted in the opposition parties forming an alliance with the Social Democratic Party to introduce universal suffrage (the extension of the franchise to women was also discussed). Thus, the Electoral Bloc was born, but Tisza's National Labor Party (“Nemzeti Munkapárt”) still held a majority of seats and sabotaged any attempt at reform (Vermes 2001, 442–445). In May 1917, the Austrian parliament

also met after a three-year break, and Czech representatives demanded the federalization of the monarchy and the annexation of 18 Slovak-inhabited counties in Hungary, which led to debates in the Budapest parliament as well, further undermining Tisza's position.

His resignation as Prime Minister did not resolve the situation, however, since the Labor Party he was leading still held a majority of seats and was able to prevent electoral reform. From the summer of 1917 – thanks to the reactivation of the Social Democratic Party as well – demonstrations and rallies became increasingly frequent, directed at universal suffrage, the dissolution of parliament and the organizing of new elections (Varga 2010, 85–99, 174–247). Alongside increasingly frequent strikes, they foreshadowed the widespread popular movements of the year 1918. In the autumn of 1917, one of the political veterans, Sándor Wekerle, was appointed Prime Minister, and declared that if the parliamentary majority sabotaged the electoral reform, he would ask for the dissolution of the Chamber of Deputies. The new draft, which would have considerably broadened the franchise, without, however, introducing universal suffrage, was submitted to parliament in December 1917, but was not voted on. Prime Minister Wekerle, despite his threats, did not call for the dissolution of parliament, losing his influence and political support as a result (Hajdu and Pollmann 2014, 159–160), and the issue of widening the right to vote remained unresolved.

THE EMERGENCE OF NATIONAL EXECUTIVE INSTITUTIONS

The imminent loss of the war and the expected dissolution of the monarchy brought events to a head in the autumn of 1918. On October 24, the Hungarian National Council was created, following the model of the other National Councils in the Austro-Hungarian monarchy. The Independence Party, led by Mihály Károlyi, the Radical Bourgeois Party, led by Oszkár Jászi, and the Social Democratic Party took part in its formation. Its program included, among other goals, an immediate end to the war, as well as the ousting of the government, the independence of Hungary, the introduction of universal suffrage, the recognition of the right of the nationalities to self-determination, and other social and political reforms. Although Károlyi promised ethnic autonomy, the political

leaders of the nationalities could no longer be persuaded to participate in the Hungarian National Council, and separate National Councils emerged for each ethnic group (Romsics 1999, 89–93).

Following the October Revolution (the so-called Aster Revolution), Károlyi became Prime Minister – appointed by Archduke Joseph as “homo regius” on October 31, 1918 – and the Hungarian National Council was reorganized (Romsics 1999, 89–91). The desire of the revolutionary forces to seize legislative power was also accelerated by events. The declaration of November 11, by which the monarch recognized the self-determination of the peoples of Austria, was followed by a similar one in Eckartsau for Hungary (November 13), and events precipitated in Budapest (Révész 2000, 536). The Chamber of Deputies of the Hungarian parliament convened on November 16, 1918, for a short session in which it proclaimed its self-dissolution, and the deputies were then invited to the meeting of the Hungarian National Council, which was to hold its next session in the parliament building. In fact, the last sitting of the Chamber of Deputies was held according to a prearranged choreography, its discontinuation having been demanded by the government. The president of the National Council said that if parliament had not dissolved itself, then it would have been forcibly dispersed (Bathó 2019, 9–10). The Hungarian parliament was bicameral, and on the same day the upper house (the Chamber of Magnates) took a similar decision. Its president invoked the laws and stipulated that in case of the dissolution of the Chamber of Deputies, the other Chamber could not constitutionally operate either (Bathó 2019, 5). However, the situation was unprecedented, given that according to the laws only the monarch – who had just given up the exercise of his rights – had the authority to convene and dissolve parliament.

The Hungarian National Council was reorganized again on November 16, the day the Chamber of Deputies self-dissolved. The membership of the Grand Council – as it was renamed – was increased to 500 and it was intended to be the legislative body of an independent and democratic Hungary. Its members were not elected, but instead delegated. At its meeting on November 16, it declared that Hungary was a People’s Republic. At the same time, it decided that until the constituent assembly met, the government would have both executive and

legislative power (Schönwald 1969, 93–109). The Hungarian National Council functioned until March 21, 1919 (the date of the establishment of the Hungarian Republic of the Councils), but in the shadow of the government it became an increasingly dysfunctional institution. In the absence of a parliament, it was the government under Károlyi, not the Grand Council, that issued decree-laws – which theoretically should have been sanctioned by the national assembly, but the latter never met – a situation that was quite unusual in the light of the Hungarian parliamentary traditions. The first of these “popular laws” was the introduction of universal suffrage for both men (from the age of 21) and women (from 24). Elections were supposed to take place in April 1919, but never did, due to the proclamation of the Soviet Republic in March 1919 (Hatos 2018, 244–250).

At the same time, a Romanian National Council was formed in Budapest at the end of October 1918, bringing together representatives of the Romanian National Party in Hungary and Transylvania, as well as the Romanian Social Democrats. It was headed by Ștefan Cicio Pop, a member of the Chamber of Deputies, and on November 10 it issued a note to the Hungarian government announcing the takeover of the administration in 26 counties in Transylvania and Eastern Hungary (i.e., 23 counties with a Romanian demographic majority, and parts of another three mainly inhabited by a Romanian population). Negotiations followed in the city of Arad, where the Romanian National Council had relocated, between its representatives and Prime Minister Károlyi and the Minister of Nationalities, Oszkár Jászi. The latter drew up a plan to reorganize these regions according to the Swiss model (Litván 2003, 146–153). The aims and visions of the two sides were, however, irreconcilable, since the Hungarian government wanted to preserve the territorial integrity of the country and the Romanian National Council wanted to unite these parts with the Kingdom of Romania. The situation was all the more complex, however, because several competing national institutions soon began to operate in the Transylvanian territories: the Romanian National Council (mentioned above), the Transylvanian section of the Hungarian National Council, a National Council of Saxons (the German population in Transylvania) and a National Council of Székelys (a Hungarian-speaking population in Transylvania).

Following the events in Budapest, on October 26 the Transylvanian section of the Hungarian National Council was founded in Cluj/Kolozsvár, headed by the university professor István Apáthy. The question of organizing a Transylvanian center of National Councils was raised as soon as its first meeting, but with the dissolution of the state power and the increase in anarchy and popular violence, the Transylvanian Council in Cluj could not fully extend its area of competence even over the Hungarian local councils in Transylvania, let alone those of the other nationalities (Pál 2018b).

The central National Councils had their local branches, but councils were also created at the county level, and less frequently at the district one (“járás”, “plasă”), i.e., the middle-level administrative units and sub-units. Their emergence was both spontaneous and pre-organized, with the impetus coming from the central ones. The latter sent out circulars and tried by various means to build local networks, formally embodied by the National Councils at different levels (Hajdu 1958, 45–53).

On October 29, 1918, the extended central committee of the Saxon People’s Party (“Zentralkomitee der Sächsischen Volkspartei”) in Transylvania also met, attended by Saxon members of parliament in Budapest and delegates of the county committees, to assess the situation and to work out a unified Saxon position. There was a change at the head of the party, as the conservative Carl Wolff, who had been chairman since 1890, was replaced by Adolf Schullerus, a priest from Braşov/Kronstadt/Brassó representing the radical wing. On this occasion a smaller committee was elected, which on November 11 took the name of the German-Saxon National Council (“Deutsch-sächsischer Nationalrat”). The Saxons were for the time being interested in maintaining the status quo. The Saxon Council was concerned not only with maintaining open relations with the government and with the Romanian and Hungarian (Transylvanian) National Councils, but also with the German People’s Council (“Deutscher Volksrat”) under the leadership of Rudolf Brandsch, which wanted to act as a representative institution for all Germans in Hungary. For the Transylvanian Saxons, however, a subordinate position to the latter was unthinkable and in the end they chose a pragmatic stance and moved closer to the Romanian National Council and its future executive branch, the Ruling Council – which was also based in

Sibiu/Hermannstadt/Nagyszeben, the traditional Saxon political center in Transylvania (Roth 1993, 24–35).

In November, a Székely National Council was also organized in Budapest, and later an attempt was made to organize it in Transylvania, with a “national” assembly being convened on November 28 in Târgu Mures/Marosvásárhely. The Székely National Council demanded, in case Hungary’s territorial integrity could not be maintained, territorial autonomy or possibly the establishment of a “Székely republic” (Rom-sics 2018, 125–141).

At the beginning of November, Transylvania experienced popular unrest and an increase in popular violence to a level not seen since the 1848 revolution. The main actors were the returning soldiers, as well as the poor and war-exhausted population, who saw an opportunity for change (Hatos 2018, 172–207; Hajdu and Pollmann 2014, 368–391). National guards were organized everywhere, according to ethnic criteria, as armed branches of the National Councils. In Transylvania, in many localities, two or three parallel national guards functioned concurrently, and in only a few cases (e.g., Braşov) were multiethnic councils and guards organized from the beginning. Given the circumstances, the National Councils functioned as hybrid revolutionary organizations, which partially or completely took over the administration at the local level. At the county level the situation was more complicated: here the old administration still functioned, but it no longer had the authority or the means to implement its decisions and orders (Moldovan 2015, 72–73; Cârja 2018).

If until mid-November the central National Councils of Romanians, Hungarians and Saxons, despite the existing tensions, tried to maintain a collaborative relationship in order to preserve public order, the situation changed with the definitive failure of the negotiations between the Romanian National Council and the government in Budapest (November 15) and with the issue of the manifesto “To the Peoples of the World”, in which the Romanians officially announced their intention to break away from Hungary (November 18) (Şerban and Josan 2003, 12–13). The entry of the Romanian army into Transylvania on the same day only heightened tensions further.

FROM THE INSTITUTIONS OF POPULAR REPRESENTATION TO THE NEW NATIONAL PARLIAMENT

For several weeks it was a chaotic situation, with different institutions operating concurrently, and implementing ad hoc decisions and extraordinary measures. Transylvania was briefly deprived of both parliamentary representation, and central and unanimously recognized executive power. In order to resolve the situation and ensure the legitimacy of the new Romanian political authorities, the Romanian National Council convened a great Romanian national assembly in Alba Iulia/Gyulafehérvár on December 1, 1918. Representatives at this assembly were to be partly elected on the basis of universal male suffrage in the former parliamentary constituencies, partly delegated by the civil society (the churches, various cultural organizations, schools, craftsmen's and women's associations, social-democratic organizations, national guards, etc.). In practice, it is not known exactly how the voting process was carried out at the local level and what the turnout really was. The Romanian National Council sent printed credentials out to its local branches, which were simply filled in with the names of candidates determined by local consensus and signed by as many people as possible. There appear to have been no counter-candidates and the whole process was organized using a top-bottom approach, as an exercise in national political solidarity (details and a large collection of documents in Bedecean 2018; Bonda 2018). In the end, 1228 (1225 according to other sources) ordinary members and 335 alternates were elected and sent as representatives, bearing official credentials. They were supposed to be, according to the vision of the Romanian political leaders of the time, a faithful projection of Romanian society in dualist Hungary, meant to justify, including at the international level, the option of the union with Romania in the most democratic way possible. To date, there is no prosopographical analysis of the delegates, but recent biographical dictionaries, as well as autobiographies written 25 years after the event, suggest a high socio-professional diversity and a relatively balanced geographic coverage (Șerban and Josan 2003; Vaida-Voevod and Neamțu 2005–2008; Ursu and Roșu 2019).

On December 1, 1918, the Great National Assembly of Alba Iulia, attended by ca. 100,000 people, voted for a resolution which provided, among other things, for the union of the territories of Hungary inhabited

mainly by Romanians with Romania, and for the establishment of a provisional legislative body called the Grand Romanian National Council. The latter had at the time 210 members, selected ad hoc from among official delegates, and was dominated by the same professional categories that had held the political leadership of the Romanians in Hungary for decades: lawyers and jurists (99 individuals) and priests (39 individuals) made up more than half of its membership. Politically, most of its members were nationalists, while a minority (17) were Social Democrats. There was also only one woman: Eleonora Lemeny-Rozvan (Roznány), the daughter of a former nationalist political leader and wife of a social-democratic political leader, who was also a member. In terms of popular representativeness, the Grand National Council was considerably less representative than the body of official delegates at the Grand National Assembly, with its social-professional composition closer to that of the traditional political leadership. On December 2, 1918, the Grand National Council decided to delegate legislative and executive powers to a small committee of 15 people (13 nationalist political leaders and two Social Democrats), called the Ruling Council (“Consiliul Dirigent”), which was to rule, de facto, Transylvania – and with the advance of the Romanian army the territories of Banat and Eastern Hungary as well – until April 1920 (Iancu 1995, 30–34).

Around the same time, at the beginning of December, the president of the Transylvanian Hungarian National Council, István Apáthy, was appointed by the Hungarian government as the government commissioner for Transylvania, and the Supreme Commissariat for Transylvania, a kind of regional government with different departments, was organized, based on the previous Transylvanian Hungarian National Council. Its authority, however, was not recognized by the Ruling Council, nor by the Saxon Council, and not even by some of the Hungarian local authorities (Pál 2018b).

Thus, for a very short period of time, during December 1918, two regional “governments” functioned in Transylvania, the Ruling Council in Sibiu, and the Supreme Commissariat in Cluj, both linked to the respective governments in Bucharest and Budapest. The advance of the Romanian army, however, put an end to this situation. As a desperate measure, two days before the Romanian army entered Cluj (December

22), Apáthy convened a popular assembly of Hungarians, of ca. 40.000 people, in which they expressed their desire to maintain the territorial integrity of Hungary. This remained, however, a symbolic gesture, since after the Romanian army took over the city, the Supreme Commissariat of Transylvania was dissolved (Romsics 2018, 142–164). The Saxons did not convene a popular assembly, but in a meeting of the extended German-Saxon National Council on January 9, 1919, in Mediaș/Mediasch/Medgyes, they declared themselves to be in favor of the union of Transylvania with Romania (Roth 1993, 58–69).

Thus, in the early days of 1919, there was only one executive authority standing in Transylvania: the Ruling Council, which was, *de jure*, the executive committee of a legislative authority – the Grand Romanian National Council. The latter, however, remained almost constantly inactive, and the Ruling Council ruled by issuing decree-laws and other normative acts throughout the whole period. Its main objectives were ensuring the provisional government of Transylvania and the achievement of the first stages of administrative and political integration into the Kingdom of Romania. The greatest achievements of the Ruling Council were the continuous and relatively effective functioning of the civil service and the judiciary, and a somewhat fair management of Transylvania's public finances in a period of severe shortages. All these came at the cost of centralizing regional power and abolishing old administrative autonomies, a necessary measure at the time, which, however, turned against the Romanian National Party immediately after the government in Bucharest took over. Other important issues were only partially implemented (electoral and agricultural reform). Initially, Romanian politicians in Transylvania had planned that the Ruling Council would function until a Constituent Assembly was convened in Bucharest, which would include representatives of all the new Romanian provinces, and definitively ratify the decision regarding the union. However, amid the political instability in the country, due to the fact that it was actually a top branch of the Romanian National Party, and because it was increasingly perceived as an institution promoting regionalism, the Ruling Council was dissolved by royal decree on April 2, 1920. Its place was taken by a Unification Commission placed under the Chancellery of the Prime Minister, which linked it politically to the ruling party in Bucharest (Iancu 1995; Galea 1996).

Transylvania's legislative body, the Grand Romanian National Council, was to meet only once, for two weeks, between July 29 and August 11, 1919, in Sibiu, to decide on the agrarian question and on the electoral law, on the basis of which the new parliamentary elections, for the parliament of Greater Romania, were to be held. We mentioned previously the dominance of lawyers and priests among the first 210 members of this body, but the socio-professional discrepancies in relation to the whole Romanian population of Transylvania were much more profound. For example, teachers, who formed a large part of the Romanian intelligentsia of the time, and whose share in the population was approximately equal to that of priests, were represented by only four members. The number of peasants was also four, although this societal group formed the absolute majority of the Romanian population in Transylvania (over 80%). Only one member was a merchant and another an engineer. In addition, not all constituencies had representatives among the 210, and some urban centers, such as Sibiu, were strongly over-represented in relation to the overall population. The fairly vocal criticism in the press led to the membership of the Grand National Council being enlarged by co-option following proposals made at the county level. In order to alleviate the imbalances, the members of the Ruling Council insisted that the nominees should always include peasants, but in the end, of the 47 new members, only 11 were peasants and 13 were teachers. The Social Democrats remained profoundly under-represented, with a total of only 22 delegates out of 257 (Iancu 1973).

