Slovenian Literature and Imperial Censorship after 1848

Slovenska literatura in cesarska cenzura po letu 1848

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This article examines how Slovenian writers, dramatists, journalists, and publishers dealt with the post-1848 censorship in the Habsburg Monarchy. In contrast to the preventive censorship characteristic of the pre-March period, the retroactive (post-publication) censorship that prevailed after the suppressed 1848 revolution used a different modus operandi: relying on a network of prosecutors and courts, it controlled print in retrospect, often seizing print runs, launching lawsuits against the press, and imposing heavy fines. This analysis focuses on the cases of the Carinthian publisher Andrej Einspieler, the prosecution of nationalist literati in Ljubljana (Fran Levstik, Miroslav Vilhar, Jakob Alešovec, and Janez Trdina), the imprisonment of authors and publishers, and, finally, the notable case of Ivan Cankar.

SLOVENIAN LITERATURE, HABSBURG MONARCHY, 1848–1914, CENSORSHIP, LAWSUITS AGAINST THE PRESS, ANDREJ EINSPIELER, FRAN LEVSTIK, JAKOB ALEŠOVEC, JANEZ TRDINA, IVAN CANKAR

Razprava raziskuje, kako so se slovenski pisatelji, pesniki, dramatiki, novinarji in založniki soočali s cenzuro v Habsburški monarhiji po letu 1848. V nasprotju s preventivno cenzuro, značilno za predmarčno obdobje, je retroaktivna cenzura, ki je prevladala po zatrti revoluciji leta 1848, ubirala drugačne poti: zanašala se je na mrežo tožilcev in sodišč, tisk pa je nadzorovala za nazaj, pogosto zasegla naklade, sprožala tiskovne pravde in nalagala visoke globe. V analizi je poudarek namenjen primerom koroškega založnika Andreja Einspielerja, preganjanju nacionalističnih literatov v Ljubljani (Fran Levstik, Miroslav Vilhar, Jakob Alešovec, Janez Trdina) in zapiranju avtorjev in založnikov, na koncu pa je podrobneje preučen zanimiv primer Ivana Cankarja.

SLOVENSKA LITERATURA, HABSBURŠKA MONARHIJA, 1848–1914, CENZURA, TISKOVNE PRAVDE, ANDREJ EINSPIELER, FRAN LEVSTIK, JAKOB ALEŠOVEC, JANEZ TRDINA, IVAN CANKAR

The revolutionary year of 1848 was an important watershed in the development of censorship practices in the Habsburg Monarchy. In somewhat generalized terms, it could be said that this period saw a transition from the predominant preventive (pre-publication) censorship, which characterized the first century of secularized imperial censorship, to retroactive (post-publishing) censorship, which largely marked (naturally with many special features) the period leading to the First World War and the monarchy's dissolution.

If the seemingly complex censorship regime (changes in legislation; differences between books, periodicals, and theater; and local special features) during the pre-March period is observed from a distance, it can be conceived as a relatively compact unit.[1] The secular control network established during this time was characterized by the following: pre-publication censorship (control before the text was printed), centralization (the head office in Vienna and a network of provincial offices), comprehensiveness (in principle, censorship covered all types of printed material: not only books and magazines, but also pamphlets, illustrations, and even shop signs and tombstones), restrictiveness (especially the licensing system, which distinctly disfavored Slavic-language periodicals), economic constraints (newspaper taxes or stamp duties and security deposits), and severe penalties. These characteristics certainly belong in the domain of repressive state control and represent the fundamental role of the censorship institution: the "watchdog" of the regime, its monarchic and ecclesiastical elite, social order, public morale, and so on. Nonetheless, it cannot be overlooked that during that time censorship performed at least one more function: in the spirit of the Enlightenment, it was also conceived as the guarantor of quality and professionalism. This dimension was reflected in the proactive work of censors (improving texts, similarly to how reviewers and editors

1
Cf. Bachleitner (12–13). See also Bachleitner's and Juvan's articles in this issue.

of research texts do so today) and with greater forbearance toward innovative scholarly works.[2]

The post-revolution period saw notable changes in this area. This article examines how Slovenian men of letters (writers, poets, playwrights, journalists, publicists, printers, publishers, and theater directors), who had previously dealt with imperial censorship in the (predictable) environment of preventive censorship (Dović: 244–262), coped with these changes. The retroactive censorship measures enforced through the repressive judicial apparatus often proved to be even harsher: publishers were heavily fined or forced to discontinue periodicals, and ardent nationalist authors, such as Fran Levstik, were persecuted, with Miroslav Vilhar and some other editors even ending up in prison. Besides nationalism and liberalism, however, leftist (anarchist, socialist, and communist) ideas and associations became another increasingly momentous problem of the regime; to suppress them, a full spectrum of the repressive apparatus was engaged.[3]

The overview concludes with the notorious case of Ivan Cankar, a major Slovenian author of the period, suspicious for his overt socialist tendencies, who not only saw his poetry collection *Erotika* (Eroticism) burned by Ljubljana Bishop Anton Bonaventura Jeglič at the turn of the twentieth century, but whose career was heavily affected by state censorship in 1910, when the staging of his play *Hlapci* (Servants) was prohibited.

SUPPRESSED REVOLUTION AND RETROACTIVE CENSORSHIP AFTER 1848

During the March Revolution, a white flag with the inscription *Preßfreiheit 1780* '1780 freedom of the press' was raised below the statue of Joseph II at *Josefsplatz* (Joseph Square) in Vienna. The bronze monarch's successor

2
Cf. Darnton's analysis of French censorship before the revolution (23–86). As Bachleitner argues in this issue, this aspect of censorship, which was based on Enlightenment concepts, became less important after the French Revolution.

3
In contrast to many other European countries, this tendency seems less relevant for Slovenia from the viewpoint of censorship. However, the notorious 1884 trial against France Železnikar (cf. Fischer 1983: 163–169) or Rudolf Golouh's accounts of the leftist press in Trieste after 1905 (Golouh 1966) indicate that this question requires further research.

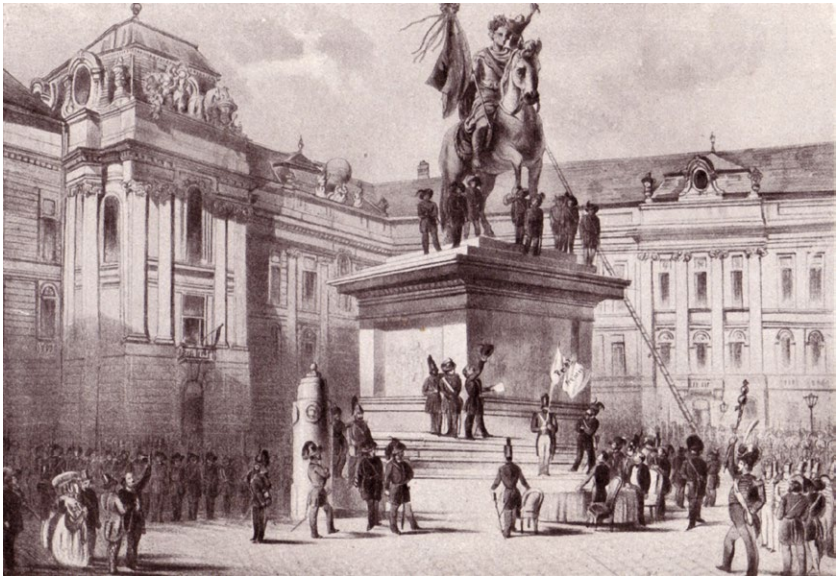


FIG. 1 →
White flag with the inscription "Preßfreiheit 1780" below the statue of Joseph II in Vienna during the 1848 revolution.

at that time, Emperor Ferdinand I, was forced to declare the abolition of (pre-publication) censorship, and despised Minister of Police Josef von Sedlnitzky had to leave office. In an instant, this triggered an incredible explosion and liberalization of the press. However, the revolution was brutally suppressed that same year (cf. Judson). In 1849, a new press law was adopted, which abolished pre-publication censorship for printed materials (but not theater); however, it remained essentially repressive. The role of censorship offices was assumed by the institution of the state prosecutor and the judicial apparatus, and preventive censorship was replaced by retroactive censorship. Bans were replaced by confiscations, and the threat of criminal sanctions hovered over authors, editors, publishers, printers, and even sellers. The threatened sanctions, which were also often in fact imposed and enforced, were severe: they

included large fines, imprisonment, and the loss of office and other privileges (Cvirn: 18–31).

Just like in the first half of the century, censorship legislation and practices continued to change between 1848 and 1914, and therefore the censorship landscape of that time was not completely uniform. The 1850s were characterized by a stricter policy that threw newspapers back into a pre-publication censorship regime. Jury courts were introduced, but their organization and role continued to change; in addition, the authorities also interfered with the media system's dynamics through a proactive policy (i.e., systematic establishment of pro-regime mouthpieces). However, even after the thawing of relations and the liberalization in the early 1860s (e.g., the press law of 1862), the effectiveness of control was ensured by a well-founded fear of severe sanctions, the principle of simultaneous liability, which extended criminal sanctions from authors and editors down the production and distribution chain, and uncertain judicial interpretation of the law. A loose definition of "libel and slander" and "breach of the peace" was what may well have kept periodicals—at least the ones that actually managed to break through the barrier of nettlesome security deposits—on a short leash more effectively than preventive censorship. The result of this landscape of fear was also significant uniformity, especially in the political media.

These were the circumstances in which the Slovenian writers and publishers laying the foundations of modern national literary culture operated.