The Grand National Council therefore remained much less representative than the body of official delegates at the Grand National Assembly, socio-professionally, politically and geographically, as it was in fact the expression of the needs and political vision of the Romanian National Party, which tried from the beginning to impose its views on the two issues debated: agrarian and electoral reform. Because of political differences, but also because of the refusal to grant women the right to vote, the Social Democrats left the Grand National Council on August 2, 1919. This completely nullified the representativeness of the body, which practically became a single-party congress, and the Romanian National Party embraced the opportunity to tailor the electoral legislation and thus improve their chances in the elections to come.

In the autumn of 1919, parliamentary elections were held for the first parliament of Greater Romania. The electoral atmosphere was quite tense, all the more so as the state of siege inherited from the war had not been lifted, thus allowing the Ruling Council to use the entire apparatus of local public administration to achieve a favorable result. In fact, a few weeks before the elections, the Social Democrats even withdrew from the election campaign in response to the hindrances and chicanery of the executive, and the traditional Hungarian political elite also boycotted the elections. However, the Saxons and some Hungarians, who had not previously been part of the political leadership, took part in the vote and together managed to send around 20 representatives to the Romanian parliament. The turnout was not very high (50–70%), especially in relation to the symbolic importance of the moment. In practice, voting took place in only 61 out of 205 constituencies for the Chamber of Deputies and 15 out of 87 for the Senate. In the others there were no opposing candidates, so the single candidate was declared the winner by acclamation, and no actual voting took place. Despite the Romanian National Party's apparent monopoly in the demographically Romanian-dominated constituencies, the election results also brought surprises, with several independent candidates, or representatives of factions split from the Romanian National Party, managing to win seats. This happened because the party leadership tried to impose its "official" candidates in all constituencies, which led to opposition, retaliation and in some cases even the division of local party structures supporting candidates (Iancu 1974; Murgescu and Sora 2019).

A prosopographical analysis of the Romanian National Party's deputies elected in 1919 shows that most of them were lawyers (87) and priests (30), who together made up almost 70 percent of all those elected. In the Senate, the percentage of lawyers and priests reached "only" 61 percent (Nicolaescu and Radu 2012, 219). A comparison between their list and that of the members of the Central Electoral Committee of the Romanian National Party in 1914 (Popovici 2012) shows that more than half of them lacked any experience in party leadership, let alone parliamentary experience. If we also consider the situation of the Hungarian and German candidates, only five of whom had been present in the Hungarian parliament before 1918 (Pál et alii 2018), we find that the regime change of 1918–19 propelled into the Transylvanian political elite a very

large number of people who had previously been involved in politics at the county level at most, or, less frequently, who had been defeated opposing candidates in elections for the Hungarian parliament.

Despite these obvious signs of social mobility at the individual level, one of the features remaining from the dualist period was the preeminence of legally trained deputies, especially lawyers and civil servants – a common feature all over Central and Southeastern Europe (selectively: Dogan 1946; Adlgasser 2014; Pap 2017, 55). Thus, Romanian lawyers and civil servants in Transylvania naturally took the place of pre-1918 Hungarian lawyers and civil servants as deputies, this time in the parliament in Bucharest, instead of Budapest. A novelty was the very high percentage of priests, which, however, decreased considerably in the legislatures immediately following (Dogan 1946, Tables Va-g; VIa-g, VIIa-b). The explanation for this lies in the important role played by clergy in the Romanians' political-national mobilization in November–December 1918, but also in the reorganization of the Romanian National Party at the grassroots level in August 1919 (Popovici 2017), against the background of the high influence exercised by clergy and churches within Romanian civil society in Hungary and Transylvania.

The elections of November 1919 were innovative not only from the perspective of the reorientation toward the new capital (Bucharest) and the individual changes in the body of parliamentarians, but also from other points of view: for the first time in Transylvania, there was a law providing for universal and secret voting (admittedly, only for men) and for the first time a bicameral parliament was voted for, with representatives elected for both the Chamber of Deputies and the Senate (in Hungary, the members of the upper chamber of parliament were not elected by vote). At the same time, however, the executive's interference in the electoral process through the administration remained profound, and from this point of view the 1919 elections continued the pre-war tradition in both countries, thus diminishing the effects of the positive changes mentioned above.

CONCLUSIONS

The dissolution of Hungary's parliament at the end of World War I, amid the break-up of the dual monarchy, polarized the centers of power

in the country and paved the way for multiple competing provisional institutions built on ethnic grounds to take power. The National Councils assumed both executive and legislative powers, but in practice their main activity was more concerned with maintaining public order and providing the basic necessities of everyday life for the population. In the particular case of Transylvania, both the Romanian National Council and the Hungarian National Council tried to validate their position by appealing to popular representation, resulting in the large-scale national assemblies of Alba Iulia and Cluj.

The delegates to these events, and especially to the one in Alba Iulia, were elected according to pre-defined electoral rules, which were trying to comply with the old system, while at the same time democratizing it by including representatives of civil society and of all the social strata; still, unlike within the old electoral system, an obvious ethnic divide emerged. Elections for the new institutions opened the way to participation at the top for a large number of people who previously had only local political concerns, or none at all. This, combined with the need to fill vacancies in public administration at all levels, led in 1919–20 to a wave of occupational and, partly, social mobility, complemented, to a certain degree, by a surge of Romanianization – which does not mean, however, that social mobility following the regime change did not occur among other ethnic groups as well.

Under the political conditions of the time, the new institutions, although democratically elected, failed to preserve their democratic representativeness or function properly. In hindsight, these shortcomings are clearly highlighted by the evolution of their membership, which became more and more socially homogeneous and entrenched toward the peak social strata, but also by the weak activity and the fate of the Great Romanian National Council, which very quickly became a legislative appendage of its own executive leadership: the Ruling Council. The decreasing representativeness of the members of the Grand Council in relation to the official delegates at the Grand National Assembly signals the end of the revolutionary stage of the regime change, and the beginning of the restoration process of the traditional political elite. The latter was made up now mainly of Romanian lawyers and priests, supported by the Romanian state, against the displacement of the traditional regional

Hungarian elite. The generous political ideas of 1918 were only partially put into practice in the summer of 1919, and the need of the Romanian National Party to secure the widest possible representation in the first parliament of Greater Romania led to the resumption of the same practices of pressure and electoral fraud so intensely criticized before the war.

Finally, in the long run, in Transylvania, as in the whole of Europe, the combination of unfinished democratization, deep governmental instability, and increasing nationalist and social radicalization led to the fragmentation of the political spectrum, the discrediting of the major parties in the eyes of the electorate, and eventually the rise of royal authoritarianism in the 1930s.

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The Political Resonance of the Greek Revolution in Germany

CRISTIANA SENIGAGLIA

The interest in ancient Greece was already deeply rooted in the prevailing humanistic German culture of the time and constantly present in art and literature. Thus, the outbreak of the Greek Revolution in 1821 found an ideal breeding ground for strong support, which culminated in the movement of "Philhellenism" with personalities collecting funds, or young people travelling to Greece and joining the Greek fighters as volunteers. This élan was mirrored in numerous pamphlets, articles, and books depicting the historical events. They mixed elements of travel literature with historical reports, portrayals of personalities, and political considerations. Some authors (among them Wilhelm Traugott Krug, Carl Gerber, Bernhard von Halem, and later C.M. Schrebian or Friedrich Loew) reflected on the political relevance of the Greek Revolution. The present contribution aims at illustrating different texts and at analyzing the political opinions which were introduced and debated in its wake.

GERMAN TIES TO GREECE

In order to understand the massive tide of enthusiasm and the drive to solidarity which the outbreak of the Greek Revolution in 1821 produced in Germany, several factors have to be taken into account. The most important of them, albeit not exhaustive, concerned the *political*, the *religious*, and the *cultural* aspects. These aspects were not always harmoniously integrated, since their motivations and expectations often collided with one another. However, they were certainly interlaced, and their simultaneous interaction was decisive to guarantee the widespread and enduring effect of their supporting function.

- 1) Concerning the political aspect, Greece represented a cultural unity which was mostly subjected to a foreign political entity (the Ottoman Empire) and for the rest was composed of islands and few free territories with an unstable political existence. Thus, Greece

was a fragmented unity seeking its political independence and stable position in the international spectrum. For the German states, which were numerous and formed a fragmented political organization that had recently experienced the shock of the Napoleonic occupation, Greece represented a quite similar political constellation which furthermore demonstrated valour, firmness, and purposefulness. By trying to attain a political independent status or drafting and enacting a self-proclaimed Constitution, moreover, it offered the experimental laboratory for new political projects and systems of government. In this sense, this elaboration process had been facilitated by the different attempts which had been instantiated through the different regional constitutions,¹ before they converged into the provisional Constitution of Epidaurus of January 1822 (further revised in 1823). Additionally, in consideration of the censorship existing at that time, it was possible on the pretext of Greece to speak about democratic constitutions made by the people, of states coming into being, and of new political ideas and ideals.

- 2) The religious aspect was partially in contrast with this emancipatory and reformatory movement, since it was emphasized in conformity with the fundamentals of the Holy Alliance, entailed stressing the common tie of Christianity also shared with the Greeks, and appealed to a European order based on the agreement among the European powers. With respect to this, it implied an implicit acceptance of the arrangement in force and the renouncing of questioning the existing political systems. However, the stress on the religious aspect presented two advantages: on the one hand, it allowed for a more extended support and a public commitment to the Greek cause, and on the other hand, it pursued the objective of involving the European states (or at least some of them) in aid policies and possibly in military interventions. Beyond its appealing function, the reference to the common religion was also thought of to reduce the fear of revolution

¹ The texts of these Constitutions were translated into German and published by Orelli (1822).

among the governments and to underline the specificity of the Greek case and the difference with the other revolutionary movements operating in Europe.

- 3) The admiration for the ancient Greek culture and the recognition that the modern European civilization rooted in its unique splendour were recurrent in German art and literature. However, the Age of the Enlightenment and the prevalence of a humanistic ideal in the German culture of the 18th and 19th centuries successfully contributed to raising the interest for the Greek heritage and sympathy for their effort to become independent. Johann Joachim Winckelmann played a determining role in the revival of the Greek culture, since he discovered the Greek influence even in the ancient Roman culture and affirmed in his work of 1756 *Gedanken über die Nachahmung der griechischen Werke in der Malerey und Bildhauerkunst* (Thoughts on the Imitation of Greek Works in Painting and Sculpture) that the imitation of the old Greeks was the only way to achieve something great, whereby for him “imitation was both a following of the past and a new creation” (Barasch, 2000, 112).

As Anne-Rose Meyer remarks, this conception had at the same time a normative and a descriptive valence: “It is normative, since Winckelmann establishes in his *Thoughts* the superiority of ancient Greek art and culture, and it is descriptive, since he links up with a long [...] tradition, within which ancient Hellas is ranked as an exemplary and admirable ideal” (Meyer, 2013, 11). Thus, beyond recognizing a leitmotiv long since present in German culture, Winckelmann contributed to awakening an interest and inspiration which could be traced back to the heritage of ancient Greece and shown to be throughout productive in different fields in the next decades. Wilhelm von Humboldt, for instance, developed a concept of education based on humanistic ideals which fostered the role of the ancient cultures (Grimm, 1986) and aimed at a comprehensive extension of knowledge ensuring the harmonious unfolding of the individual as a whole. In his role of minister in Prussia, he exerted an enduring influence on education by imprinting on it a classical matrix. In the field of literature, the most famous poets of the epoch, Wolfgang von Goethe and Friedrich Schiller, were influenced by the ancient Greek culture that they

absorbed in an ideal and mythical way. Friedrich Hölderlin, on his part, elaborated themes referring to ancient Greece, but he simultaneously became involved with the political situation of the Greece of his time. In 1797 and 1799 he published a novel in two parts, *Hyperion*, whose protagonist was a Greek involved in the insurrection of 1770; the novel explicitly themed the difficult political condition of modern Greece and the attempts of insurrection taking place at that time. Hyperion's life passed alternated between his participation in the war of liberation of 1770, his attempt to leave his country, and the later solution to come back and to live as a hermit far from society, finding in the relation with nature and landscape a form of reconciliation with the world.

Also from a politico-theoretical point of view, the theories and ideas of ancient Greece were an object of careful consideration, and their suitability in relation to modern time was also in the focus of the debate. The philosopher Georg Wilhelm Friedrich Hegel recognized for instance that the Greek political thought had been the first conceiving of a thoroughly rational political structure embodied by the state. The ancient state, he argued, was an exclusively objective structure, which did not take into consideration the interests and the will of the individuals as particular subjects (Hegel, 1991, § 185, 222-3). From a modern perspective, therefore, it was indispensable to recognize the needs and wants of the individuals and to integrate them into the general will and welfare of the state. Moreover, the development of the modern state had led to the formation of an intermediate sphere, the civil society, which was assigned to the implementation of the particular interests and to the progressive acquisition of a social dimension. However, Hegel thought of an integration of interests and classes within the state which recalled the ideal of political unity conceived of in ancient Greece.

On the other hand, Hegel also was later engaged in supporting the Greek independence. In Berlin he visited for instance an exposition on that topic (Hegel, 1969, 120), and during a sojourn in Paris he met famous Philhellenes (Hegel, 1969, 198). In his writings, he depicted history as a reborn phoenix, which was the well-known symbol for Greece, and made perhaps an allusion to the possibility of a positive change and a new life for Greece itself:

“The next consideration which allies itself with that of change, is that change while it imports dissolution, involves at the same time the rise of a new life – that while death is the issue of life, life is also the issue of death. This is a grand conception; one which the Oriental thinkers attained, and which is perhaps the highest in their metaphysics. In the idea of *Metempsychosis* we find it evolved in its relation to individual existence; but a myth more generally known, is that of the *Phoenix* as a type of the life of Nature; eternally preparing for itself its funeral pyre, and consuming itself upon it; oriental, not occidental. Spirit – consuming the envelope of its existence – does not merely pass into another envelope; nor rise rejuvenescent from the ashes of its previous form; it comes forth exalted, glorified, a pure spirit. It certainly makes war upon itself – consumes its own existence; but in this very destruction it works up that existence into a new form, and each successive phase becomes in its turn a material, working on which it exalts itself to a new grade” (Hegel, 2004, 72-73).

THE FIRST ECHOES OF THE REVOLUTION

These differentiated considerations and the close relationships to ancient and modern Greece created in Germany a breeding ground for interest and concern with the present course of events. Thus, when in April 1821 the revolution broke out, a diffuse sentiment of sympathy and support to the Greek people spread out, which culminated in the multifaceted movement of Philhellenism. Relief organizations were founded, collections were organized, and volunteers were encouraged to go to Greece and to participate in military actions. The insurrection in Greece also promoted an intensive cultural, literary, and artistic movement, which inspired poems, paintings, and the architecture of representative buildings (to cite some examples of this period in Munich, the Glyptothek, which had already been planned between 1812 and 1816, and whose construction was ultimated in 1830; the Bavaria statue, whose traits recalled the goddess Athena, and later, between 1841 and 1845, a series of paintings in the arcades of the court garden which represented some of the most impressing scenes excerpted from the Greek Revolution (Vierneisel, 1993)). In the 1820s, and particularly in the first years of the decade, an enormous quantity of books and pamphlets focused on

the events of the Greek Revolution and depicted travel and war experiences (Quack-Eustathiades, 1984, 55 ff.). Some leading intellectual voices analyzed the situation from a political vantage point and furnished arguments for justifying the legitimacy of the revolution² or also for distinguishing the case of Greece from the other revolutionary actions taking place at the same time in Europe, in order to avoid the negative reactions from the part of the conservative forces. In fact, while the public opinion was far and wide in favour of the Greeks, and several intellectuals, in particular Friedrich von Thiersch, professor for archaeology in Munich,³ and Wilhelm Traugott Krug, professor for philosophy in Leipzig, openly supported them, the major states of the time and in particular the members of the Holy Alliance looked at the Greek events with diffidence, fearing the disruption of the international order and an uncontrollable wave of revolutionary uprisings.