THE NATIONAL MOVEMENT IN CARINTHIA: ANDREJ EINSPIELER, *STIMMEN AUS INNERÖSTERREICH*, AND *SLOVENEC*

As shown by the cases selected, Slovenian writers' major encounters with retroactive censorship in the second half of the nineteenth century

can be categorized under nationalism. Starting in the early 1860s, the impetus that the Slovenian national movement (by then already fully articulated in the United Slovenia program) gained during the revolution continued to be hindered by the reality of the monarchy's repressive apparatus. The first major censorship intervention was recorded in Carinthia, where the Slovenian priest, publisher, and ethnic leader Andrej Einspieler had been publishing the German-language newspaper *Stimmen aus Innerösterreich* (Voices from Inner Austria) since 1861; this was "the first periodical that represented Slovenian interests among the Austrian public" (Pirjevec). The trial against Einspieler, who was also a provincial deputy, had a distinctly political connotation because it was the direct result of Einspieler's consistent advocacy of the equality of Slovenian: "Because of his editorial comments on the letter by the priest Simon Muden from Windisch Bleiberg regarding the operations of the Carinthian provincial assembly, on April 22nd, 1863 the Klagenfurt court sentenced him to a month's imprisonment for inciting ethnic hatred; in addition, he had to forfeit his security deposit of sixty guldens and pay the legal expenses, and he was removed from the provincial deputy's office" (Cvirn: 33).

The sanctions imposed were extremely severe: the "father of the Carinthian Slovenians" ended up behind bars at the Maria Luggau monastery prison, his term as a provincial deputy was revoked, and he had to pay a substantial fine. The blow Einspieler suffered was so heavy that on May 1st, 1863 he discontinued the newspaper, which at that time was already being published as a daily.

The relentless nationalist refused to give up: he returned to the Klagenfurt newspaper arena two years later and began publishing the Slovenian newspaper *Slovenec* (The Slovenian, 1865–1867). However, during the year that also saw the establishment of Austria-Hungary, several

press lawsuits were brought against him due to his newspaper's opposition to dualism, revelations of government pressures on Carinthian Slovenians, and so on. Nationalism was especially problematic: even the Carniolan (sic!) provincial governor complained to the authorities in Graz that *Slovenec* promoted "ultra-Slovenian" hatred against the German cultural element. The paper's editor Janko Božič was initially sentenced to two months of strict imprisonment, but he was later granted a pardon. However, the strong (German) pressure on the Klagenfurt printer Ferdinand Kleinmayr, who refused to print *Slovenec* any longer, ultimately forced Einspieler to halt the project (Cvirn: 33–37).

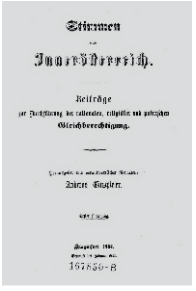

Stimmen
aus
Innerösterreich.
Beiträge
Zweiter Jahrgang.

FIG. 2 ↑
Front page of Einspieler's Klagenfurt newspaper *Stimmen aus Innerösterreich* (1861–1863).

Hence, it could be argued that the censorship pressure ruthlessly suppressed Slovenian media life in Carinthia. Within the broader context, such developments were not really special: suppressing national(ist) media became one of the priorities of Austrian censorship up until the monarchy's dissolution. The rebellious Czech media were attacked the most. According to Janez Cvirn, in 1899 the number of police interventions in the monarchy reached its inglorious peak: as many as 3,408 confiscations of newspapers were recorded, with writers, editors, and publishers constantly ending up behind bars (Cvirn: 40–41; Olechowski).

FRAN LEVSTIK, MIROSLAV VILHAR, AND THE LJUBLJANA NATIONALIST NEWSPAPERS

The first major censorship scandal took place in Ljubljana at approximately the same time as the Carinthian trial against Einspieler's *Stimmen.* It was triggered by the newspaper *Naprej* (Forward), which was published by Miroslav Vilhar and edited by the Slovenian writer Fran Levstik, who was also its main contributor. In the early 1860s, the

V Ljubljani v petek 20. februarja 1863.

NAPREJ.

Št. 15. Ta list izhaja vsak vtorek in petek. Tečaj I.

Ljubljenski deželni zbor.

Misli o sedanjih mednarodnih mejah.

FIG. 3 →
Front page of the newspaper *Naprej*, which was published by Miroslav Vilhar and edited by Fran Levstik; the front page of the issue of February 20th, 1863 also features the article on ethnic borders.

conditions for publishing a political newspaper were still unfavorable because both the Ljubljana chief of police, Leopold Bezdek, and the provincial governor Karl Ullepitsch strongly disfavored the Slovenian press. Nonetheless, on September 23rd, 1862 the state minister Anton von Schmerling approved Vilhar's request to publish a political newspaper. Under Levstik's fervent hand, *Naprej* operated in a nationalist spirit, advocating ethnic rights and the equal use of Slovenian in offices, churches, and schools. It remained under police scrutiny throughout, and already during the first year of its publication it became seriously entangled in two lengthy press lawsuits. The first was triggered by the article "Misli o sedanjih mednarodnih mejah" (Thoughts on the Current Ethnic Borders) published in February 1863 (nos. 14–16) in the form of an anonymous letter from Carinthia. Its author still remains

unknown today because Vilhar refused to reveal his name during the trial; for example, Anton Slodnjak even assumed the letter was written by Einspieler, but Levstik's name also came up among the possible authors (or at least coauthors). The problematic nature of this article of course lay in its main thesis that "the current ethnic borders must be changed and interlinguistic border stones—that is, border stones between peoples that speak different languages—must be installed" (Levstik 1959: 41; see also 354–365). This was a politically radical thesis: in the spirit of the nationalist premise that territorial and ethnic borders should coincide, *Naprej* explicitly demanded "that the hostile networks of obsolete ethnic borders be removed from Slovenians and interlinguistic borders be established instead" (Levstik 1959: 43).