This fear was not completely unjustified. Some newspapers, in particular the *Augsburger Allgemeine Zeitung* and the *Mainzer Zeitung* (Dimakis 1994, 49), published various articles about the Greek events, and attracted the attention of the public. The more immediate and general consequence was that many other newspapers reproduced these articles and, in doing so, they succeeded in increasing the diffusion and the relevance – and consequently the power – of the press. The less immediate, but more enduring consequence was that the occurrences in Greece gave the people the opportunity to speak or to write about delicate political topics such as freedom, political rights, the meaning and the most suitable feature for a constitution. In general, the Greek events contributed to politicizing society and also incited people to question the political systems in their own countries.

In comparison with their European partners, however, the German philhellenes struck a softer note. First of all, most of them held moderate views, since they were more prone to gradual reforms and to a measured liberalism in the frame of legality. Furthermore, they were convinced

² With respect to this, Regine Quack-Eustathiades makes, in his book on the German Philhellenism, a precise and articulated reconstruction of the arguments which were used (1984, 217 ff.).

³ About Thiersch's commitment to the Greek cause in the course of his life, see Kirchner's detailed analysis (2010).

that the Greek people needed the support of the major European countries in order to obtain independence and to found a new state. Finally, many of them were inspired by their religious beliefs or at least believed in the opportunity to stress the religious aspect in order to obtain aid from the states of the Holy Alliance.⁴ From this perspective, they presented Greece as a bastion of Christianity and insisted in making a distinction between the Greek cause and the other revolutionary movements, arguing therefore that the Holy Alliance should help them in order not to contradict itself and its core principles. In this context, also the reference to the Greek nation as a part of Europe was repeatedly emphasized, and this concerned not only the cultural heritage of Ancient Greece, but also the multifarious connections which had been established in the previous decades (Maras, 2012): on the one hand, trade, navigation, economic relations; on the other hand, the translation of important European and German works into modern Greek, the foundation of schools and universities in Greece which oriented themselves to European and German patterns, and the presence of numerous Greek students in European and German universities (Grimm, 1989).

The author of the most significant articles was Friedrich von Thiersch, who wrote in 1821 a series of essays in the *Augsburger Allgemeine Zeitung*, one of the most widely read newspapers in the Germany of the time.⁵ In the opening article of 2 June 1821, he justified his activity as a journalist owing to the scarcity and deficiency of the circulating reports on the one hand, and to the general interest and sympathy aroused in the public opinion on the other. According to him, his contribution aimed at filling that gap by conveying information on the historical background, explaining the reasons of the conflict, and depicting the development of the events. He did not hide his commitment to the Greek cause and his adhesion to philhellenic positions, which he defended as a consequence of the peculiar situation of the Greeks. On the one hand, Thiersch

⁴ The States of the Holy Alliance were worried about the Greek Revolution and its possible consequences for their countries. Additionally, the major states pursued particular interests which partially collided with the idea of a new order (Erler, 1906, 63-65).

⁵ Friedrich Thiersch's articles have been collected by Emmanuelle Karagiannis Moser (1999), who provides them with a detailed commentary and an extended bibliography of works published in that period of time as well as of studies concerning that topic.

underlined that the Greeks had enormously developed their trade activity in the last decades, and in doing so they had reached a notable condition of wealth and advanced to a sea power; complementarily, they had improved their system of education and aroused the international interest through their newspapers, trade correspondence, and the enrolling of numerous Greek students at European universities. On the other hand, he stressed the lack of perspective for the Greek nation to become independent or even to ameliorate its condition within the Ottoman Empire. By basing on these considerations, he argued that the resurrection of Greece had been announced largely before than the use of weapons, and that the association for liberating Greece had existed already long before the formation of the other revolutionary movements present in Europe at that moment. In this sense, Thiersch neatly separated the Greek organizations from other groups such as the Italian Carbonari. Indeed, he admitted that the Greeks had drawn new hope from the French Revolution, but he justified this through the precariousness of their condition and their cleverness which drove them to seize favourable opportunities.

In the succeeding article of 14 July 1821, Thiersch mentioned the remarkable echo resulting from his first article and the criticism coming from the authors who connected the Greek upheaval with other European revolts. He insisted that it was essential not to mix them up, since the destiny of a respectable nation as a whole was at stake, and this confusion would damage the position of the Greeks and the readiness of the European states to help them. He repeated that the Greek uprising had had an independent origin deriving from the autonomous decision to overcome their subjugation. Once more, he recalled that the foundation of the Greek movement could be traced back to thirty years before and had been inspired by the French Revolution, so that it could not be related to the latest events.

In a further article of 24 July, Thiersch appealed to aid and support by reminding that Greece was the cradle of the human culture and that the Greeks had been suffering from an adverse destiny for more than 2000 years. In his view, the most powerful motivation for helping them resided in the community provided by Christianity, and this could not leave the states of the Holy Alliance indifferent and should call them to a concerted action. For Thiersch, the Greeks' proclamation was a call directed to

all Europeans and represented a chance to unite Europe and to reconcile all the discords and conflicts lacerating them. This appeal was accompanied by the description of the events, which did not admit the likelihood of a positive solution in the short run. In the article of 7 August, Thiersch reported the quotation of another article in which the independence of Greece was seen as implying a major contribution to the European freedom, and recognized at the same time that the Greek cause had found numerous and engaged supporters especially among the German people.

THE REFERENCE TO EUROPE

Indeed, the connection between human rights and European freedom was present in a journal which was published by Sickler for a short time in 1821 with the title *Anastasia* and which dedicated its articles to the deepening of knowledge on history and culture of Greeks and Turks. Especially in the introduction, it was stressed that the new Greeks had the right to claim the respect and the recognition which were due to every nation, and that nobody was entitled to usurp the power and to deprive them of their inalienable human rights. In the face of the violation of their fundamental rights, it was also unacceptable to argue that they were subject to prescription. The Europeans, on their part, were not allowed to be only spectators, but they were called to intervene. The common expectation and hope focused on their victory or on a peace which would put them under the aegis of the European international law.

In general, the European issue was a relevant thematic which was frequently connected with the Greek events and was expected to imply strong commitment and solidarity

In an anonymous pamphlet entitled *Die Rettung Griechenlands die Sache des dankbaren Europas* (the Rescue of Greece the Matter of Thankful Europe), which stated already in the title the defence of Greece as a European concern, the author highlighted that the restoration of a Greek reign would exert a positive influence on the interest of the whole of Europe. He especially ascertained the legitimacy of the Greek claim to independence on the basis of their cultural and historical patrimony, which additionally had conferred on them the capacity to maintain tradition by renewing it, as was shown in their reform of the ancient language into

Modern Greek. The cautious and well-reasoned reform of the language, which had been able to retain the past magnitude without precluding “new glory and fame” (Anonymous, 1821, 76), demonstrated in the author’s view the capacity to become free again without undermining the legal frame of the political order. According to him, these cultural elements and the economic development that the Greeks had instated proved the perseverance of their political will, legitimated the Greek aspiration to become an independent state, and demonstrated the consonance between Greece and the other European countries.

In a similar way, Heinrich Gottlieb Tzschirner’s pamphlet, entitled: *Die Sache der Griechen, die Sache Europa’s* (The Cause of the Greeks, the Cause of Europe) stressed the affinity and the belonging of the Greek nation to Europe. In spite of the Ottoman domination, which had also signified an impairment of the Greek culture and education, “the Greeks nevertheless have remained not only a nation, but also a European nation” (Tzschirner, 1821, 5), that respected the position of women and maintained a steady interchange with the European culture. Tzschirner explained that those Europeans (the Greeks) wanted to re-conquer their independence, and that the other Europeans could not ignore them and remain indifferent. He also justified this need from the perspective of the future development, which would narrow the sphere of action of the Europeans and drive them to intensify the relationships with the nations that would present more similarities to them. Furthermore, the enhancement of those relations presented some advantages: an increase of trade, the improvement of science, knowledge and education, new discoveries and works of art, and the consolidation of ethical principles. With respect to this, the Greeks would be able to make their contribution not only thanks to their trade with the Orient and their strategic position, but also because of their interest in education, provided that they had the opportunity to be a free and independent nation.

Concerning the question of the legitimacy of the uprising, Tzschirner highlighted that the Greek Revolution was not to be compared with a revolt or an internal rebellion, since the people were under a foreign domination. In doing so, he affirmed the general principle of the right to independence for the nations, that he compared with the right of the individuals to personal freedom, and he underpinned it by arguing that freedom,

the establishment of rights, and an independent legislation favoured the cultural, scientific, and economic development of the nations. At the same time, Tzschirner outlined a more embracing project concerning Europe, based on the cooperation and cultural interchange among the European countries:

“Europe is our world and for that reason we have to wish that a rich and manifold intellectual life of the minds in Europe can exist, that in every country of our continent all forms of culture can grow and flourish, and that consequently the Greek nation, which has been torn off from our circle, will be again a member of our association of states” (Tzschirner, 1821, 14).

KRUG’S PLEADING FOR THE GREEK POSITION

In order to ensure public support, the German Philhellenes endeavoured to enhance the position of the Greeks by conferring on it a frame of legality. In general, they argued that the Greek Revolution was not a civil war, but a war between two countries, because this allowed them to convert it into an issue concerning international law. Wilhelm Traugott Krug, one of the most engaged German Philhellenes and the initiator of an intensive activity of support for the Greek cause, published between 1821 and 1822 three pamphlets in which he elaborated a series of arguments to underpin the Greek claim from a juridical point of view.⁶

In the first pamphlet, that Krug significantly titled *Griechenlands Wiedergeburt. Ein Programm zur Auferstehung* (The Rebirth of Greece. A Programme for Resurrection), he argued that the power exerted over the Greeks was not to be considered as legitimated, but as usurped, since it derived from an usurpation war. Furthermore, the Greeks neither had subscribed to a contract of subjection concerning the people nor to an act of cession concerning the territory. Therefore, the origin of that domination could not be considered as lawful. On the other hand, also the exertion of power did not fulfil the criteria of lawfulness, since there was no systematic

⁶ Krug’s pamphlets played a primary role in enhancing the positive attitude of public opinion (Erler, 1906, 22).

and consistent application of the law deriving from it. This introduced the problematic of the range of civil obedience. According to Krug, limits to civil obedience had to exist, and they were justified, when persons were treated not as a person any longer, but as things deprived of rights. In that case, “should it be not allowed to resist, then it would be truly better if the person [Mensch] did not live at all in an association of citizens, but in the so-called state of nature. For a person can rationally want to live in an association of citizens only in behalf of the right, so that one is sure of one’s life, property, and freedom” (Krug, 1821a, 31-32), stated Krug by recalling at that point Locke’s liberal contractual theory. In general, he referred to the lack of integration between the Greeks and the Turks as well as to the cultural and linguistic differences and inferred that therefore they were two nations, one of which was dominating the other. He also rejected the hypothesis of the existence of a tacit contract between them, since such a contract was only presumable if the consent could be rationally presumed (Krug, 1821a, 47) and this, in consideration of the hostility and separations existing between the two nations, was not the case. On the other hand, a prescription of the right to independence of the Greeks was not conceivable, because international law did not contemplate this possibility. Finally Krug also excluded the option of applying the constitutional law, since the Greeks were not seeking a better constitution, but on the contrary they were claiming their political existence, and this was a subject which was to be judged only in accordance to the principles of international law.

In the second pamphlet, *Letztes Wort über die griechische Sache* (Last Word about the Greek Issue), Krug faced the question whether the Greek situation should be considered as brought on by their own fault (Krug, 1821b). He stated that it was difficult to judge on that matter, and that when someone is drowning, he or she should be helped even if the danger was self-inflicted. At any rate, the presumed fault could not be ascribed to the people living in the present time, but it had to be traced back to the past. With respect to this, Krug argued that the present Greeks could not be considered responsible for their ancestors’ faults and weakness. On the contrary, they had shown their courage and their firm will to be independent, and therefore they deserved support. Moreover, a rapid conclusion of the war would be useful for all, since it would avoid making Europe a battlefield for years.

Simultaneously, the author opposed the objection that the Greeks would not be ready for independence or they would fight against each other. In this respect, he countered that the independence attained by the inhabitants of the Ionian Islands through the Septinsular Republic, which had become an English protectorate only for reasons of security, confirmed their striving for independence and their ability to self-government. To the critics who mentioned the risk of civil war, Krug objected that this was not a real threat for the other countries, and that in any case the Greeks would be able to find a solution by themselves. From his personal standpoint, Krug conceived three possibilities concerning the future Greek political organization: 1) an independent monarchical reign; 2) a plurality of small republican states; or 3) a confederation on the Swiss model. All these constitutional forms would be good enough at guaranteeing freedom, property, and liberty of religion. Concerning the possible forms of aid, he suggested that support should be private and should not imply the direct intervention of one particular state, in order to avoid jealousy among the European countries as well as the endangering of the existing political equilibrium; furthermore, this left the Greeks free to choose their own form of government.

The third pamphlet, written in 1822 with the title: *Neuester Stand der griechischen Sache* (The Latest about the Greek Situation), contained an update of the state of things in Greece and revived or elaborated previous arguments. The main thesis was the right of every nation to be respected and maintained, because every nation had to be considered as a member of the common body of humanity, and this was even more valid with respect to Greece, since the ancient Greeks had rendered a remarkable service to all humanity through their works of art and science, so that all human beings were indebted to them. Although the Greeks had suffered from a period of decay, they had demonstrated through their uprising that they wanted to rise again, and through their sacrifices that they were worthy of rising again.

About the present condition, Krug stressed again the courageous behaviour of the Greeks and underlined that the uprising could not be subdued. Meanwhile, legitimacy was based on the fact that the Greek people had already constituted themselves as an independent nation and they had formed a provisional government and called into being a Senate in

Corinth which had taken on constitutional, administrative, and governmental functions. This was a proof by the force of facts, which had at the same time institutional relevance. The politico-institutional organization, although being provisional, had also convinced the public opinion about the worthiness of supporting the Greek cause. On his part, Krug suggested a form of indirect support which should be implemented by helping the independence of the Greek nation without extending the conflict and without undermining the subsistence of the existing powers. This could be the solution able to maintain the international balance without frustrating the Greek drive for freedom.

POLITICO-CONSTITUTIONAL ANALYSES

Krug's considerations did not represent an isolated case. In the course of the years 1821-22, the Germans who were sincerely interested in the fate of the Greeks and anxiously followed the development of the events began to face concrete questions concerning the future of the Greek nation, being animated by their achievement of a provisional government and above all of a written Constitution.⁷ Carl Gerber, in his pamphlet titled *Griechenland und dessen zeitiger Kampf in seinem Ausgang und seine Folgen* (Greece and its timely fight in its result and consequences), raised the question about the future politico-constitutional organization of Greece, and mentioned the two main alternatives at play in its opinion: 1) freedom under foreign dominion, i. e. a form of protectorate similar to that of the Ionian Islands, or 2) a fully independent state. The original objectives pursued by the Greek people were summarized by Gerber as follows: 1) the free exercise of their religion, 2) the equality of treatment in regard to tax collection, and 3) the recognition of their autonomy in the form of self-government. As these objectives were not attainable under the present conditions, independence appeared to be the only practicable solution. Gerber also weighed up the pros and cons of a protectorate. In his view, a protectorate entailed the risk of provoking tensions

⁷ Important comments and suggestions about the Greek provisional Constitution were also elaborated in other countries, for instance in England by Jeremy Bentham (1990).

between the major European states, since it had to be conferred on one specific state with the exclusion of the others, and at the same time find their unanimous consensus. Additionally, it created the problem for the selected state to ensure the protection and to choose for it the adequate means: trust in contracts and agreements, or military occupation? By contrast, the existence of an independent Greek state strengthened the chances of peace and security for the European countries. According to Gerber, however, independence was not the unique condition, but should be accompanied by the inclusion of Greece in the European confederation of the Holy Alliance.

Because of its strong and momentous political meaning, the constitutional issue was also closely scrutinized. In 1822, Bernhard Johann Friedrich von Halem wrote an essay (published in two parts) on the Constitution of Epidaurus, which had been provisionally ratified by the First National Assembly in January 1822: “Bemerkungen über den Entwurf der organischen Gesetze des Griechenbundes; mit vergleichendem Hinblick auf die Vereinigten Staaten von Nordamerika” (Remarks on the Draft of the Organic Laws of the Federation of the Greeks; with a Comparative View on the United States of North America). The essay included a comparison with the American Constitution and entailed a judgement on the institutional arrangement. In general, Halem considered the declaration of independence and the adoption of a constitution as a prior and fundamental act, which underlined the existence of a strong common will proclaiming the right to be a state and contributing to enhancing that claim also at the international level. The founding act was considered as epoch-making especially in consideration of the previously fragmented political condition of the Greek people and was estimated as particularly meaningful, since it implied the purposeful decision to exit from anarchy.

Halem praised the Constitution as a remarkable achievement performed by representatives arrived from different Greek regions, only in part elected and mostly chosen by acclamation, and saw it as a major stage in the fight for freedom, endowed with historical significance. The main source of inspiration resided for him in the North American Constitution, which represented the most adequate existing model for a republican form of government. Halem underlined that the Constitution featured a

republican state and recognized the equality of all Greek citizens before the law as well as the equal right of access to state offices, provided that they possessed the necessary qualifications. Nevertheless, Halem also expressed some criticism from an institutional point of view. He criticized for instance the existence of only one organ of the legislative, the Senate, instead of a two chamber system, and by contrast the presence of a collegial organ, the Executive Council, instead of a President, who could express unity and concentrate power in his hands. Instead, Halem remarked, the council was further weakened through the disposition that it had to change its members every year, which made it impossible to rely on a powerful and consistent leadership. Moreover, Halem missed a clear separation of powers and functions between the Senate and the Executive Council, since both had legislative competences and both were endowed with forms of veto which could hinder or at least retard the process of legislation. This created the premises, according to Halem, for a grave conflict of power (which later, in effect, really took place and also produced negative consequences from a military point of view).

Another problematic issue resided in the role and function of the ministers. The Premier and the ministers had to be appointed by the Executive Council, and this already implied their occupying an unstable position, since the Council had to be renewed every year. Also the concept of responsibility was inadequate, since it regarded at first only the Premier, while the ministers were accountable only after having being dismissed through the appointment of new ones. Additionally, their accusation included reducing them to normal citizens, who were indicted to a civil court and had to respond as normal individuals and citizens. Halem objected that the accusation against a minister was not comparable, from a juridical point of view, with that of a normal citizen, and required instead new and specific juridical categories. The author suggested that the responsibility of the ministers before the nation should be better specified and regulated by law. He also criticized that the publicity of the parliamentary sessions was secured only for the press, but not for the public, and proposed an amendment guaranteeing and regulating the access for the public. Finally, he remarked that the hierarchical relationship between central and local governments did not sufficiently consider the drive to autonomy of several islands, and stressed the suitability of

speaking out in the Constitution a principle ensuring that autonomy and providing for a specific legislation on this matter.

However, Halem simultaneously stressed that his remarks were only suggestions for further reflections and possible amendments, and that they were not intended to question the legitimacy and worthiness of the Greek Constitution or to diminish the value of its contents, although he doubted on the possibility to maintain for Greece, in consideration of the ongoing pro-monarchic epoch, a republican form of government.

THE EVALUATION OF THE INTERNAL CONFLICTS FROM 1825 ONWARDS

The potential of conflict indicated by Halem already became reality in 1822 through the confrontation between Dimitrios Ypsilantis, who had been elected President of the National Assembly, and Alexandros Mavrokordatos, who was at the head of the provisional Government. Finally, Ypsilantis had to resign. However, the internal conflicts were not appeased, but on the contrary they came to a point in 1823, after the new Congress in Astros, in which the Constitution of Epidaurus was revised and amended⁸ and the parliamentary works in general took a good course. The main internal conflict concerned then the confrontation between the Senate, with Mavrokordatos as his representative figure, and the Executive Council, backed by Kolokotronis who was at the head of the military forces. The disruption which followed had as a consequence the foundation of opposing parties.⁹

The existence of these internal conflicts alarmed the philhellenes in Germany, especially from 1825 onwards, as Missolonghi was put under siege. The attention of the public opinion, which had been partially reduced because of the stalemate condition of the war and the rising of revolutionary movements in Spain, focused again on the Greek situation; aid and economic support were intensified, and new pamphlets

⁸ In particular, the competence of the legislative power was enhanced and the veto of the executive power had only a delaying function (Wenturis, 1984, 45).

⁹ About the process of formation of different groups and parties in Greece during the Revolution, see Hering (1992, 53-114).

were published in order to inform the public more exactly about the latest developments and their dramatic turns (Vakalopoulos, 1986). This time, however, there was not only enthusiastic approbation or, as had happened in the previous years, few critical reports by some disillusioned philhellenes, but on the contrary on the one hand the attempt to encourage the Greeks, and on the other hand the sentiment that it was also necessary to convey some suggestions for the future to them.

In this period of time, Schrebian's book: *Aufenthalt in Morea, Attika und mehreren Inseln des Archipelagus* (Sojourn in Morea, Attica and Several Islands of the Archipelago) stands out because of the sources and the kind of information that it offers, which entailed the portrayal of several political personalities as well as the complete text of the Constitution of Epidaurus of January 1822. Schrebian justified in particular those portrayals by evaluating them as a necessary complement in order to give the public a more topical insight into the political process, which for him was the main issue: "In order to provide the public with the right perspective on the Greek government, I feel obliged to delineate several character descriptions of the most eminent members of the Senate" (Schrebian, 1825, IV). Thus, he depicted significant leaders such as Alexandros Mavrocordatos, Dimitrios Ypsilantis, and the other ministers of the Government.

Besides, he highlighted the main problems which affected the Greek political leadership and contributed to weakening their struggle for independence. First of all, there was a creeping tendency to particularisms, which concerned opinions, perspectives, and also different specific interests which were difficult to unite. In Schrebian's view, this damaged the unity of decision and action which would be required in such extreme situations. In fact, these particularisms led to the formation of different parties and the tensions among them were not beneficial to the attainment of their objectives. Additionally, Schrebian complained about the weakness of the provisional government, due to the fact that the indispensable funds to establish an efficient and functioning defence were in the hands of the different captains, and this impeded the organization of a unique and unitary army. However, from the politico-institutional vantage point, Schrebian recognized the worthiness of enacting a Constitution and of forming a provisional government, as the Greeks had actually

done, and ascribed mainly to the exiguity of the economic means the impossibility to properly guarantee its application. Also the judgement on the text of the Constitution was positive and promising:

“If we deem the content of this document worthy of a close examination, it results that it is absolutely apt to provide a nation such as the Greek one, in its then condition, and through the laying of such simple and therefore understandable laws, with that solidity which remains a necessary condition in such a daring enterprise of making itself independent from the [Ottoman] Porte and to attain its own independence” (Schrebian, 1825, 90).

Indeed, Schrebian thought that the deficiencies did not depend on the law or on the conflict of power between the Legislative and the Executive, but rather on the scarceness of financial means which considerably reduced the chances of a united political power. Schrebian concluded his report by giving the information that he had terminated his sojourn in Greece, which he had left while it was still fighting to obtain right and freedom. However, his concluding judgement that he expressed in the short introduction was fundamentally optimistic and expected real chances for the future. He said that he was convinced about the possibility to demonstrate through his report and analysis “that the Greeks, if only they remain united among themselves, and understand how to rightly use the advantages which had been ascribed to them by the nature, as they already have shown on many occasions, and if nobody puts obstructions in their way, – they are likely to establish their independence by themselves through their own effort” (Schrebian, 1825, III). Through this statement, Schrebian gave the Greeks some precise advice about their weak spots, indirectly invited the other European states not to attack them, and finally encouraged the Greek people to continue to fight for their independence.

An analysis of the chances and perspectives for the Greek people to become a state was also contained in Johann Valentin Hecke's book: *Griechenlands Entstehen, Verfall und Wiedergeburt, oder: Sind die Griechen Rebellen? Sind die Türken ihre legitime Regierung? Staats- und völkerrechtlich beleuchtet* (The Rise, Decay, and Rebirth of Greece, or: Are the Greeks Rebels? Are the Turks Their Legitimate Government?

Elucidated in Relation to the Constitutional Law and International Law). Hecke started from the consideration that the development of the events and the power of resistance shown by the Greeks demonstrated that a nation with such a culture, ethos, and civilization, can be perhaps subjugated, but it can never delete the memory of the past greatness and the hope to liberate itself again from that yoke. On the other hand, they were not to be considered as rebels, since their rights were not guaranteed, and additionally – Hecke here adopted one of Krug's arguments – there was neither a contract about the subjection of the people or the cession of the territories, nor a tacit consent, nor a prescription of their rights, since a prescription was not valid in international law. On the other hand, according to Hecke, they had attained anew, through their activity in recent years, political relevance:

“The Greeks have affirmed by themselves the enjoyment of their human rights; they have already gained political existence; they have already a civil Constitution and possess an army and a navy; they have national credit abroad and enter into contracts of loan; [...] and every major state (*Macht*) can recognize them as a nation and make contracts with them without compromising itself in relation to the principles of the state and international law” (Hecke, 1826, 173-4).

However, the problem of choosing the adequate political configuration was still acute. The author gave them the advice to adopt an English protectorate such as that of the Ionian Islands, which ensured protection and access to world trade, and remained by contrast sceptical about the possibility to establish a democratic system for the moment, which would cause a delay in the decision making and promote divisions. As alternatives, Hecke mentioned the possibility to create several little states with different institutions or that of a European regent, whose presence would calm down the fear of the neighbour states.

WIDENED HISTORICAL INVESTIGATIONS

The fall of Missolonghi gave an enormous shock to the Philhellenes as well as to public opinion in Europe. On the one hand, the consideration

of the duration of the conflict demonstrated that there was a firm will to maintain independence. On the other hand, the extension of the conflict through the intervention of the Egyptian troops made it clear that they needed the help of the other European countries. In Germany, the prevailing tendency consisted of making historical studies on Greece which had to gain the consistence of a scientific analysis. Therefore, the authors dedicated a specific attention to the specification of the sources and to the detailed depiction of the events as well as of the politico-institutional developments. Simultaneously, they tried to create a historical fundamental of legitimacy for Greek independence, which they hoped and wanted to be supported by an official intervention of the Holy Alliance and of the other European states, as de facto happened with the battle of Navarino on 20 October 1827 and continued after it.

In 1827, Wilhelm von Lüdemann published a comprehensive work in four volumes: *Geschichte Griechenlands und der Türkei* (History of Greece and Turkey). The fourth volume, which treated the period between 1774 and 1827, contained an introduction in which the author openly expressed his intent of demonstrating, in opposition to all voices affirming that the Greek uprising was only a sporadic event, their continuous will and effort to independence, which was additionally rooted in a profound historical background (Lüdemann traced the origin of Greece back to prehistoric times). The struggle for independence, argued Lüdemann, had been developing constantly in the last decades. Besides, the Greeks had instated even before the Revolution a politico-institutional organization which made of Greece, in relation to the Ottoman Empire, “a state in state” (Lüdemann, 1827, IV vol., VI). On his part, Lüdemann justified the Greek Revolution as the consequence of a repeatedly rejected attempt to enact existing treaties and to stipulate an enduring agreement.

To this purpose, Lüdemann recalled the history of some independent districts in Greece, which were little republics endowed with an elected political representation, the *Demogerontes*, which proved the survival of ancient political models and denominations. These little democratic states had essentially contributed to implementing the economic, naval, but also cultural renaissance of Greece, and have helped to develop a political movement and organization. The only

mistake, according to Lüdemann, had been that of rising up too early, by profiting from the events in Walachia of 1821, while it would have been advisable to wait at least until 1825, which was the originally planned date. Thus, the necessary military and strategic conduct, materials, and a central government were missing.

Nevertheless, the Greeks succeeded in organizing a National Assembly (originally planned in Argos, but then meeting in Epidaurus), with the representatives of the people from the different regions of Greece. With respect to this, Lüdemann's analysis dedicates much attention and detailed information to the events concerning the Greek provisional institutions, by showing at the same time the development of the conflicts between them. With reference to the first period (1821-22), he criticized the scarce consideration of the provisional government for the military heads, to whom, nevertheless, the success of the fights was due. Despite this, however, Lüdemann attributed notable capacities to the representatives for their political and organizational skills:

“Yet everything had been done on the part of the representatives of the people in order to establish a certain order in the action of the government. A supreme court-martial was set up in Corinth, the present seat of the Government; the separation of the civil power from the military leadership had largely succeeded, the fundamentals of the Constitution had been outlined and put into force, and the forms of arbitrariness deriving from the former time of suppression, the murder of prisoners or their slavery, began to be punished. With all this a lot had been achieved, if one considers that still the main worry of the government had to be directed at the same time to the defence of the country in the approaching campaign”
(Lüdemann, 1827, IV vol., 104-5).

In a similar way, Lüdemann expressed a positive judgement on the parliamentary works of the new Congress whose representatives had been elected at the end of 1822 and who met in Astros in February 1823. He illustrated that the performances of the representatives, the quality of their speeches, and their political competence had noticeably increased. They had revised the Constitution, limited the powers of the local entities and put them under the control of the Senate, and

established local courts and laws which were inspired by the Napoleonic Code. Nevertheless, the precious work of the Congress, which had ended with a proclamation stressing the independence of the Greeks as an act of justice, had been undermined by the conflict which broke out after its conclusion between the legislative assembly (the Senate) and the government (the Executive Council). Lüdemann describes in a detailed way the motivations of the conflict and the personalities involved. The conflict escalated and came to the point that the Senate annulled all the acts of the Council and the Council ignored all the decisions of the Senate. The Senate then dismissed some ministers, and the militaries who supported them tried to form an alternative government. The Senate brought the heads of them to the trial and convicted them with mild sentences, which Lüdemann praised as an act of “republican moderation” (Lüdemann, 1827, IV vol., 129) which instated the order again. Greece was able to achieve some victories especially on the sea, but the suspension of the hostilities during the winter 1824-25 opened the way to new divisions. Their consequences were visible through the defeats in the course of 1825, and culminated in the siege and fall of Missolonghi, which was received from all Europe with deep consternation. Meanwhile, Lüdemann summarized, some help was coming from England, Russia and the United States, and the citadel of Athen was besieged, but it resisted. The author concluded by stating that at the end of the year 1826 the situation for the Greeks was not so hopeless, and commented that the year 1827 could signify a turn in the conflict and decide whether the Greeks could obtain their independence.

Similar reasons for compiling a comprehensive history of Greece were also adduced by Julius Curtius, who published between 1827 and 1830 his work: *Geschichte der Neu-Griechen von der Eroberung Konstantinopels bis auf die neuesten Zeiten* (History of the Modern Greeks from the Conquest of Constantinople until the Newest Times) in 5 volumes. Also his work intended to offer a more embracing survey in order to illustrate the calamities which had affected the Greeks in the former times and especially to highlight the decay brought about by the barbarian hordes, “that reduced the whole beautiful Greek ground to a heap of ash, from which new Greece gradually was able to rise on it as a young phoenix” (Curtius, 1827, XII). In his introduction to the first volume of January 1827, before

the battle of Navarino, Curtius commented that neither did he want to begin his narration with the year 1750, which would have signified showing the Greeks only as oppressed people, nor with the year 1821, which would have been only the history of their last attempt to free themselves, and not a history of the Modern Greeks as a nation. Curtius had no doubt that the Greek nation would continue to subsist, and he was convinced that, if this attempt failed, there would be a new one after a short time.

The tone changed in the introduction to the second volume, written in 1828 and therefore after the battle of Navarino, in which the Greeks were depicted as “the unfortunate, now from its suffering hopefully freed nation of the New-Greeks” (Curtius, 1828a, III). On that occasion, Curtius explained that his work embraced a more extended space of time, since it intended to avoid the impression that the Greeks had belonged to the conspiracy which in 1820-21 had aimed at overthrowing several regents in Europe. In this sense, the author categorically affirmed that there was no connection with the other contemporary revolutions, and this was only to be proved by the enlarged analysis of Greek history. Additionally, Curtius referred, like Lüdemann, to the fact that the uprising was originally planned for the year 1825 and that Greece had revolted, while still unprepared, already in 1821 only in consequence of an unexpected and for the author misleading concatenation of events.