The second text that ended up in the pincers of the Ljubljana judicial apparatus was Levstik's article "Kaj se nekterim zdi ravnopravnost?" (How Is Equality Perceived by Some?) published in May 1863 (no. 42). What was problematic about it was definitely its acerbically articulated demand for using Slovenian in official correspondence. However, the trial did not focus directly on the article's content, but involved a libel and slander lawsuit—that is, a typical defamation lawsuit between a journalist and a (political) notable: specifically, the district governor Johann Pajk recognized himself in the article and felt personally insulted. Vilhar and Levstik were initially found guilty, but the lawyer and later Ljubljana mayor Etbin H. Costa ultimately saved them from being sentenced (Levstik 1959: 100–102, 364–366).

The first lawsuit involving the article on "ethnic borders" had a different outcome: Vilhar and the head of the Eger print shop, Anton Klein, were charged with a breach of the peace. The printer was acquitted of all charges, whereas the publisher of the newspaper *Naprej* was sentenced to six weeks' imprisonment and had to pay a substantial fine

(forfeiting a security deposit of three hundred guldens). Vilhar's appeal was unsuccessful: he had to serve his sentence at the Žabjak prison in Ljubljana over the summer of 1864 and, just like Einspieler before him, he was removed from the office of provincial deputy. Vilhar may have been able to compensate for this severe blow at least at the symbolic level: he portrayed his martyrdom for the national cause in a photo that soon became iconic. Namely, a photo featuring Vilhar behind bars was taken by the traveling photographer Ferdinand Bognar, who at that time was being held at Žabjak for forging banknotes. The wife of an imprisoned officer smuggled the photos from the prison to France Kadilnik, the owner of the reading club's tavern, who then sold them under the counter for the "national cause." The entire matter ended in a grotesque manner: the police confiscated the photos because the photographer's name was not provided on the back, and in December 1864 Vilhar, the officer's wife, and Kadilnik were even given minor fines (Levstik 1959: 324–344).

In 1865, Vilhar published the poetry collection *Žabjanke* in Zagreb. In it, he rationalized his painful experience as a prisoner. In the quatrain "V mirni hiši" (In a Peaceful House), he also predicted that in (prison) cell number seven there will surely be "no deputy or editor" (Vilhar: 26). He could not have been more mistaken. The next unwilling guest took up residence at Žabjak thanks to the unyielding Fran Levstik: his article "Unsere Deutsch-Liberalen" (Our German Liberals) published in the German-language newspaper *Triglav* on June 6th, 1868 caused its editor Peter Grasselli to spend five weeks behind bars (Levstik 1961: 44–51, 251–258). Only a few months later, Levstik wrote the feisty article "Tujčeva peta" (The Foreigner's Heel) in the newly established main Slovenian political newspaper *Slovenski narod* (Slovenian Nation; September 22nd, 1868), thanks to which its editor Anton Tomšič ended

Uvod.

O bregu Ljubljan'ce
Šest tednov sem bil,
Mirú ne, le vodo
Sem tamkaj kalil.

Od brega do brega
Sem mrežo razpél,
Te žabe in rake
In ribice vjel:

1*

← FIG. 4 AND 5
Photo of Miroslav Vilhar behind bars at the Žabjak prison in Ljubljana taken by Ferdinand Bognar (1864) and the introductory poem from Vilhar's "prison" poetry collection *Žabjanke* (1865).

up in court. Tomšič was able to avoid imprisonment (albeit barely) using skillful defense rhetoric, but he was heavily fined (Levstik 1961: 34–39, 469–480).

Interestingly enough, the author of *Martin Krpan* and *Popotovanje od Litije do Čateža* (A Journey from Litija to Čatež), and undoubtedly the central figure of censorship conflicts in Carniola during the 1860s, was never imprisoned himself. In his incriminated article "The Foreigner's Heel," Levstik wrote the following, among other things: "A horrible *furor teutonicus* has always raged against us, as it still does whenever it feels we want to be the masters in our own house" (Levstik 1961: 35). Press lawsuits against Slovenian periodicals may have in fact formally

addressed "breaches of the peace" or libel and slander, but the trial records are clearly imbued with a different primary motivation: the authorities' fear of the growing power of national movements. In this regard, the censorship operations during that time can also be legitimately viewed through the lens of Levstik's line of argument.

4
As Goldstein (72–112) has amply demonstrated, censorship of newspaper caricatures was one of the major battlefields for freedom of speech in nineteenth-century Europe.