Curtius depicted how the fight waged by Alexander Ypsilantis in Walachia had encouraged the Greeks to revolt, and explained that the coincidence with the other revolutions had had a high price, since the European powers had therefore refused to help. He hypothesized that the Greeks had profited from this event for revolting, and that there had been more local uprisings that only later had unified and coordinated their actions. Although his attention was prevalently focused on the chronology of the battles, he nevertheless dedicated some interesting remarks to the politico-institutional activity in his last volume published in 1830. With reference to this, he stated: “The National Assembly in Epidaurus is the beginning of a new epoch in the history of the Modern Greek nation” (Curtius, 1830, 36). He underpinned this affirmation with the fact that the main political personalities of Greece had met together, joined to a common aim, and organized the Greek state in its fundamentals, and the rapidity with which they had written down and passed the Constitution

proclaiming their rights and establishing their institutional system had positively surprised the educated people of all Europe. In the country itself, the interest for the National Assembly had been so strong that in the next Congress of 1823 not only the prescribed representatives, but also other delegates from all Greece had come and made the request to be admitted to participate. The place which had been chosen, a large garden in Argos, undoubtedly recalled the ancient space of the Agora. Curtius reported that they had partially revised the Constitution by ameliorating the definition of the competences of the different powers, reorganized the army, and also expressed the desire to regain a high level of knowledge in order to count again among the most enlightened European nations. Indeed, Curtius mentioned the quarrels which had broken out after the end of the session. However, he concluded his historical narration with the end of the year 1823 by affirming that the Greeks had reached much during that year and depicted their state of things as promising.

DEPICTING THE WAY TO THE GREEK STATE

Curtius's tendency to judge the Greek condition in 1830 in a more equilibrated way was not an isolated case, but it mirrored the achievements of the latest years. In fact, the perspective of the analyses partially changed after the treaty of Adrianople in 1829 and the Second London Protocol of 3 February 1830, which ratified the existence of Greece as independent state (still indicating that it had to be organized as a monarchy). The historical reconstruction after this event still continued to prevail, but it was more oriented to discover the direction of development to impress on the future. This is due to the fact that the Treaty of Adrianople concluded a cycle of events, but simultaneously raised the question of the new political arrangement with reference to the national as well as international political order. Friedrich Loew, who published in 1830 the book: *Der Freiheits-Kampf der Griechen* (The Fight for Freedom of the Greeks), considered the Greek Revolution to be an event prepared for a long time in advance. However, Loew shared the opinion that it had broken out too early and moreover at an unfavourable moment, since in that period the Holy Alliance had been assembling in order to deliberate on its counterrevolutionary strategy. According to Loew, this had been

the main reason why the European nations had delayed their support to Greece. The author also underlined the discrepancy between the reaction of the public opinion, which had been sympathetic and generous, and the attitude of the Governments, that, with the exception of Bavaria (Spaenle, 1990, 70), had often hindered or impeded the philhellenic organizations. Despite these difficulties and the persistent military fights, Loew remarked that the Greeks had been capable of convoking a National Assembly, they had formed a government, separated the civil and the military power, drafted a Constitution, and adopted a new ordinary law. In the Convention of Argos, in 1823, the knowledge and the capacities of the new representatives had visibly improved; they had revised the Constitution and created an institutional framework. The most relevant problem had been – Loew agreed here with the other historians – the inner conflicts, but he thought that they were surmountable. At the end of his work, he observed that Greece was now definitively a “completely independent state” (Loew, 1830, 216) with clearly determined borders and a form of government which prescribed the choice of a monarch who did not belong to the countries which had signed the pact. In doing so, the full independence of the country was preserved. At the end of his book, Loew wished the completion of the process of independence and the removal of all conflicts.

The system which had been chosen for Greece in 1830 complied with the wish of the other European states to maintain order and to avoid the installation of a political system which could inspire new uprisings elsewhere. Nevertheless, it did not fully correspond to the expectations of the Greeks. In some analyses which were developed from 1830 onwards, a specific attention was dedicated to the connection of the historical events with the cultural characteristics of the Greek people. Friedrich Wilhelm von Thiersch, few years later, stated that the Greeks, although they had become a monarchy, maintained the attitude which was typical of a republic.¹⁰ They did not care about social distinctions, they had

¹⁰ In 1831-32 Thiersch had travelled to Greece in order to deepen knowledge and information for Otto's regency. In relation to this, he wrote an extended analysis in two volumes (Thiersch, 1833). Thiersch's activity and view have been thoroughly analyzed by Hans Loewe (2010).

a sentiment of juridical and political equality, and they referred to the freedom of the past in order to feature their political future. The democratic attitude, according to Thiersch, had even been strengthened under the Ottoman occupation, “be it because it weighed down in an equal way on all social groups, be it [...] because it taught the people to appreciate the advantages of the equality of rights” (Thiersch, 1833, vol. II, 120). Additionally, it was rooted through the custom of electing one’s own representatives on the local level and of participating in the municipal politics and administration. The only way to guarantee a stable government would be, as Thiersch summed up, to take adequately into account their strong democratic and republican tradition.

CONCLUSION

The outbreak of the Greek Revolution aroused resonance in all Europe. In Germany, it produced a large wave of admiration and solidarity which was particularly perceptible among the young generations and the intellectuals. The cultural tides were already profound, but this event intensified the emphasis on the connection between Greece and Europe. From the political point of view, it offered the occasion for discussing new political constellations as well as constitutions made and approved of by the people. Shortly after its outbreak, a considerable number of pamphlets and articles were published, which gave information, commented the events, and furnished arguments in order to legitimate the Greek movement. There were a few negative statements as well, but in the German area the positive opinions largely prevailed. By analyzing the writings on the Greek situation in the course of time, some general tendencies can be ascertained. At the beginning, they aimed at creating consensus and support. From this point of view, they tried to present the Greek uprising as an original movement which was not to be connected with the upheavals taking place in other European countries at the same time. Several reasons and justifications were produced, which intended to present the Greek cause as something unique which deserved the solidarity of all European people and governments. In the course of the years 1822 and 1823, the attention focused in particular on the new provisional Constitution and the representative organs, whose organization

and efficiency were discussed and put to the test. A few political analyses were published, which commended the actions of the Greek representatives and at the same time advanced some circumstantial criticism of the institutional arrangement. They gave a piece of advice or suggested some amendments. The attention of the public was temporarily reduced probably because of the stagnation of the military operations and of the shifting of attention to other revolts, but it experienced a revival in the years 1825-26 with the dramatic siege and fall of Missolonghi. The works published in that period encouraged the Greeks, but also criticized their internal divisions and the fragmentation in rival parties. From 1827 onwards, the kind of works which prevailed were historical narrations, which extended their survey and reconstructed the historical background of Greece in order to illustrate the sources of the conflict, but also to justify their disunion from a historical perspective. After the sea battle of Navarino, finally, the historical and political analyses focused on finding the right premises for the institutional framework, and stressed with positive statements the success of the Greeks in attaining a new and independent state.

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The Political Integration of Romanian Great War Veterans, Between Parliamentary and Anti-Parliamentary Organizations, 1918-1928

BLASCO SCIARRINO

After the First World War, numerous Romanian ex-combatants came to expect various material, symbolic, and political rewards from their state, having fought for the latter. Consequently, in the interwar era the political stability of the Romanian nation-state ended up depending, to a relevant degree, on this state's effectiveness in acknowledging the veterans' claims to benefits. In the first decade after 1918, Romania's parliament played a relevant role in the political stabilization of the war returnees and the endurance of democratic institutions, as the main parliamentary parties at the time helped develop comprehensive veterans' policies, thereby preserving the support of many ex-combatants and preventing extremist anti-parliamentary organizations from gaining a strong following among the latter. In analyzing this dynamic, my proposed contribution surveys the ways parliamentary parties, in addition to the governments of this era, approached the former fighters' requests, and how they created links to the ex-soldiers' community by satisfying the latter's aspirations. Additionally, in assessing the factors leading these parties to achieve this policy success, my analysis points to the existence of a consensus, among them, on the need to reward ex-combatants, which stemmed from shared ideological beliefs and facilitated political cooperation toward satisfying the veterans.

INTRODUCTION

In June 1921, Ion Mihalache, a leader of the Peasant Party (Partidul Țărănesc) (Mitran, 1930, 104), called for an extensive agrarian reform, in the course of a session of the Romanian chamber of deputies. To buttress his request, he stated that large landed estates tended to negatively affect peasants connected to them, bringing poverty and illiteracy to these farmers. This sorry state of affairs was clear to see, according to the PNT representative, when looking at the lackluster military

performance of Romanian peasant soldiers hailing from the so-called 'Old Kingdom' (Vechiul Regat) region, in the course of the Great War.

You saw how feeble our soldiers were in the course of the war ... the reason being that a system of large estates squeezed all vigor out of the Romanian peasantry ... And this, gentlemen, is not a matter of race, as [these soldiers] belong to the same race as their brothers in Bessarabia and Transylvania [while, on the other hand,] it was also known that the Romanian peasant of the Old Kingdom had to endure, due to his poor physiological condition, all the various illnesses and epidemics of typhus, recurring fever, etc. ... Which other peasantries of Europe, gentlemen, suffer from a lack of education as much as the Romanian peasant of the Old Kingdom?

Notably, Mihalache's claim was met with a polemical question by General Gheorghe Cantacuzino, a deputy of General Alexandru Averescu's People's Party (Partidul Poporului) (Schmitt, 2014, 125). The general, a radical nationalist who would later enter the fascist movement of the Legion of the Archangel Michael (Legiunea Arhanghelului Mihail) (Haynes, 2016, 175), interpreted Mihalache's assertion as a slight on the honor of soldiers of the region mentioned above and confronted him on the meaning of his words.

Mister Mihalache, I will ask you just one question, and I demand an answer: whether [you think] the soldier of the Old Kingdom is lousier than those of Transylvania and Bessarabia. I believe the one of the old Kingdom displayed the strongest [fighting] spirit in Europe.

Remarkably, Mihalache answered by stating he was in agreement with the general. His aim, he clarified, had not been to lambast the war veterans he was referring to, but instead to ensure they were properly rewarded by their state, for having defended the Romanian nation in the course of the recent global conflict.

I agree with General Cantacuzino on his assessment of this virtue and I believe we need to acknowledge it more extensively, together with the

sufferings hitherto endured by the Romanian peasant, ensuring that the agrarian reform will now reward him to the same degree as the Romanian soldiers of Transylvania and Bessarabia.¹

The exchange depicted above hints at the likeliness that, in interwar Romania, the main parties which were represented in parliament, notwithstanding their considerable divergences in terms of political programs, all wished to honor ex-combatants who had fought for this kingdom during the Great War. More in detail, such political organizations appear to have all attempted, to varying extents, to satisfy the demands for rewards harbored by victor ex-militaries, ensuring that the state eventually granted these combat survivors a variety of material, symbolic and political benefits.

Importantly, it seems numerous Romanian former fighters who found themselves on the winning side of the conflict prioritized, among their political goals, the attainment of such benefits. The latter consisted mainly in economic advantages, like smallholdings and war pensions; public esteem; and state support for the former fighters' efforts at educating the Romanian citizenry to patriotic values and working as public diplomats, for the purpose of strengthening their fatherland. Following a European-wide pattern (Eichenberg, 2014), to press institutions into affording them the said perks, ex-soldiers formed a number of veterans' associations, which eventually coalesced into a nation-wide social movement, bent on lobbying official authorities. Crucially, the public loyalties of most members of the movement likely went to politicians who promised and managed to grant them the privileges they sought, in addition to showing themselves eager to collaborate with their leaders.

Bearing this in mind, it might be claimed that the existence of a consensus, among the major parliamentary parties of the interwar period, on the necessity of catering to former fighters' demands for special treatment, played a crucial role in moderating the political conduct of a high number of ex-enlistees. More in detail, the said consensus ensured that

¹ Transcript of the speech delivered by the Peasant Party's leader Ion Mihalache at the chamber of deputies' session of June 13, 1921, file D 010814, fund "Fond Documentar București," (FDB), National Council for the Investigation of the Security's Archives (Consiliul Național pentru Studierea Arhivelor Securității; CNSAS), Bucharest, Romania, 141-142.

the kingdom's institutions devised and implemented successful veterans' policies, as the political groups subscribing to it helped issue legislation favoring discharges, and most ruling forces took up various returnees' claims, in addition to co-opting the ex-militaries' movement – by involving it in the carrying out of social care for war survivors and supporting some of its grassroots initiatives. In other words, by being united on the issue of thanking returnees (known in Romanian prevalently as *luptători*), the major Romanian political groupings managed to create an effective system of rewards for the latter.

This denouement entailed that politically organized veterans essentially accepted democracy, as the powerholders its members consented or acquiesced to were essentially promoting pluralist values (Iordachi, 2014, 238). Furthermore, as associated former men in uniform felt satisfied in their needs and aspirations, they often developed ties to the parliamentary parties that had sponsored them, hence becoming integrated in them. Ultimately, while the Romanian parliamentary system was beset by a variety of noticeable shortcomings (Fischer-Galati, 1970, 25-45), and became increasingly fragile, before finally being replaced by a royal dictatorship in 1938 (Payne, 1995, 278-279, 284), it was more successful than several other European polities in preventing former fighters from becoming strongly connected to the anti-liberal right. As a matter of fact, as will be shown below, in the 1920s Romanian fascism failed to co-opt men with knowledge of war to a substantial degree.

Analyzing the Romanian mainstream parties' relationship with veterans might provide important insights into European First World War warriors' political extremism, in addition to helping understand the ways fascist movements built mass followings. With regard to these topics, it should be mentioned that, between the two world wars, European parliamentary institutions survived when they managed to successfully represent the interests of their citizens; when they failed to do so, the resulting popular dissatisfaction often fueled the rise of far-right groups, which promised to address these interests more adequately (Mann, 2004, 72-91, 360-365). My enquiry helps assess these political dynamics, first of all by confirming that former soldiers endorsed dictatorial trends when they felt slighted by democratic authorities in their wishes for special recognition, as in the emblematic case studies of Italy, Germany and

Yugoslavia (Diehl, 1993, 18-43; Newman, 2015, 12-13, 79, 99, 196-197; Salvante, 2013, 119-120). Bearing this in mind, it does appear, as recently suggested (Edele, Gerwarth, 2015, 11-12), that it was by catering to ex-combatants' desire for entitlements that several European governments managed to pacify many of these individuals. Second, my research buttresses scholarly views (Paxton, 2004, 55-86; Riley, 2010, 1-22) which claim that fascism amassed widespread consent when it managed to represent the interests of prominent social categories more adequately than its democratic competitors.

To investigate the under-researched Romanian case study, my analysis employs a wealth of hitherto-unaddressed primary sources, such as monographs on social care, police reports and veterans' periodicals. With regard to its focus, this study delineates how and why democratic parties – i.e., the National Liberal Party (Partidul Național Liberal; PNL); the People's Party; the Peasants' Party; the National Romanian Party (Partidul Național Român); and the organization that arose, in 1926, from the merger of the latter two groups, the National Peasants' Party (Partidul Național Țărănesc) - came to agree on thoroughly thanking ex-military men for their service. In particular, it ascertains the existence of the abovementioned consensus by highlighting that all these organizations concurred on passing laws that improved veterans' well-being, in addition to underscoring that the social and cultural policies issued by various incumbent parties resembled each other considerably. To prove that the parliament and governments' decision to afford privileges moderated a high number of discharges, my research points out that this course of action was appreciated by the leaders and the rank and file of the war survivors' movement, and likely helped foster connections between the latter and the political mainstream.

My analysis covers the period between 1918 and 1928, a turning point in the kingdom's history, which witnessed the partial stabilization of Romanian society and politics, marked by the advent of a temporary, relative political hegemony on behalf of the National Liberal Party (Roberts, 1951, 96). To better understand how this limited stability came to be, it is essential to inquire on the ways the state came to co-opt victor returnees.

1918-1928: REWARDING AND PACIFYING VETERANS

In 1916, Romania entered the First World War on the Entente's side, to gain the region of Transylvania (Tudorancea, 2015, 86), which by 1914 was inhabited by 2,827,419 ethnic Romanians (53,7% of the total population). The country was led, during the war, mostly by governments formed by the National Liberal Party. The conflict involved heavy military casualties for Romania, consisting of approximately 339,117 fallen soldiers (Kirițescu, 1989, 15). Between 1919 and 1920, the peace treaties of Saint-Germain-en-Laye, Trianon, and Paris legitimized the kingdom's acquisition of Transylvania, Crișana, Maramureș, Bukovina, Bessarabia, in addition to affording it partial control over the Banat. Additionally, the Neuilly treaty returned the principality of Dobruja to Romania. Through these annexations, the nation doubled its territory and population (the latter rising from 7,500,000 to 15,500,000 inhabitants) (Heppner, Gräf, 2014).

The kingdom's population was extensively mobilized for the war effort. In 1916, approximately the whole male population between the ages of 18 and 45 – 1,083,000 individuals, including 20,000 officers (Kirițescu, 1989, 207-208) - became enrolled in the army. Furthermore, a substantial number of ethnic Romanians hailing from outside the kingdom ended up serving in or fighting alongside the latter's militaries. 12,000 Transylvanians, Bukovinians, and Banateans took refuge in Romania and joined its army. A further 10,367 Romanians from these regions, who had served in the Habsburg militaries and later surrendered to the Russians, eventually enrolled in the Romanian armed forces. Furthermore, at least 6,000 Romanian prisoners of war took part in the Russian Civil War between 1918 and 1920, fighting against the Bolsheviks, together with Allied forces, to return to their homeland and join the latter's military operations (Ivănescu, 2005, 80-94; Stănescu, Roz, 2003, 31; Uniunea Foștilor Voluntari Români, 1925, 14). According to one estimate,² the conflict disabled or mutilated 115,222 Romanians.

² Report on Romanian war disabled, orphans and widows, likely 1927, file 4, fund "Uniunea Ofițerilor de Rezerva și în Retragere," (UORR), Central Historical National Archives (Arhive Naționale Istorie Centrale; ANIC), Bucharest, Romania, 284.

Ultimately, after 1920 a large contingent of Romania's community of war veterans was made up by victor, nationalist returnees. Crucially, these fighters had come to expect various concessions from the Romanian state on the basis of their wartime military service. Specifically, they wished for their polity to grant them material, symbolic and political rewards for their accomplishments. After all, these ex-combatants felt they had fought loyally and bravely during the Great War, protecting their nation in times of peril. For instance, one of the leaders of the Romanian World War One veterans' movement, the lawyer and writer (Ionescu-Lupescu, 2018) Virgil Serdaru, claimed that, despite facing mortal risks on the battlefield, Romanian combatants had nevertheless fought gallantly.

At Mărășești, the brave men of the 32nd Regiment waged an attack despite being dressed only in their shirts, bare-chested before death. It was a dream-like sight. Beautiful young men with bright and crowned foreheads like those of the saints in churches, brave soldiers pushing through flames [rushing] against the fire that killed many of them (Serdaru, 1921, 8-9).

It should be noticed that, in nurturing these claims to privileges, *luptători* were first of all influenced by their social backgrounds. Undoubtedly, the fact that most of the soldiers hailed from the low and middle echelons of the kingdom's society ensured that these combatants invested the act of receiving material concessions with a strong meaning: 90% of the army was made of peasants (Agrigoroaiei, 2018, 90). A significant number of officers similarly came from low-class backgrounds (Otu, 2005, 286). Importantly, in 1920 it was reported that out of 26,075 surveyed impaired infantrymen, corporals and sergeants, 88% hailed from the peasantry, 53% of them lacking a private plot of land (Societatea „Invalizii din Răsboi,” 1920, 6, 29-31).

Furthermore, these fighters' expectations had been strengthened by the Romanian state, as the latter, between 1916 and 1920, promised economic paybacks to soldiers to motivate them to serve. One notable instance of this trend concerns the claims to smallholdings which were voiced by ex-enlistees after being demobilized. Before the conflict, the Romanian kingdom's peasantry had agitated for land grants, to the

extent of revolting in 1907 (Eidelberg, 1974, 190-228). Before and during the Great War, a similar intense drive toward securing private land likely guided Transylvanian, Bukovinian and Basarabian peasants of Romanian ethnicity, due to the fact that most of them held meager holdings or none at all. In March 1917, at a time when the Romanian kingdom had suffered heavy military defeats, and the Russian Revolution threatened to spill over into its territory (Hitchins, 1994, 218, 231, 241-242, 266), King Ferdinand I promised peasant soldiers that he would grant them smallholdings once military hostilities were over (Agrigoroaiei, 2018, 90-91).

Public institutions heightened the nationalist soldiers' expectations for rewards in additional ways. In 1916-1919, they encouraged war participants to believe they deserved a high symbolic standing within Romanian society. For instance, war volunteers were extolled for their accomplishments, in the course of public events, by the king, army generals, and Prime Minister Ionel Brătianu (Bufnea, 2010, 142-149). More generally, the public press lauded the servicemen as the virtuous defenders of the nation. The famous journalist and poet Octavian Goga acclaimed peasant soldiers (Rad, 2015, 374) and, in his press articles, saluted the army with the following praise: "In your wounds lies the victory of tomorrow" (Agrigoroaiei, 2004, 82). Unsurprisingly, many soldiers came to believe they were meant to keep receiving this kind of special consideration after the cessation of hostilities. For instance, as shown below, they wished to be formally invited to take part in the state's commemorations of the Great War.

As seen above, patriotic ex-combatants expected their claims to economic paybacks and public esteem to be satisfied by the state. Furthermore, various among them also sought to exact concessions for more ideological purposes: preserving and strengthening their fatherland. In this regard, it should be remarked that *luptători* aimed at preserving their nation-state in its post-war territorial configuration. These ambitions drew vigor from the patriotic traditions of the army of the Old Kingdom region (Hariton, 2008, 18-36; Iordachi, 2010, 333-338), and from the Wilsonian values of national self-determination which animated many war volunteers - beliefs according to which a people might prosper only by possessing its own nation-state (Maior, 2018, 218-219).

It should be mentioned that the ex-servicemen's main strategy for protecting the homeland consisted of educating the Romanian people on patriotic values and undertaking public diplomacy abroad ("FIDAC: Bulletin of the Allied Legions," April 1928). Therefore, to promote this strategy, many old soldiers sought to be granted a special public role by powerholders, i.e., the role of 'guardians of the nation.' To this end, they asked, first of all, to be included in state war commemorations. By participating in the latter, they did not simply aim to revel in the people's gratitude but also to educate attending audiences on patriotic ideals, by posing as living embodiments of civic virtue for them to imitate. After all, they believed they were the most suited for this educational task. As a prominent war participant, the diplomat Victor Cădere, stated: "We former fighters are the only true upholders of the holy national tradition" ("Uniunea Ofițerilor de Rezerva, Secția Ilfov, Buletinul," 7; 8, 1926). Furthermore, *luptători* wished to be offered financial and organizational support for their endeavors in the fields of nationalist pedagogy and diplomacy. For instance, shortly after helping found, in 1920, the forum for veterans from Allied countries known as the Inter-Allied Federation of Former Fighters (Fédération Interalliée Des Anciens Combattants; FIDAC) (Serdaru, 1925, 57), Virgil Serdaru petitioned his government to subsidize the ambassadorial activities he was undertaking at this federation.³

It appears institutions needed to concede *luptători* these various economic, symbolic, and political recompenses to preserve their loyalty. Who were the main political players whom veterans engaged with to see their claims recognized? Toward the end of the First World War, the Romanian parliamentary system underwent several shifts. Some mass parties came into being or came to the fore of national politics for the first time, contending power with the National Liberal Party. To begin with, the Transylvanian Romanian National Party began operating within the kingdom's parliament. In 1918, various activists from the rural intelligentsia founded the Peasants' Party, while war hero General Alexandru

³ Letter sent by Virgil Serdaru to the minister of foreign affairs, November 3, 1921, box 14, fund "Congrese și Conferințe Internaționale" (CCI), Diplomatic Archive of the Ministry of Foreign Affairs (*Arhiva Diplomatică ale Ministerului Afacerilor Externe*; ADMAE), Bucharest, Romania

Averescu put together the People's League (*Liga Poporului*), which in 1920 became the People's Party. Importantly, in the course of the interwar period, these various parties did accept each other's existence – albeit often begrudgingly – thereby giving rise to a tenuously pluralist political system.

Crucially, the country's parliamentary order managed to moderate most organized former soldiers' political conduct until its replacement by the authoritarian rule of King Charles II in 1938. It essentially accomplished this by catering to various ex-enlistees' wishes and co-opting old soldiers' associations. It supported these groups' initiatives and involved them in developing and implementing social legislation for ex-service-men. It should be noticed that governments had divergent leanings in this time span. Notably, between the end of Romania's war effort and 1928, the kingdom witnessed three main phases: rule by the People's Party (which was in office between 1920 and 1921, in addition to returning to power in 1926-1927); the National Liberal Party (which governed almost uninterruptedly between 1922 and 1928) and the organization which arose from the merger of the Peasants' Party and the Romanian National Party in 1926, the National Peasants' Party (which would act as the main incumbent between 1928 and 1933).

Notwithstanding the varied political orientations of ruling cabinets, all of them acknowledged victor veterans' sense of deserving. In accommodating former fighters' claims, governments proved willing to champion the demands for upward social mobility promoted by *luptători*. Remarkably, in doing so, they were careful to promise to help all kinds of discharges of the Romanian army, instead of prioritizing those belonging to specific social groups and economic classes. Notably, even two parliamentary parties that espoused radical tendencies, i.e., the Peasants' Party and the People's Party, championed inter-classist ideals (Mușat, Ardeleanu, 1976, 189-208, 247; Nedelea, 1987, 181-182).

Why did all the mainstream political groups show themselves ready to help former fighters? This development came down to a concoction of pre-war, wartime and post-war factors, the latter likely being the determinant ones. To begin with, most Romanian parties shared nationalist principles (Fischer-Galati, 1969, 388, 391-395) with the veterans. Second, Romania's victory in the war likely made politicians grateful to the

men who had served at the front. Third, some prominent party leaders and activists had borne weapons themselves and were hence especially receptive to the demands of their former comrades in arms. For instance, General Averescu led the People's Party, while the president of the Union of Former Romanian Volunteers, Victor Deleu, militated in the National Romanian Party.⁴

Most importantly, during the conflict and thereafter the kingdom's elites came to fear that the Soviet revolution might inspire widespread social turmoil in their own country, especially among land-hungry peasant soldiers. Therefore, they became amenable to providing benefits to former fighters, most notably granting them private plots of land through the implementation of a far-reaching agrarian reform (Iordachi, Sciarri-
no, 2017, 90-91). Especially important, in the latter regard, proved to be the stance of the National Liberal Party. Its leader, Ionel Brătianu, Romania's most powerful politician in the 1920s, while rather unsympathetic to the plight of his nation's peasantry, came to understand, particularly in the aftermath of the October Revolution, that collective unrest might be averted only by undertaking the reform mentioned above. Therefore, his political savviness prompted him to accord his considerable influence to the implementation of the post-war land transfers, both at times he was in office and while sitting in the opposition bench (Hitchins, 2011, 142-143). Generally, the Liberal party proved cunning and flexible enough to accommodate some of the masses' demands for sweeping changes (Brown, 1979, 472).

Importantly, even before most soldiers were discharged in 1920 (Iordachi, Sciarri-
no, 2017, 90-91), all the major political parties were paying homage to the war participants' requests. To give a few examples, the leader of the People's Party, General Averescu, and the PNL had already begun promising land to the soldiers in the course of the war, the latter party going as far as to have the agrarian reform inscribed in the national constitution (Partidul Național-Liberal, 1927, 22-23; Partidul Poporului, 14-15). In Averescu's case, these promises initially granted him tremendous popularity among the peasant soldiers of the Old Kingdom (Radu, 1998, 550-557).

⁴Untitled newspaper cutting, likely 1929, D 012742, FDB, ANIC, 48.

The major parties' agreement on the need to make concessions to ex-military men might be deduced, first of all, from their public statements and parliamentary activities in the closing stages of the war and the early 1920s. In 1918-1919, all these groups declared themselves in favor of an agrarian reform (Agrigoroaiei, 2018, 103). In 1920, the Romanian National Party even insisted that the latter prioritize the war disabled (Șandru, 1975, 72).⁵ The reform eventually issued in 1921 was passed thanks to the approval of a variety of organizations and individuals: the People's Party, the PNL, the Socialists and some Transylvanian deputies.⁶

The democratic parties' convergence of views on the matter of compensating ex-military men might also be ascertained by looking at the similar veterans' policies enacted by the governments of the 1920s. As will be shown below, each one of the said cabinets – while being manned by a different party – indeed kept on implementing the main provisions and co-opting measures of its predecessor, in addition to generally attempting to address requests made by ex-servicemen. As a matter of fact, the state began catering to the needs of the fighters even before it ceased its military operations. To begin with, returning combatants were granted conspicuous public acclaim. Importantly, in 1919 the state made major gestures toward crediting them with the role of custodians of the fatherland. In that year, the state instituted⁷ and began subsidizing⁸ the “Graves for the Fallen War Heroes” Society (Societatea “Mormintele Eroilor Căzuți în Războiu”), to turn fallen servicemen into examples for these fighters' families, in addition to future generations.⁹ Veterans enjoyed a prominent role in this state-promoted nation-building effort, as

⁵ Minutes of the communist secret services' interrogation of the former Romanian National Party parliamentary deputy Voicu Nițescu, April 30, 1955, P0050745, FDB, CNSAS, 82.

⁶ Sandu 72

⁷ Message sent by the minister of war to the leading authorities of the “Monuments for the Fallen War Heroes” Society, October 3, 1919, folder 2, fund “Societatea „Cultul Eroilor,”” (SCE), microfilm edition, reel 201, Romanian National Military Archives, (Arhive Militare Naționale Române; AMNR), Bucharest, Romania, 61.

⁸ For an example of the ways in which the state conspicuously funded the Society in the following years, see Societatea „Cultul Eroilor” – Comitetul Central, *Darea de seama anuală a activității pe anul 1930 către a zecea adunare generală ordinată din 26 aprilie 1931* (Bucharest: Atelierele Grafice „Răsăritul,” 1931), 18, SCE, 203, AMNR, 249.

⁹ General report on the activities of the “Monuments for the Fallen War Heroes” Society in the years 1921-1922, likely 1922, 7, SCE, 202, AMNR, 356.

the Society's local committees were to include reserve officers.¹⁰ The Society would perform various commemorative and pedagogic activities, for instance, entombing 190,584 deceased soldiers by 1942.¹¹ It was publicly praised by the reserve officers for inhumating said war dead ("Monitorul Uniunii Ofițerilor de Rezerva, secția Ialomița," April-May 1925) and was animated in major ways by commissioned officers (Bucur, 2009, 100-102).

Before military demobilization took place, the state started making economic concessions to servicemen. For instance, Heinen suggests that many civil service positions became available to educated *luptători* in the territories taken over by the kingdom (Heinen, 1999, 100-101). Most importantly, as mentioned above, governments turned King Ferdinand's promise of an agrarian reform into reality. Specifically, radical provisions for land redistribution were implemented, the victor ex-combatants being among the primary beneficiaries of the latter. The decrees regulating the distribution of the land expropriated in Transylvania, Crișana, Maramureș, the Banat, and the Old Kingdom prioritized various categories of victor ex-soldiers. In the first four of these provinces, the reform gave precedence to war invalids, ex-servicemen, war volunteers, and those citizens who had fought in the armies of Romania's allies. In the Old Kingdom, the principal beneficiaries of the decrees included war invalids and former soldiers (Hamangiu, Volume 9, 673, 674, 749). Undoubtedly, many discharges benefitted from the reform (Hariton, 255; Iordachi, Sciarrino, 2017, 90-98), which ultimately afforded land to 1,393,353 peasants (Șandru, 1975, 251). While provisions for Bessarabia did not contain special measures for veterans, it might be contended that arrangements of this kind were not necessary in the first place. After all, this region had witnessed far-reaching, grassroots land seizures before its annexation to Romania (Roberts, 1951, 33-35), expropriations that had doubtless benefitted the local combatants.

¹⁰ General report on the activities of the "Graves for the Fallen War Heroes" Society in the years 1921-1922, likely 1922, 7; Societatea „Cultul Eroilor”, *Lege asupra regimului mormintelor de război din România – statutul Societății „Cultul Eroilor”* (Bucharest: Institutul de Arte Grafice „Răsăritul” Soc. Anon., 1928), 8, SCE, 202, AMNR, 327; 582.