JAKOB ALEŠOVEC AND THE ANNOYING *BRENCELJ*

During the 1870s, the satirical illustrated newspaper *Brencelj* (The Gadfly; published between 1869 and 1875, and again between 1877 and 1885) seemed to have been involved in press-related conflicts most persistently. Its owner, publisher, and main contributor was Jakob Alešovec, a pioneer of Slovenian "sensational journalism" or yellow press. This newspaper's merciless and stinging articles consistently targeted Germanophiles and Germans. Because of its caricatures, it was subject to regular court confiscations.[4] The most controversial case was the bizarre "dog lawsuit" of 1871. A Slovenian (with the last name Križaj) struck the dog of a German tailor named Riester because it charged toward his own dog. Alešovec's cynical comment on the affair in his article "Pes in sodnik ali kako se je gospod Čuček spekel" (The Dog and the Judge, or How Mr. Čuček Got Burned") led to the confiscation of the fourteenth issue of *Brencelj*. The polemic continued by Alešovec straightforwardly attacking the court clerk, named Čuček. He criticized him for displaying ethnic bias in adjudicating on the dispute between the two dog owners ("It matters whether you hit a Slovenian's or Germanophile's dog"), called him a Germanophile that betrayed his nation because his career as a judge was more important to him ("also changes his mind together with his job and attire"), finally concluding

that "nobody can respect a judge that makes a ridiculous decision" (Globočnik: 177).

In contrast to Levstik's accuser Pajk—who could have barely found any support for a successful defamation lawsuit in the incriminated article "How Is Equality Perceived by Some?"—in this case the court clerk had grounds to feel insulted. The trial before a jury ended with Alešovec being sentenced to two months' imprisonment at Žabjak, starting on October 6th, 1872. The mischievous editor also published a caricature in *Brencelj* portraying two guards pushing him into the Žabjak prison, while Riester and his "mutt" are watching and commenting on the scene gleefully from the side. Just like Vilhar, Alešovec converted his experience into literary discourse: he wrote a satirical poem entitled "Risterjev pes" (Riester's Dog), in which he piled up Germanized administrative jargonisms in a farcical manner. He furnished it with thirteen excellent caricatures and published it in the booklet *Ričet iz Žabjeka* (Clinkers from Žabjak, 1873), together with other material on his imprisonment. Alešovec continued his forced battles with censorship, causing *Brencelj* to be confiscated over and over again. Every time it was confiscated, he would publish the same caricature: two guards carrying the confiscated copies out of his office, with the personified "Gadfly" watching them helplessly (Globočnik: 175–180; Alešovec).

Even though it may seem from a distance that the stories described have a somewhat comic connotation, it needs to be taken into account that whoever fell victim to censorship during that time certainly had no reason to laugh: imprisonment is a radical and extremely intimate encroachment on an individual's life and social profile. It was especially editors that ended up behind bars due to retroactive censorship enforced through the judicial apparatus. In addition to those mentioned above (Einspieler, Vilhar, Grasselli, and Alešovec), Ante Beg, the editor


Ričet iz Žabjeka,

kuhan v dveh mesecih in zabeljen s pasjo mastjó.

Skuhal in osolil

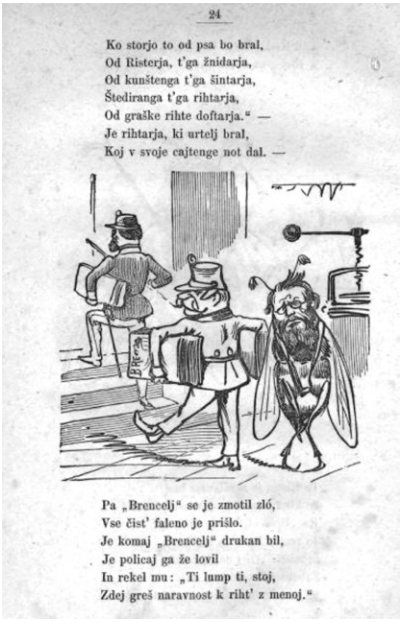
Jakob Alešovec.

RIČET.

V LJUBLJANI.

Tisk „Národne tiskarne". — Založil Jakob Alešovec.

1873.


24

Ko storjo to od psa bo bral,
Od Risterja, t'ga žnidarja,
Od kunštenga t'ga šintarja,
Štediranga t'ga rihtarja,
Od graške rihte doftarja." —
Je rihtarja, ki urtelj bral,
Koj v svoje cajtenge not dal. —

Pa „Brencelj" se je zmotil zló,
Vse čist' faleno je prišlo.
Je komaj „Brencelj" drukan bil,
Je policaj ga že lovil
In rekel mu: „Ti lump ti, stoj,
Zdej greš naravnost k riht' z menoj."

FIG. 6 AND 7 →
Cover of Alešovec's booklet *Ričet iz Žabjeka* (1875) and illustration from the satirical poem "Risterjev pes" published in it, showing two guards confiscating the latest issue of *Brencelj*; the illustration became the symbol of Alešovec's constant conflict with censorship.

of the Celje newspaper *Domovina*, was also sent to jail in 1900, and the threat of imprisonment hovered over Anton Tomšič, Gašpar Martelanc, the editor of the satirical newspaper *Jurij s pušo* (George with a Gun), and even Anton Korošec.

After 1848, the focus of retroactive censorship clearly moved toward political newspapers, and one of its pressing objectives was to protect the monarchy against disintegration along nationalist lines. In this form, censorship was losing its role as a quality guarantor, which it played during the pre-March period to a certain extent, and it only continued to be a repressive body of the regime. The high fines strengthened the fear, which already abundantly fed self-censorship during the pre-March period, and uncertainty extended from authors and editors

all the way to printers and colporteurs. Such an environment was extremely challenging especially for political newspapers, which were subject to constant confiscations. Josip Jurčič, the editor of *Slovenski narod* at that time, thus commented in the mid-1870s that he would have almost preferred the return of pre-publication censorship:

> *[The Saturday issue of Slovenski narod] was again confiscated, this time because of its opening article "Borba Jugoslovanstva" (The Battle for the Yugoslav Cause). — The Sunday issue of Slovenski narod was also confiscated by the state prosecutor because of the letters from Cerknica and Split, and because of two short items in the war reports section. — Such freedom of the press is unbearable, may censorship return, we would prefer that! The sections that were not confiscated were reprinted today, which is why the news and telegraphs are delayed. (Jurčič: 6)*

JANEZ TRDINA'S TALES, THE LOWER CARNIOLAN "TAX COLLECTOR," AND THE VIENNA PARLIAMENT

In the 1890s, somewhat different (not journalism, but literary) conflicts were triggered by Janez Trdina. Trdina is a canonized Slovenian writer today, but during his time he was considered just another radically nationalist *enfant terrible*. In 1881, Trdina, a forcibly retired high-school teacher, began publishing his *Bajke in povesti o Gorjancih* (Tales and Stories of the Gorjanci Hills) in the newspaper *Ljubljanski zvon* (The Ljubljana Bell), which was edited by Fran Levec. Trdina incorporated increasingly more current events clad in folklore into these tales. Thus in 1883, he severely attacked the icon of Carniolan

German identity in his famous story "Kresna noč" (Midsummer Night), which was published serially: he branded the late nobleman and poet Anton Auersperg a merciless feudalist and "the most oppressive tax collector" (Sln. *kmetoder*), who used liberal poetic flummery to conceal his twisted nature. His literarized anti-German and anti-Germanophile political endeavors soon triggered the first attacks against him and Levec, especially in the German press. Later, accusations against him grew increasingly stronger because Trdina's anticlericalism also troubled the Slovenian clergy. Thus, in December 1886, under the hand of its catechist Josip Marinko, the Novo Mesto high school prohibited its students from reading *Ljubljanski zvon*—of course precisely because of the writings of their fellow town resident, Trdina. In March 1887, Trdina's literarized memoirs caused the first major scandal. Due to alleged vulgarities in his column "Hrvaški spomini" (Croatian Memoirs) in the newspaper *Slovan* (The Slav), Josip Marn launched a severe clerical attack against the two publishers of the newspaper, which was edited by Anton Trstenjak. Ivan Hribar and Ivan Tavčar ultimately backed down, and the newspaper was discontinued.

Meanwhile, the situation with Trdina's tales also started becoming increasingly complicated. The accumulated discontent extended beyond Carniola: on May 9th, 1887 the lawyer and deputy Moritz Weitlof opened a discussion on the (Slovenian) school system in the Vienna parliament. He argued that the Germans in Carniola suffered great injustice and hostility, primarily citing Trdina's passages from *Ljubljanski zvon* as proof. The matter would not die away because severe attacks by the German press on Levec's newspaper continued in 1888. Levec found himself in a difficult situation: he had applied for the position of a school inspector, which was vital for his livelihood (and for which he needed political approval), while at the same time he was exposed

← FIG. 8 AND 9
Moritz Weitlof and Armand von Dumreicher: the two Austrian deputies that brought the issue of Slovenian nationalism and Trdina's tales to the state parliamentary level in 1887 and 1889.

to tiring and continuous attacks from the Slovenian clergy. Therefore, he himself began to softly "censor" Trdina's publications: in July 1888 he published his last tale, entitled "Kocaneža," even though Trdina would have gladly supplied more texts to him.

Ultimately, Levec was appointed a school inspector, but already in January 1889 he was summoned to the Carniolan provincial president to defend himself as the editor of *Ljubljanski zvon*. On March 23rd, the matter was again discussed in the Vienna parliament: this time the campaign was initiated by (Carinthian) Baron Armand von Dumreicher with the support of German nationalists, whereby Dumreicher again used, as Logar commented, "false quotes from Trdina's tales" to prove his case (Trdina 1955: 378). In the parliamentary discussion of March 26th, Dumreicher was presented with well-grounded counterarguments by the Slovenian deputy Fran Šuklje, who had successfully opposed the attacks two years earlier. Nonetheless, another blow from the Slovenian community followed soon afterward: on April 20th,

Anton Mahnič launched a serious attack against Trdina and Levec in the newspaper *Rimski katolik* (The Roman Catholic), abundantly citing the immoral passages from Trdina's tales. Moreover, on April 24th, Levec was attacked by Josip Marinko in the newspaper *Slovenec* (The Slovenian); Marinko was appalled by the fact that the editor of a scandalous newspaper could perform the function of a school inspector.