¹¹ Așezământul Național „Regina Maria” pentru Cultul Eroilor, *Dare de seamă asupra activității Așezământului pe timpul dela 1 Aprilie 1941 la 31 Martie 1942* (Bucharest: Tipografia „Lupta” N. Stroila), 32, SCE, 204, AMNR, 251.

It is claimed that these laws stabilized Romanian politics in the early post-war era (Heinen, 1999, 447). This statement is certainly correct with regard to the reform's moderating effect on the political conduct of numerous ex-enlistees. The agrarian laws were praised by the war participants themselves ("Cerna: Organ zilnic al Societății „Cerna” a Veteranilor Grade Inferioare,” November 16, 1918; Anastasiu, 1924, 26) and appear to have improved the living conditions of many of the latter. According to one informal assessment, in the long run, these provisions benefitted chiefly former infantrymen¹² – especially destitute veterans, as they hailed from the peasantry. It is therefore likely that the reform restrained the public conduct of most politically active *luptători*. For instance, in 1925, the economist Virgil Madgearu affirmed that 90% of Romanian citizens were against communism, as they were proprietors of land ("Casca: Organ al Foștilor Luptători pe Front, al Văduvelor, Orfanilor și Invalizilor de Război: Organ Oficial la "Uniunii Naționale a Foștilor Luptători," December 1925). Ultimately, by satisfying the sense of merit of various ex-combatants, the reform undoubtedly made its beneficiaries accept the post-war parliamentary regime. In the same period, the state behaved in a similarly pleasing way towards the war disabled, funding associations the latter were setting up to provide relief and assistance for themselves. Notably, between 1919 and 1920, the "War Disabled" Society (Societatea "Invalizii din Război") received 3,500,000 *Lei* (Ghiulamila, 1924, 161).

The kingdom continued treating *luptători* relatively well beyond the early post-war period, independently from which political forces were at the helm of the state. In the 1920s, all cabinets agreed to many of the fighters' requests. The People's Party's first government, headed by General Averescu (March 13, 1920 - December 16, 1921), ensured that multitudes of ex-servicemen felt catered to in their sense of merit as soon as they were discharged. Notably, this cabinet completed the main stages of the land reform, even though, on the whole, on terms that were less generous than those that were asked for by the main opposition parties (Brown, 1979, 466).

¹² As stated by the reserve officers of the town of Pitești, in their proposal that the state offer a discount on train fares to them, likely 1935, 26/1934, UORR, ANIC, 28.

Furthermore, to assist soldiers who had been impaired, the general – in accordance with the state’s increased willingness, in the aftermath of World War One, to operate in the field of social assistance (Hariton, 2014, 116) - created in 1920 the National Office for the War Disabled, Orphans, and Widows (Oficiul Național al Invalizilor, Orfanilor și Văduvelor de Război; IOVR), which he tasked with providing assistance and training to invalids (Ministerul de Război – Oficiul Național I.O.V., 1920, 30-35). Between 1921 and 1922, the Office received 3,000,000 *Lei* to relieve war impaired who received insufficient war pensions or no payments.¹³ Additionally, disabled who were not afforded land were given preferential access to clerk jobs at the National Office (Ministerul de Război – Oficiul Național I.O.V., 1920, 44). It should also be noted that Averescu improved, on the whole, state financial support to the war victims’ associations. While in 1920-1921 subventions to the “War Disabled” Society had decreased to 1,700,000 *Lei*, the following year they climbed up to 7,450,000 *Lei* (Ghiulamila, 1924, 161).

The Averescu cabinet also provided ex-enlistees with several other perks. Notably, some of these benefits were extended, at least on paper, to Romanian citizens who had fought for the losing powers at war. Importantly, in 1920 the government guaranteed military pensions to all Romanian citizens who had taken part in the war as officers and had eventually joined the kingdom’s armed forces. Similarly, war pensions rights for infantrymen, corporals, and sergeants were extended to Romanians who had fought, in such ranks, for the Habsburgs or Russians, ending up disabled due their service (Ministerul de Război – Oficiul Național I.O.V., 1920, 45, 118-132, 139-143, 150-154; Hariton, 2015, 259-260). The general also inaugurated a long-standing trend of co-opting veterans’ associations. Specifically, he turned the “War Disabled” Society and another war victims’ group, the General Association of the Disabled of Greater Romania’s War (Asociația Generală a Invalizilor din Războiul României Mari), into official partners of the National Office for the War Disabled, Orphans and Widows (Ghiulamila, 1924, 4). The president of the “War

¹³ Ministerul de Război – Oficiul Național I.O.V., *Proiect de buget al cheltuielilor oficiului național I.O.V. pe exercițiul 1 aprilie 1921 – 31 martie 1922* (Bucharest: Tipografia Militară „Ministerul de Război,” 1921), folder 1917, volume 2, fund “Parlament,” ANIC, 414.

Disabled” Society’s administrative council was even made a member of the IOVR National Office’s central board (Ministerul de Război – Oficiul Național I.O.V., 1920, 37).

In terms of symbolic rewards, Averescu mandated that fallen soldiers be celebrated on Ascension Day, be extolled on a newly devised public ceremony called Heroes Day (Bucur, 2009, 60), and that each locality publicly honor its deceased fighters (Ministerul de Război – Oficiul Național I.O.V., 1920, 8). In 1921, the government began inviting disabled of the First World War to take part in the official celebrations of Heroes Day, tasking them with extolling the heroic virtues of the fallen soldiers (Bălescu, 2005, 46-49).

Finally, the general also helped *luptători* perform the diplomatic activities they were keen to undertake for the sake of shoring up their fatherland. He financially assisted Romania’s largest ex-militaries’ association, the National Union of Former Fighters (Uniunea Națională a Foștilor Luptători; UNAL), helping it cooperate with the Inter-Allied Federation of Former Fighters. Averescu’s support in this regard inaugurated the Romanian state’s strategy of consolidating its hold over its new territories by undertaking a vigorous campaign of cultural diplomacy abroad. As the international partners to whom the Romanian state asked for diplomatic support were the victor nations of the First World War (Case, 2009, 39-40; Nagy, 2015, 138-140), it made sense for the kingdom’s governments to employ discharges as public diplomats. As a matter of fact, Averescu’s minister of war, General Ioan Rășcanu, believed that subsidizing the UNAL’s activities within the FIDAC would help disseminate pro-Romanian propaganda in Allied countries, buttressing Romania’s international alliances.¹⁴

As can be seen above, in the immediate aftermath of the conflict, the kingdom implemented several measures to reward its militaries. These timely and extensive provisions undoubtedly ensured that many of the victor ex-servicemen came to accept the realm’s parliamentary system of government. In light of its leader’s background as a military man and its reformist stance, the People’s Party afforded significant concessions to ex-enlistees.

¹⁴ Report sent by the minister of war to the prime minister, November 6, 1921, 14, CCI, ADMAE

Notwithstanding the scope of these recompenses, the country soon after witnessed the rise of a veterans' social movement, a development that was undoubtedly facilitated by the social ties that had formed between officers and soldiers during the war (Kirițescu, 1989, 208) and that the movement's organizers hoped might be renewed in the post-war era. This umbrella organization was centered on a variety of ex-service-men's associations. Some of the latter had come into being before or during the Great War, as in the case of the "War Disabled" Society (1917) (*Societatea „Invalizii din Răsboi,”* 1920, 4). For its part, the General Association of the Disabled of Greater Romania's War was created in the course of the military campaign against Hungary (1919).¹⁵

At the same time, most of those that were active in the 1920s were established just before or after soldiers were discharged. This was the case for the UNAL (1920), which was founded and led by Virgil Serdaru;¹⁶ the Union of Romanian Former Volunteers (*Uniunea Foștilor Voluntari Români; UFVR*), the membership of which consisted mainly of Transylvanian, Bukovinian, Banatean, Basarabian and Macedonian war volunteers (*"Curentul,"* January 27, 1938) (1922);¹⁷ the Union of Reserve and Retired Officers (*Uniunea Ofițerilor de Rezerva și în Retrageră; UORR*; 1923);¹⁸ the federation known as the Romanian Legion (*Legiunea Română*; 1926).¹⁹ Several of these organizations became rather popular among former fighters. By 1927, the UNAL had 50,000 members, the General Association of the Disabled 40,000, the UFVR 30,000, the "War Disabled" Society 10,000, the UORR 6,000. In general terms, by the same year, Romania had 152,000 associated old soldiers, including those who were impaired (*"Casca,"* February 1927; *"Fidac,"* March 1927).

The movement based on veterans' groups aimed to pressure the state into providing further economic concessions to war participants, in

¹⁵ Minutes of the proceedings of a meeting of the verification and control committee of the IOVFL Office, June 29, 1937, folder 34/1937, fund "Oficiul Național pentru Invalizi, Orfani și Văduve de Război," ANIC, 34.

¹⁶ UNAL promotional leaflet, likely 1934, D 010174, volume 10, FDB, CNSAS, 20.

¹⁷ Statute of the UFVR, August 29, 1922, D 012742, FDB, CNSAS, 34.

¹⁸ *Uniunea Ofițerilor de Rezerva, Statutele prezentate al 3-lea congres dela 6 febr. Șt. N. (24 ian. Șt. V. (Bucharest: Tipografiile Române Unite, 1924), FB 0001009, fund "Biblioteca Securității" (BS), CNSAS, 3-4.*

¹⁹ "Buletinul Uniunii Ofițerilor de Rezerva și în Retrageră înființat în Anul 1925," November–December 1926, FB 0000577, 6, BS, CNSAS

addition to preserving the latter's symbolic privileges and carrying out tasks as national educators and ambassadors. The birth of this movement took place due to various reasons. First of all, not all *luptători* believed they had yet been adequately compensated in material terms. Many of them felt they had received nothing or deserved more. For example, several ex-servicemen were dissatisfied with how the land reform was being implemented. Various urban-based fighters did not receive the parcels they were entitled to.²⁰ Moreover, war volunteers, who hailed mainly from the kingdom's post-1918 territorial acquisitions, were discriminated with regard to land redistribution. The fact that both Averescu and his Liberal successors (Iordachi, 2014, 237) had their main electoral constituencies in the Old Kingdom doubtless impacted these volunteers negatively, as powerholders felt less beholden to them than to their main supporters. By 1925, only a few among those living in 44 different municipalities had received a private parcel (Uniunea Foștilor Voluntari Români, 1925, 11-13).

As shown above, the returnees' movement intended first and foremost to pressure public authorities into improving the nascent welfare system for veterans, in addition to providing further economic paybacks to its members. At the same time, it was also interested in ensuring the state would carry on bestowing upon the latter symbolic privileges and a role as national educators and ambassadors. Finally, it wanted to carry out the prerogatives connected to the ex-combatants' self-ascribed public role.

With regard to their pedagogic pursuits, it should be specified that ex-servicemen wished to foster the cult of the nation among Romanian people to ensure that the borders they had helped their nation secure would be defended in the future. For instance, Victor Cădere claimed that reserve officers had a duty to strengthen the homeland by undertaking educational activities ("Uniunea Ofițerilor de Rezerva," 7; 8, 1926). Disseminating this cult entailed spreading qualities that the ex-servicemen claimed to embody to the fullest extent: devotion to the fatherland

²⁰ Secret police report on an UNAL public gathering, January 29, 1928, D 011294, FDB, CNSAS, 61.

and selflessness in the latter's service. The UNAL believed that "Greater Romania, surrounded by so many enemies, need[ed] defenders who [were] tireless and capable, just like their predecessors, of acts of heroism to preserve the legacy they [had] inherited from those who had fallen in the battles of the Carpathians, Mărăști and Mărășești" ("Casca," April-May 1931). Fighters sought to heroize themselves and their fallen comrades, providing living and dead examples for their compatriots to imitate, to pass their virtues onto other citizens (Hariton, 2015, 58).

The ex-servicemen's associations sought to disseminate nationalist virtues chiefly through public rituals, as attested by the numerous collective war commemorations they promoted and took part in. Notably, the leader of the UNAL, Virgil Serdaru, played a relevant role in the state's decision to have an unknown soldier publicly entombed in Bucharest in 1923. He raised widespread interest in this kind of ceremony, writing brochures and organizing informative events on the topic, in addition to lobbying state authorities. The Union even contributed in financial terms to creating the monument that would eventually be built on top of the soldier's final resting place ("Casca," June 1-30, 1923; December 1927).

Additionally, the ex-combatants' movement sought to turn war commemorations and rituals performed by its members into opportunities for educating the people. In the course of these events, its adherents were meant to stress their virtues and those of their dead comrades to surrounding audiences in the hope that onlookers would themselves embrace these qualities. As a case in point, the UORR's bulletin described a military parade that the Union had enacted in front of civilians as an "elevating" spectacle ("Uniunea Ofițerilor de Rezerva," September 1936). In light of this, it might be reasonably stated that ex-servicemen also considered taking part in state public rituals paramount to their pedagogic efforts, as they believed that acting as performers in these ceremonies was crucial to their educational efforts.

As for working as public diplomats, associated ex-warriors cooperated extensively with the Inter-Allied Federation of Former Fighters. UNAL President Serdaru, who helped found the FIDAC, immediately enrolled his association in this forum (Serdaru, 1925, 58-59). In the course of the 1920s, all the other main organizations representing able-bodied Romanian combatants joined the Federation ("Fidac,"

March 1927). These associations prompted the FIDAC to support Romania's foreign policy interests. As a result of their efforts, in 1924 the Federation formally recognized Soviet Russia's existence. At the same time, it rejected the USSR's claims to sovereignty over territories placed outside of this union's then-current borders, thereby legitimizing Romania's control over Bessarabia in the face of the communist state's concomitant demands to take over this area.²¹

What was, ultimately, the principal political orientation of the *luptători's* movement? Crucially, most of the organizations which underpinned this movement remained politically moderate as long as Romania's interwar parliamentary system lasted. In other words, between the early 1920s and the late 1930s, the movement struck alliances with the country's governments while also holding conspicuous links to opposition reformist parties. Crucially, the major parliamentary parties prevented the movement from radicalizing by satisfying its participants' claims to rewards to a relevant degree. This trend began between 1922 and 1928, while the country was helmed by the National Liberal Party and its leader Ionel Brătianu. In this period, the PNL managed to satisfy various requests that were articulated by the representatives of the war participants. In turn, the veterans' associations cooperated with, or at least tolerated, the Liberals. At the same time, it must be remarked that the ruling party had to contend the favor of the former fighters with extremist political forces that came into being in the course of the decade.

Which militant groups attempted to infiltrate the old soldiers' movement? Mainly the far right managed to secure the support of numerous First World War combatants. Importantly, between 1922 and 1924 the far-right Romanian National Fasces (Fascia Națională Română; FNR) caught the favor of various such individuals. On the one hand, the FNR made inroads within the fighters' movement, by courting ex-servicemen who espoused chauvinist beliefs and held xenophobic and authoritarian views. For instance, various reserve officers entered the Fasces as they felt attracted to the latter's anti-Semitic leanings.²² Moreover, the veterans

²¹ Minutes of the proceedings of the FIDAC congress of 1924, likely 1924, 14, CCI, ADMAE

²² Police report on an FNR gathering in Bucharest, September 5, 1923, file 49/1924, fund "Direcția Generală a Poliției," 1893; 1903-1936 (DGP 1893; 1903-1936), ANIC, 114.

who led the FNR believed the Liberal cabinet was too complaisant toward the Romanian Social Democrats and Communists. Additionally, some of the *luptători* living in the kingdom's frontier areas might have been compelled to join the FNR as they considered neighboring nations a threat to Romania's territorial integrity. After all, in a frontier region such as the Banat, numerous volunteers joined the FNR. In doing so, they were probably persuaded by the fascists' promise to protect the territories which Romania had won through its military affirmation. After all, the Fasces boasted they aimed at "protecting to its full extent the status which Romania [had] earned for itself through its sacrifices in the Great War" (Scurtu, 1995, 316, 323, 332, 353).

On the other hand, it might be inferred that several combatants who joined the FNR did so not out of radical nationalism but for more pragmatic reasons. As observed by Chioveanu (Chioveanu, 2005, 254), some of the *luptători* who embraced extremism felt insufficiently rewarded by the state for their military service. Therefore, they looked for alternative political patrons who might help them earn the concessions they sought. As a matter of fact, the FNR castigated the Liberals for supposedly ignoring the needs of men with combat experience, professing to have the latter's interests at heart: "[W]e, the former leaders of the fighters of the great war, of those who today constitute the exploited masses, will find a way to hold scheming politicians accountable."²³ The fascists also championed measures that would certainly benefit disgruntled *luptători*, proposing to redistribute arable land more thoroughly. To deliver on their promises, they sought to turn the country into a dictatorship (Heinen, 1999, 108-109).