Levec had most likely had enough of the blows coming from both the German liberal and Slovenian clerical press. Even though no explicit censorship interventions were actually made in Trdina's case, the end of the story speaks for itself: Trdina stopped publishing his works for a full fourteen years, and the talented Fran Levec stopped editing *Ljubljanski zvon* in 1890 once and for all.[5]

5
Cf. Janez Logar's comment in Trdina (1954: 366–377; 1955: 367–382).

IVAN CANKAR: FROM BURNED *EROTIKA* TO BANNED STAGING OF *HLAPCI*

Cankar's *Erotika* (Eroticism) may well occupy an emblematic place in the emergence of the so-called Slovenian *moderna* at the end of the nineteenth century: not so much because it was its most remarkable product, but because its publication brought about a reception scandal. Cankar's poetic debut was published at the end of March 1899 in one thousand copies by the Ljubljana printer and publisher Otomar Bamberg. Immediately after the poetry collection was published, Ljubljana Bishop Anton Bonaventura Jeglič had all the available copies (allegedly around seven hundred) purchased and burned. By April 9th, 1899, Cankar had written a letter to his brother Karel, describing the entire affair as a "disgrace" and "medieval stupidity" (Cankar 1967: 257). It soon became clear to him that the bishop was unable to effectively eradicate the poems or remove them from the public, and that he might

have actually done him a favor. Cankar was protected by copyright law and there was a provision in the contract he concluded with Bamberg specifying that the author would again have the rights to his poems if a sold-out edition was not reprinted by the same publisher within three years. The ambitious young writer was certainly able to make good use of the unexpected publicity from his burned work and the harsh polemic between the clericals and liberals; of course, the latter readily seized the opportunity to make fun of the "inquisitional" mentality of their opponents.

Thus, Cankar soon began preparations for a reprinted edition of his now notorious poetry collection. In the summer of 1901, he negotiated the reprint of *Erotika* with the publisher Narodna Tiskarna as well as with Bamberg. However, because the original publisher demanded that Cankar exclude the "incriminated" poems, the poet ultimately opted for Lavoslav Schwentner and obtained reprinting rights from Bamberg. Cankar managed to come out of this confrontation unbowed: on August 21st, 1901 he wrote the following in a letter to his, from then onward, loyal publisher Schwentner: "But all those [poems] that the bishop considered scandalous shall remain" (Cankar 1968: 273).

The bishop's notorious intervention cannot really be described as censorship in the strict sense because there was no longer a repressive state apparatus standing behind it.[6] In this story, Jeglič comes across as more of a censorship caricature or a castrated censor without real executive power than an omnipotent inquisitor. However, that does not mean official imperial censorship was no longer a threat in the early twentieth century. Cankar was able to experience its full power in theater: most painfully at the end of 1909, when he was preparing his play *Hlapci* (Servants) for staging and printing. Schwentner printed

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However, the strength of less formalized modes of censorship in general should not be underestimated—as was experienced, for example, by Cankar's friend Zofka Kveder, a pioneer feminist writer. Her literary debut, the short-story collection *Misterij žene* (The Mystery of a Woman, 1900) was unanimously bashed by both conservative and liberal press (cf. Mihurko Poniž).

the play without any problems because (pre-publication) book censorship had no longer been in place since 1848, whereas in theater the situation was completely different: there effective censorship before and during staging was in place until the monarchy's dissolution. Its practice was based on the outdated Bach theater order (*Theaterordnung*) of 1850;[7] this greatly hindered the development of Slovenian theater in the second half of the nineteenth century and influenced which plays were staged well into the twentieth century.[8]

The Archives of the Republic of Slovenia do not contain a detailed record of the censorship of Cankar's *Hlapci*, but the early-twentieth-century censorship practice can be reconstructed from other cases, such as the prohibited staging of the play *Tugomer*.[9] A closer look at bureaucratic documents reveals that the censorship procedures were conducted by the police department at the provincial presidency (the clerk Wratschko), which (also) issued decisions based on two external expert reviews. With regard to Cankar's *Hlapci*, only an opinion by Anton Funtek written in German has been preserved; in it the reviewer is appalled by the anticlerical tendentiousness and immorality of the play. Unfortunately, no records have been preserved in relation to the famous sixty-two problematic sections mentioned in the Cankar's following cynical "account":

> *Award offered. I have been informed that the government censorship has accused sixty-two paragraphs in my play Hlapci of posing a threat to public peace and order. I will pay one imperial gold ducat to whoever accurately marks these sixty-two paragraphs for me. The censorship office and its advisory council are not eligible.*
>
> *Ljubljana, January 20th, 1910 (Cankar 1969: 152)*

7 The legislation itself was based on the tendency to restrict the access of the uneducated to the "threatening" theater, which can be traced to the late eighteenth-century ideas by Sonnenfels and Hägelin (cf. Bachleitner: 239–244).

8 As Robert Justin Goldstein has demonstrated in a brilliant comparative analysis, limiting the access of the lower classes (the poor in general and workers in particular) to potentially harmful ideas was a major concern of virtually every censorship system in Europe throughout the nineteenth century; thus, remarkable attention to theatre, opera, caricature, and later film comes as no surprise (Goldstein: 196–199).

9 Cf. Ugrinović: 70–87; analyzed are the official documents in bundles 5–9 from the Archives of the Republic of Slovenia.

Cankar's expectations that he would already see *Hlapci* on stage in Ljubljana in December 1909 thus came to naught. The provincial government procrastinated its decision and even sent the play for assessment to the Vienna government censorship advisory council. Cankar actively fought for his play to be staged; he even announced a public reading at the town hall and tried to facilitate the play's staging in Trieste. Following the censorship advisory council's recommendation, he removed the text from the procedure himself, so that its staging was only prohibited in Carniola. However, the playwright's bold attempts to stage the play in Trieste or even at the famous Prague National Theater fell through. *Hlapci* was only staged in 1919, after its author had already died and the monarchy in which it was created had been dissolved.

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The cases discussed above elucidate the diverse practical implications of post-1848 imperial censorship regulation as experienced first-hand by Slovenian writers, playwrights, editors, and publishers. On the one hand, they demonstrate that the transition from the preventive censorship paradigm to the predominantly retroactive one—during that time these two paradigms dominated the practices of literally all continental censorship systems—triggered important changes in the patterns (and quantity) of media and literary production, but on the other hand it did not significantly change the atmosphere of control. In the new environment, the connection to the function of ensuring quality, which to a certain extent was typical of the pre-publication censorship regime (especially its early Enlightenment "paternalist" stage), no longer applied. Retroactive censorship primarily remained a repressive

government mechanism to subdue any kind of opposition (especially nationalist, but also socialist), and its focus on individual punishment only increased fear and further stimulated self-censorship. ❦

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Povzetek

Od sredine 18. stoletja do prve svetovne vojne se je cenzura tudi v habsburški monarhiji trdno vzpostavila kot osrednje orodje sekulariziranega državnega nadzora nad tiskano, a tudi govorjeno besedo. Marčna revolucija v tem razvoju zaznamuje pomembno prelomnico: medtem ko do marčne revolucije leta 1848 prevladuje *preventivna* (pred)cenzura, drugo polovico obravnavanega obdobja obvladuje zlasti *retroaktivna* (po)cenzura.

S cesarsko cenzuro so se nenehno srečevali tudi slovenski »možje peresa«: pisatelji, pesniki, dramatiki, novinarji, publicisti, tiskarji, založniki in gledališčniki. Medtem ko so se v predmarčnem obdobju ta srečevanja odvijala še v polju razmeroma predvidljive preventivne cenzure (od Linharta, ki se leta 1791 pritožuje nad cenzorskimi črtanji v *Versuch einer Geschichte*, do sodelavcev *Krajnske čbelice*, ki duhovito preigravajo cenzurna pravila, Prešeren pa zaradi Miklošičevega posega iz svojih *Poezij* umakne »Zdravljico«), so bili trki s cenzuro po (zadušeni) marčni revoluciji bistveno drugačne narave. Retroaktivna cenzura, ki se je pretežno uveljavila po letu 1848, je namreč izbrala nov modus operandi: naslonjena na mrežo tožilcev in sodišč je nadzirala tisk za nazaj, pogosto plenila naklade, sprožala tiskovne pravde ter avtorjem, urednikom, založnikom in tiskarjem nalagala visoke globe.

Kot kaže analiza izbranih značilnih primerov, so v praksi takšni mehanizmi že v 60. letih 19. stoletja prisilili koroškega založnika Andreja Einspielerja, da je opustil dva časopisna projekta (*Stimmen aus Innerösterreich*, *Slovenec*). Sodni aparat je preganjal tudi nacionalistične literate v Ljubljani (Fran Levstik, Miroslav Vilhar in Jakob Alešovec), kar je včasih privedlo celo do zapornih kazni (Einspieler, Vilhar, Alešovec, Peter Grasselli idr.). A kot se je mogoče prepričati iz primera Janeza

Trdine, je cenzura lahko ubrala tudi manj eksplicitne poti. Pregled sklene primer Ivana Cankarja, ki je s svojim pesniškega prvencem *Erotika* (1899) izzval ljubljanskega škofa Antona B. Jegliča, da je kupil in požgal večino izvodov prvega natisa. A medtem ko na prelomu stoletja glavni predstavnik lokalne Cerkve vendarle ni več mogel preprečiti pojavitve problematičnih pesmi v javnosti, je uradna cesarska cenzura Cankarja (na gledališkem področju je predcenzura ostala v veljavi) močno prizadela s prepovedjo drame *Hlapci* (1910). Provokativno delo avtorja, ki je bil oblasti sumljiv zaradi socialističnih nazorov, ni moglo priti na oder vse do leta 1919, ko sta bila mrtva tako njegov pisec kot tudi monarhija, ki je prepovedala njegovo uprizoritev.

Cenzura je torej tudi v pomarčni dobi pomembno določala območje sprejemljivega in dovoljenega v medijskem in literarnem sistemu. Medtem ko je predrevolucionarna cenzura ob varovanju političnega režima (dvora, države in Cerkve) do neke mere delovala tudi kot nadzornik kakovosti publikacij, je v drugi polovici vse bolj postajala represivno sredstvo za ustrahovanje in dušenje politične opozicije in za omejevanje nacionalističnih tendenc v večnacionalni monarhiji.

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