It appears that various Romanian ex-servicemen alienated from the PNL were won over by the Fasces' propaganda. Therefore, they began supporting the latter's authoritarian message. For instance, the members of the Ploiești chapter of the Defenders of the Fatherland (Apărătorii Patriei) society entered the FNR as their veterans' group had failed to secure land grants from the state.²⁴ Some of the soldiers returning to

²³ FNR statute-program, likely 1928, 49/1924, DGP 1893; 1903-1936, ANIC, 189.

²⁴ Police report on the Defenders of the Fatherland chapter in Ploiești, August 31, 1932, 41/1922, volume 2, DGP 1893; 1903-1936, ANIC, 132.

the student bodies of the country, facing an uncertain future, joined the *Fasces* (Janos, 2000, 169-170). The UORR, which principally aimed at exacting rewards for veterans (Scurtu, 1995, 373-375), was apparently infiltrated by FNR propaganda.²⁵ It should also be noted that members of the UFVR looked with sympathy to fascist ideals, as they were unhappy with their “living conditions” (Scurtu, 1995, 353), an issue which was undoubtedly exacerbated by the fact that they were penalized in terms of land redistribution. Finally, it is possible that the army’s living standards, which in the early 1920s were rather dire, prompted some career militaries to associate themselves with the *Fasces* (Beldiman, 2002, 30-31).

While the far-right group won over a number of ex-soldiers, eventually, Brătianu prevented the former from fully exploiting the latter’s resentment. In 1924 the government shut down various FNR chapters. This clampdown was crucial for the *Fasces*’ eventual decrease in membership figures, as the fascists themselves recognized.²⁶ As a result of this intimidatory approach, the *Fasces* were marginalized. In Ploiești, where they had previously been popular,²⁷ by 1926 they were holding only small, secret meetings,²⁸ undoubtedly having been cowed into keeping a low public profile.

As shown above, the PNL strong-armed ex-servicemen from forging extensive ties to the far right. Nevertheless, it can be contended that it kept the veterans’ movement under control mainly by accommodating some of its requests. Specifically, the Liberals made economic and symbolic concessions to *luptători*, in addition to granting them the coveted role of guardians of the nation. First of all, the Liberals provided combat survivors with significant material rewards, by applying pre-existing laws

²⁵ Secret police report on a *Fasces*’ gathering, October 19, 1923, 36/1923, DGP 1893; 1903-1936, ANIC, 16.

²⁶ Police study on the activities of the FNR organization, undated; secret police report on Romanian anti-Semitic movements, undated; secret police report on the FNR chapter in Bucharest, November 1, 1924, 36/1923; 49/1924; 3/1924, DGP 1893; 1903-1936, ANIC, 21; 137; 221.

²⁷ Police study on the activities of the FNR organization, likely from 1924, 36/1923, DGP 1893; 1903-1936, ANIC, 18; secret police report on the activities of the FNR chapter in Ploiești, likely from 1924, 49/1924, DGP 1893; 1903-1936, ANIC, 134.

²⁸ Secret police report on the veterans of Ploiești, September 24, 1926, 49/1924, DGP 1893; 1903-1936, ANIC, 194.

and issuing new ones. New provisions made additional agricultural holdings available to returnees. For instance, in 1923, disabled sergeants were given preferential access to plots of land in the frontier area of Dobruja (Dumitrescu, 1923, 128-129). During General Averescu's brief tenure of power of 1926-1927, which Ionel Brătianu influenced considerably (Scurtu, 2004, 166-167), a law awarding recipients of the Order of Michael the Brave their own smallholdings and free train rides was passed (Hamangiu, Volumes 15-16, 747). The following year, parcels were also made available to ex-combatants who had belonged to the temporary Basarabian parliament that, in 1918, had voted for this region to be united to Romania.²⁹ In the latter part of the decade, returnees were afforded plots in Bucharest and its outskirts ("Casca," March 1928).

Ultimately, during its six years in power, the PNL granted smallholdings to "tens of thousands" (Președinția Consiliului de Miniștri, 1926, 7) of veterans, both in the cities and in the countryside. Therefore, it might be claimed that the Liberals addressed, to some extent, veterans' requests to this end. For instance, by 1926 some of the reserve officers living in the countryside had received land, in addition to 484 of those residing in cities and towns. Additionally, almost all of those based in Bucharest had been allotted a house, a few of them also scoring a parcel.³⁰ It should also be noticed that the army's budget was increased after 1924, thereby certainly improving the wellbeing of those career militaries who had been prompted by their harsh living conditions to associate themselves with fascism (Beldiman, 2002, 31).

Furthermore, the Brătianu cabinet improved the situation of the war disabled. First of all, it raised general and special assistance funds (Ghiulamila, 1924, 141) for them, which as a whole grew from 53,691,780 to 170,370,000 *Lei* (Iordachi, Sciarrino, 2017, 99). Consequently, by 1925, public institutions could afford to look after 70,312 disabled.³¹ By the middle of the 1920s, disabled had been granted a monopoly over the retail sale of tobacco, salt, and fire matches ("Il Bollettino: Organo Ufficiale

²⁹ Untitled newspaper cutting, 13, UORR, ANIC, 90.

³⁰ UORR report, likely 1926, 4, UORR, ANIC, 69, 79-81.

³¹ Fédération Interalliée des Anciens Combattants, "Bulletin," August 1925, 9/1925, UORR, ANIC, 64.

dell'Associazione Nazionale Mutilati e Invalidi di Guerra," March 1927). They had also secured the ownership of 2,426 businesses by then. These measures, coupled with invalids' preferential access to land grants – as a matter of fact, by the mid-1920s, 47% of them had received a smallholding (Ghiulamila, 1924, 16,24) – undoubtedly ensured that a considerable number of them were able to eke out a living.

Finally, the Liberals adopted, to some extent, General Averescu's strategy of co-opting the *luptători's* movement. During the general's last spell of rule, in 1926-1927, the UNAL managed to lobby the parliament to pass the law granting plots of land and free train rides to the bearers of the Order of Michael the Brave.³² The PNL also provided public honors to the fighters and confirmed their role as custodians of the fatherland. With regard to the latter task, it should be mentioned that, in the early 1920s, the Romanian state increased the scope of its nation-building project considerably, to consolidate its hold over its new territories. Educational initiatives aimed at imbuing the population with patriotic values represented one of the cornerstones of its propaganda undertakings (Livezeanu, 1995, 8-48). As a part of its educational agenda, the state fostered the cult of the deceased fighters of the First World War, whom citizens were meant to view as models of devotion to the fatherland.

Unsurprisingly, as a part of its nation-building project, the state involved the *luptători* in its pedagogic activities and even supported a few of these partners' own grassroots endeavors in this field. Notably, in 1923, the government entombed an unknown soldier in Bucharest in a public ceremony. Ex-servicemen were thoroughly involved in the various events connected to this ceremony. The *luptători's* associations were invited to take part in the official procession accompanying this soldier to his final resting place and in the subsequent burying ceremony, which was also attended by scores of Bucharest dwellers, including local school-boys ("Casca," June 1923). During the rest of the decade, UORR activists were summoned to other official war commemorations as performers of collective rituals.³³ Additionally, the ministry of war subsidized one

³² UNAL memorandum to the parliament, likely 1934, D0011294, FDB, CNSAS, 173.

³³ *Programul comemorării eroilor în capitală* (Bucharest, 1925), FB 0000583, BS, CNSAS, 1-3.

of the Union's periodicals,³⁴ hence helping it spread its patriotic message.

The PNL also assisted the veterans' efforts as ambassadors of their homeland, promoting their activities within the FIDAC. The fact that the Liberals renewed Averescu's similar policy in this regard is unsurprising, considering that all interwar Romanian governments were intent on preserving the peace treaties underpinning the interwar European diplomatic order, notwithstanding their different programs (Hitchins, 1994, 428). Like Averescu, the Liberals undoubtedly believed that the combatants' transnational activism would help the kingdom preserve the international alliances which protected its new frontiers. This belief certainly stemmed from the fact that Romania's alliances involved mostly those countries which had fought on its side during the First World War, or the elites of which included its wartime allies (Steiner, 2005, 90-98, 267, 269, 297). Consequently, the Romanian state hoped to harness ties of solidarity between its veterans and their counterparts from Allied nations to serve its diplomatic goals. The PNL financed the *luptători's* trips to FIDAC congresses outside of Romania,³⁵ and lavishly funded the Federation's congress of 1928, which took place in Bucharest.³⁶ At this event, foreign delegations were even saluted by Acting Prime Minister Ion Duca ("Fidac," October 1928).

Ultimately, while bereft of extensive popular support (Roberts, 1951, 96), and bent on prioritizing the interests of the country's elites (Iordachi, 2014, 237), the PNL administration managed to address, to some extent, the core goals of the war participants' movement. This course of action helps explain why – aside from limited entanglements with the far right – the latter organization mostly remained moderate. Nevertheless, it should be clarified that, while steering clear of right-wing extremism, many members of the ex-servicemen's associations supported opposition parties which promised to satisfy their ambition to be thanked better

³⁴ Letter sent by the secretary of the UORR chapter in Ilfov to the president of the UORR, August 12, 1926, 15, volume 2, UORR, ANIC, 253.

³⁵ Letter sent by the UORR central committee to the minister of foreign affairs, August 5, 1926, 14, CCI, ADMAE

³⁶ Financial report on the FIDAC congress of 1928, October 15, 1928, fund "Cabinetul de Manuscrise," series "Arhiva A-2495 (a-e)," (AA-2945), Library of the Romanian Academy (Biblioteca Academiei Române), Bucharest, Romania

than the Liberals were doing. After all, the latter had not tackled several of the discharges' grievances. By 1928, the last year of the Liberals' hegemony, problems which had beset various categories of *luptători* since the first part of the decade were still to be alleviated. For instance, city-dwelling old soldiers, in addition to war volunteers in general, asked for better treatment with regard to land redistribution.

Ultimately, the National Liberal Party's orientation as a representative of Romanian elites and Old Kingdom constituencies in general made it unreceptive to the needs of various categories of ex-enlistees. As for the People's Party, while it was more generous in various regards, it proved unable to satisfy all claimants to land grants, leading it to lose much of its erstwhile popular support (Scurtu, 2011), a development that likely also entailed a lack of significant entanglements between General Averescu's group and the veterans' movement, by the late 1920s. At the same time, the Peasant Party and the National Romanian Party, the two main organizations that opposed the Liberals and eventually merged in 1926, proved apt at channeling various fighters' dissatisfaction with the PNL regime. As representatives, respectively, of communities living outside the Old Kingdom and of lower social strata, they were in the position to promise that under-served *luptători* would be finally acknowledged in their claims to rights. For instance, the Romanian Party's leader Iuliu Maniu approved the UNAL's demands for ex-militaries to be granted parcels in a timelier manner ("Casca," December 1925).

The political mainstream's acceptance of combat survivors' demands eventually ensured it was strongly linked to the majority of the organized ex-combatants. By taking up veterans' calls to see their economic status improved, by 1928 the PNT had come to exert a firm grip over the ex-servicemen's movement. Eventually, the UNAL came to officially endorse the National Peasants while remaining on good terms with other parties.³⁷ Serdaru, who had probably joined the Peasants' Party in the early 1920s, in 1928 openly invited his union's members to vote for the PNT.³⁸ The UFVR likely was also loyal to this party. As a matter of fact,

³⁷ "Casca," April 1926, 14/1926, UORR, ANIC, 206.

³⁸ "Avântul: Organ Politic Intransigent Al Tinerimei," March 5, 1928, D 011294, FDB, CNSAS, 72.

in 1930-1931, the UFVR vice president, Voicu Nițescu,³⁹ would serve as a minister in three of the National Peasants' concomitant cabinets out of four (Mamina, Scurtu, 1996, 69-85). The Union of Reserve and Retired Officers was also linked to the National Peasants. The UORR's first president, General Alexe Anastasiu, had cooperated with the Peasant Party⁴⁰ and presumably supported the PNT itself. His successor after 1926,⁴¹ General Nicolae Rujinski, was a confirmed follower of the latter.⁴² Moreover, the Liberals lent their help to the small ("Casca," October 1928) Romanian Legion.⁴³ Finally, in 1928, the great majority of the parliamentary senators who bore military awards supported either the National Peasants (70) or the Liberals (13).⁴⁴

Interestingly, it seems by 1928 the rank and file of the *luptători's* associations were also predominantly backing the mainstream. Addressing former war volunteers in 1931, PNT politician Sever Bocu (Mamina, Scurtu, 1996, 69) implied that his audience was made of supporters of the democratic groups: "[One day] it will be forgotten that some of us were National Peasants, while others were followers of Averescu or Liberals, but it will never be forgotten that we were the volunteers who freed and Unified [Romania]" ("Casca," February 1931).

Ultimately, the extensive entanglements which had come into being, by the late 1920s, between the war participants' movement and these pro-status quo and reformist parties suggest that the former organization generally supported the parliamentary system of government. As shown above, this situation principally came down to the fact that the aforementioned political players had made various significant concessions to the ex-enlistees or had promised to fulfill the latter's sense of deserving to a greater degree.

³⁹ Secret police report on a UFVR congress, likely 1927, D 0120742, FDB, CNSAS, 42.

⁴⁰ Project for the Peasants' Party's congress of 1921, likely 1921, D 010814, FDB, CNSAS, 260.

⁴¹ Letter sent by General Nicolae Rujinski, in his role as president of the UORR, to the minister of foreign affairs, July 8, 1926, CCI, ADMAE

⁴² Report on First World War veterans' associations, October 7, 1947, folder 32/1935, fund "Președinția Consiliului de Miniștri – Serviciul Special de Informații," ANIC, 186.

⁴³ Police report on the activities of the UNAL, December 9, 1928, 74/1926, DGP 1893; 1903-1936, ANIC, 26.

⁴⁴ Senatul, *Apel nominal cu starea civilă, profesiunea, domiciliul și gruparea politică; Sesiunea ordinara, 1928-1929 (deschisă la 22 decembrie 1928)* (Bucharest: Imprimeriile Statului, 1929), D 010809, FDB, CNSAS, 35-46.

CONCLUSIONS

By uniformly agreeing on the necessity of honoring ex-servicemen's wartime sacrifice, in the years 1918-1928 Romania's democratic parties, whether acting as incumbent or opposition political players, managed to moderate numerous returnees, and to build extensive connections to the latter's representatives. As a matter of fact, by the end of the 1920s the National Liberal Party and the National Peasant Party – the latter especially so – had created resilient links to the veterans' movement. On the other hand, in the same time span, the anti-liberal organization known as the Romanian National Fasces failed to gain a major foothold within the *luptători's* movement. The political alignments mentioned above depended, to a great degree, on the parliament and governments' willingness to accommodate extensively the needs and aspirations of the soldiers who had fought for Romania, beginning in the late stages of the First World War – thereby effectively representing the interests of these social constituencies – as discharged troops often prioritized, among the political goals they pursued, the attainment of a special socio-economic status and the public role of custodians of the fatherland.

This common readiness to acknowledge combat survivors' demands came down to a constellation of factors, which included the fact that politicians and ex-militaries shared nationalist ideological principles; Romania's victory in the war; political elites' fear of social unrest among the citizens they ruled over; and the presence of former soldiers among said elites. Additionally, an essential precondition for this consensus consisted in the fact that the Liberal representatives of the latter behaved in a relatively flexible way towards the requests articulated by the war survivors, notably accepting to help implement a far-reaching agrarian reform, that considerably benefitted these claimants. Importantly, the political mainstream's cohesiveness on the issue of thanking the *luptători* ensured that the Romanian kingdom's veterans' policies were relatively successful, albeit flawed in a number of regards. In particular, it entailed that governments mostly built on each other's approaches to satisfying veterans, ensuring the latter were rewarded in a continuous manner.

Ultimately, surveying the strong influence of successful veterans' policies over the political conduct of Romanian demobilized soldiers lends credence to scholarly perspectives which contend that European

far rights made inroads within combat survivors' communities due, among other factors, to these political players' ability to address ex-combatants' grievances that were not thoroughly tackled by mainstream collective actors.

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